



**Amendments**

**to**

**HB 5001  
Special Session I  
(as Introduced)**

**Adopted by  
Senate Finance Committee**

**May 29, 2018**

**May 29, 2018 - Amendments to HB 5001, As Introduced**

Item 0 #1s

**Revenues**

Revenues

Language

**Language:**

Page 1, strike lines 26 through 40 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2016	\$623,444,000	\$0	\$623,444,000
	\$1,278,097,637		\$1,278,097,637
Additions to Balance	\$112,929,105	\$128,219,397 (\$347,581,150)	\$241,148,502 (\$234,652,045)
Official Revenue Estimates	\$18,560,962,400	\$19,193,307,390 \$19,328,192,934	\$37,754,269,790 \$37,889,155,334
Revenue Stabilization Fund	\$294,653,279	\$272,542,500	\$567,195,779
Transfer	\$650,847,811	\$640,823,562 \$625,284,929	\$1,291,671,373 \$1,276,132,740
Total General Fund Resources Available for Appropriation	\$20,242,836,595	\$20,234,892,849 \$19,878,439,213	\$40,477,729,444 \$40,775,929,445"

Page 1, strike lines 42 through 48, and insert:

	"First Year	Second Year	Total
Balance, June 30, 2016	\$4,795,976,243	\$0	\$4,795,976,243
Official Revenue Estimates	\$27,771,433,871	\$28,300,943,274 \$28,129,443,249	\$56,072,380,145 \$55,900,877,120
Lottery Proceeds Fund	\$599,892,144	\$546,495,789	\$1,146,477,933

**May 29, 2018 - Amendments to HB 5001, As Introduced**

		\$596,659,574	\$1,196,641,718
Internal Service Fund	\$2,077,103,387	\$2,174,937,786	\$4,252,041,173
		\$1,975,159,775	\$4,052,263,162
Bond Proceeds	\$384,882,000	\$408,626,132	\$793,508,132
		\$409,744,132	\$794,626,132
Total Nongeneral Fund Revenues Available for Appropriation	\$35,629,377,645	\$31,431,005,981	\$40,477,729,444
		\$31,111,006,730	\$66,740,384,375
<b>TOTAL PROJECTED REVENUES</b>	\$56,526,867,877	\$51,665,898,830	\$107,538,113,070
		\$50,989,445,943	\$107,516,313,820"

Page 2, strike lines 1 through 9.

**Explanation:**

(This amendment modifies the front page in HB 5001 to reflect changes to resources as adopted by the Senate Finance Committee.)

		Item 1 #1s	
<b>Legislative Department</b>		<b>FY16-17</b>	<b>FY17-18</b>
General Assembly of Virginia		\$0	\$200,000 GF

**Language:**

Page 16, line 44, strike "\$43,490,238" and insert "\$43,690,238".

Page 5, line 29, strike "Not set out."

Drawn to Chapter 836

Page 16, following line 44, insert:

"Included in this appropriation is \$200,000 in the second year from the general fund to be applied to the ongoing replacement of a legacy legislative bill tracking system. The Director, Division of Legislative Automated Systems, shall initiate procurement of a replacement legislative bill tracking system as expeditiously as possible using sound information technology principles, and such procurement shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of §2.2-2012. The Director may procure a replacement legislative bill tracking

system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director."

**Explanation:**

(This amendment provides \$200,000 from the general fund to initiate a replacement the legacy legislative bill tracking system.)

---

Legislative Department	Item 1 #2s	
	FY16-17	FY17-18
General Assembly of Virginia	\$0	\$310,000 NGF

**Language:**

Page 4, line 3, strike "\$43,490,238" and insert "\$43,800,238".

Page 4, line 9, strike "Not set out."

Drawn to Chapter 836,

Page 17, after line 32, following "year" insert:

"and \$310,000 in the second year"

**Explanation:**

(This amendment provides the second year appropriation of \$310,000 in Dedicated Special Revenue from proceeds of the sales of "Friends of the Chesapeake Bay" license plate to the Chesapeake Bay Restoration Fund for the recommendation of the Chesapeake Bay Restoration Fund Advisory Committee.)

---

Executive Offices	Item 61 #1s	
	FY16-17	FY17-18
Attorney General and Department of Law	\$0	(\$500,000) NGF

**Language:**

Page 8, line 12, strike "\$3,540,386" and insert "\$3,040,386".

**Explanation:**

(This amendment reduces the nongeneral fund appropriation for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund by \$500,000 in the second year.)

**Commerce and Trade**

Secretary of Commerce and Trade

Language

**Language:**

Set out item 105 from Chapter 836, 2017 Acts of Assembly, and after paragraph D.3. of item 105, insert:

"E.1. In recognition of disparities and a lack of sufficient economic opportunities in certain areas of the Commonwealth, the Secretary of Commerce and Trade, in conjunction with the Center for Rural Virginia, shall prepare a list of recommendations for submission by the Governor as nominees to the Secretary of the Treasury of the United States for designation as a "Qualified Opportunity Zone" as defined in 26 U.S. Code § 1400Z-1.

2. Areas to be considered shall include (i) the Counties of Bland, Buchanan, Carroll, Dickenson, Giles, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Wise, and Wythe and the Cities of Bristol, Galax, and Norton; (ii) the Counties of Amelia, Appomattox, Buckingham, Charlotte, Cumberland, Halifax, Henry, Lunenburg, Mecklenburg, Nottoway, Patrick, Pittsylvania, and Prince Edward and the Cities of Danville and Martinsville; (iii) the Counties of Accomack, Caroline, Essex, Gloucester, King and Queen, King William, Lancaster, Mathews, Middlesex, Northampton, Northumberland, Richmond, and Westmoreland; and (iv) the Counties of Brunswick, Campbell, Dinwiddie, and Greensville, and the Cities of Emporia and Petersburg, or any other areas that may meet the requirements."

**Explanation:**

(This amendment addresses the purpose of HB 222 (Morefield) and SB 883 (Stanley), by directing the Secretary of Commerce and Trade in conjunction with the Center for Rural Virginia, to prepare a list of recommendations for submission by the Governor as nominees to the Secretary of the Treasury of the United States for designation as a "Qualified Opportunity Zone" as defined in the Tax Cuts and Jobs Act of 2017.)

**Education**

**FY16-17**

**FY17-18**

Direct Aid to Public Education

\$0

(\$30,000)

GF

**Language:**

Page 29, line 14, strike "\$27,796,445" and insert "\$27,766,445".

Page 30, line 13, strike "\$200,000" and insert "\$170,000".

**Explanation:**

(This amendment captures the \$30,000 GF unspent balance in FY 2018 in the STEM Competition Team Grants.)

---

	Item 139 #1s	
<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$0	\$390,703 GF

**Language:**

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,565,436".

**Explanation:**

(This amendment reflects a net \$390,703 GF additional cost in FY 2018 due to the following technical updates in Direct Aid: 1) savings of \$51,336 in Governor's Schools due to updates spring enrollment figures for A. Linwood Holton Governor's School; and 2) an increase in costs of \$442,039 in the K-3 Class Size Reduction Program for two additional schools in Harrisonburg and in Prince William County.)

---

	Item 139 #2s	
<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$0	(\$10,000,003) GF
	\$0	\$10,000,000 NGF

**Language:**

- Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,174,730".
- Page 38, line 9, strike "\$55,357,226" and insert "\$45,357,223".
- Page 38, line 25, strike "\$111,375,310" and insert "\$101,375,307".
- Page 38, line 44, strike "\$42,389,648" and insert "\$52,389,651".
- Page 39, line 26, strike "\$598,478,743" and insert "\$608,478,743".
- Page 47, line 23, strike "\$598,478,743" and insert "\$608,478,743".
- Page 51, line 37, strike "\$55,357,226" and insert "\$45,357,223".
- Page 51, line 38, strike "\$42,389,648" and insert "\$52,389,651".

**Explanation:**

(This amendment adds \$10.0 million the second year to reflect increased Lottery revenues collected to date in fiscal year 2018 that are ahead of the forecast and offsets an equal amount

from the general fund. This amendment has a net zero funding impact to Direct Aid.)

---

	Item 139 #3s		
<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	\$0	(\$99,291)	GF

**Language:**

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,075,442".

**Explanation:**

(This amendment captures \$99,291 the second year from the general fund from the unspent remaining balance in Foster Care payments.)

---

	Item 144 #1s		
<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
State Council of Higher Education for Virginia	\$0	\$1,000,000	GF

**Language:**

Page 72, line 41, strike "\$79,987,332" and insert "\$80,987,332".

**Explanation:**

(This amendment provides an additional \$1.0 million GF in FY 2018 for the New Economy Workforce Credential Grant. Chapter 836 has \$12.5 million GF appropriated for this purpose over the biennium, \$7.5 million GF in FY 2018. This amendment would bring the total to \$8.5 million GF for FY 2018. It is the intent of this amendment that Item 144 be set out and the embedded language be updated with the new amounts.)

---

	Item 306 #1s		
<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$0	(\$2,350,000)	GF
	\$0	\$2,350,000	NGF

**Language:**

Page 94, line 40, strike "\$399,677,948" and insert "\$402,027,948".

**Explanation:**

(This amendment reduces \$2.4 million general fund the second year to reflect a increase in Medicaid recoveries for the Health Care Fund, which is used as state match for the Medicaid program. Higher revenues to the fund reduce the general fund need for Medicaid and likewise any increase in revenue results in additional general fund needed to fully fund the state match for Medicaid. Based on the the last few months of tobacco tax revenues, the decrease reflected in the introduced budget will likely be less than projected. This amendment reflects a slightly higher revenue estimate that reflects \$2.2 million in revenue to the Health Care Fund. In addition, \$150,000 in revenue is captured in Medicaid recoveries due to a repayment from a hospital that based on federal payment limits could not use the Disproportionate Share Hospital payments made to them in FY 2017.)

---

Item 306 #2s

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 110, strike line 57.

Page 111, strike lines 1 through 19.

**Explanation:**

(This amendment removes authority included in the introduced budget for expanding the Medicaid program pursuant to the Affordable Care Act.)

---

Item 310 #1s

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Medical Assistance  
Services

\$0  
\$0

(\$500,000) GF  
(\$500,000) NGF

**Language:**

Page 123, line 12, strike "\$232,756,469" and insert "\$231,756,469".

**Explanation:**

(This amendment reduces \$500,000 from the general fund and \$500,000 from federal funds the second year provided for mailings related to implementation of the new Medallion 4.0 managed care program in Medicaid.)



Item 310 #2s

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance	\$0	(\$611,953)	GF
Services	\$0	(\$1,111,953)	NGF

**Language:**

Page 123, line 12, strike "\$232,756,469" and insert "\$231,032,563".

**Explanation:**

(This amendment removes \$611,953 from the general fund and \$1.1 million from federal Medicaid matching funds in the second year provided for administrative costs to begin implementation of and expansion of Medicaid pursuant to the Affordable Care Act on October 1, 2018.)

Item 310 #3s

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance	\$0	(\$175,000)	NGF
Services			

**Language:**

Page 123, line 12, strike "\$232,756,469" and insert "\$232,581,469".

Page 124, line 1, strike "\$1,000,000" and insert "\$825,000".

Page 124, strike lines 21 through 22 and insert:

"2. No funds from the civil money penalty special fund shall be used for administrative costs."

**Explanation:**

(This amendment reduces \$175,000 from nongeneral fund the second year provided for administrative costs to administer Civil Money Penalty fund. Nursing facilities that are sanctioned for violations through surveys and certification to ensure compliance with rules pay penalties that are deposited to a special fund, which pursuant to federal law may be used in emergency situations to relocate residents from a nursing facility or other initiatives to improve the quality of care. The introduced budget increased the appropriation by \$700,000 with most of it for quality initiatives for nursing homes. However, \$175,000 was provided for administrative costs which is a policy change over the use of the fund. Considering the limited funding available and the importance of having a reserve for addressing emergency situations, this amendment removes the administrative appropriation and clarifies that the fund is not be used to pay administrative costs.)

Item 313 #1s

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Behavioral Health and  
Developmental Services

\$0

(\$200,000) GF

**Language:**

Page 129, line 7, strike "\$78,226,064" and insert "\$78,026,064".

**Explanation:**

(This amendment reduces \$200,000 from the general fund in FY 2018 that was included in the introduced budget to correct an error related to a prior savings strategy adopted in a previous session.)

---

Item 383 #1s

**Public Safety and Homeland Security**

**FY16-17**

**FY17-18**

Secretary of Public Safety and  
Homeland Security

\$0

(\$500,000) GF

**Language:**

Page 154, line 2, strike "\$1,147,093" and insert "\$647,093".

Refer to page 396 of Chapter 836, strike lines 41-44.

**Explanation:**

(This amendment adjusts the base funding in order to transfer this appropriation to the year in which it will be spent for the state matching funds for a flood study.)

---

Item 442 #1s

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 166, following line 34, insert:

"R. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom

tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section."

**Explanation:**

(This amendment directs DMV to provide all relevant information including price and volume of fuels sold in Hampton Roads and Northern Virginia to which the regional 2.1 percent motor fuels tax is calculated to the transportation authorities in each region.)

---

Item 442 #2s

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 166, line 24, strike "\$20,700,000" and insert "\$10,500,000".

**Explanation:**

(This amendment is part of a series of amendments to reduce the proposed line of credit for implementation of REAL ID in order to phase-in implementation over multiple years.)

---

Item 456 #1s

**Transportation**

Department of Transportation

Language

**Language:**

Page 172, following line 8, insert:

"E. It is the intent of the General Assembly that the toll revenues, including any bond proceeds or concession payments related to such toll revenues, derived from the express lanes on Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission established pursuant Chapter 26 of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564."

**Explanation:**

(This amendment directs the Virginia Department of Transportation to dedicate any toll revenues, bond proceeds, or concession payments derived from the Hampton Roads express lanes to reducing the contributions of the Hampton Roads Transportation Accountability

Commission towards interstate capacity expansion projects in Hampton Roads.)

---

Item 456 #2s

**Transportation**

Department of Transportation

Language

**Language:**

Page 172, line 17, strike "\$66,775,844" and insert "\$67,139,550".

Page 172, line 20, strike "\$15,230,168" and insert "\$14,866,462".

Page 173, following line 1, insert:

"E. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly, that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702)."

**Explanation:**

(This amendment clarifies the legislative intent of the Code of Virginia for the Commonwealth Transportation Board and the Virginia Department of Transportation when calculating annual rates of payment for counties that have elected to withdraw from the secondary highway system. An erroneous interpretation by the Board, at the recommendation of VDOT's Local Assistance Division, in June 2017, resulted in a one-time reduction in the calculation of maintenance payments to Henrico County due to an unanticipated increase in the lane miles in Arlington County.)

---

Item 456 #3s

**Transportation**

Department of Transportation

Language

**Language:**

Page 172, strike line 21 and line 22.

Page 172, line 25, strike "\$331,400,000" and insert "\$332,900,000".

**Explanation:**

(This amendment is a technical correction to HB 5001, as introduced, that erroneously placed additional forecast revenues for the Northern Virginia Transportation Authority in an incorrect

fund.)

---

	Item 476 #1s	
<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Appropriations	\$0	\$176,688 GF

**Language:**

Page 190, line 36, strike "\$15,648,265" and insert "\$15,824,953".

Page 195, after line 45, insert:

"R. Out of the general fund amounts included in this item, \$176,688 the second year shall be transferred to the Department of Taxation to enable the Department to hire 12 additional audit staff during fiscal year 2018. The Department shall be authorized to administratively increase their maximum employment level as needed for this initiative."

**Explanation:**

(This amendment provides \$176,688 from the general fund in fiscal year 2018 to allow the Department of Taxation to hire 12 additional audit staff beginning in fiscal year 2018. The introduced budget assumed additional revenues from hiring 8 new audit staff beginning in fiscal year 2019. An amendment in House Bill 5002 authorizes an additional 4 staff and assumes additional revenues from the 4 additional staff. This amendments authorizes the hiring of the 12 new staff during fiscal year 2018 to maximize the revenue collections in fiscal year 2019.)

---

	Item C-14.50 #1s	
<b>Education: Higher Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Old Dominion University	\$0	\$10,000,000 NGF

**Language:**

Page 208, line 26, strike "\$55,000,000" and insert "\$65,000,000".

**Explanation:**

(This amendment provides additional nongeneral fund authority for the football stadium project due to increased construction costs. Revenue for this supplement will be generated by increased fund-raising and not through new or increased fees. It is the intent of this amendment that Item C-14.50 be set out and the embedded language be updated with the new amounts.)

---

	Item C-19 #1s	
<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>

Virginia Commonwealth University \$0 \$1,118,000 NGF

**Language:**

Page 209, line 3, strike "\$0" and insert "\$1,118,000".

**Explanation:**

(This amendment increases the revenue bond proceeds for the Virginia Commonwealth University project "Construct School of Engineering and Research Expansion" by \$1.1 million in FY 2018. The increase is necessary due to the Commonwealth's cost review of the detailed plans for the new facility. This item is not set out in SB 29. It is the intent of this amendment that the Item would be set out during enrolling and that the total for bond proceeds would equal \$42,459,000 in FY 2018.)

---

Item C-52.45 #1s

**Central Appropriations**

Central Capital Outlay

Language

**Language:**

Page 212, after line 23, insert:

"I. The Virginia Alcoholic Beverage Control Authority and the Department of General Services (DGS) are authorized to execute an agreement for a capital project to acquire a new ABC warehouse and administrative offices pursuant to the competitive public solicitation process called for in Item C-52.45 of Chapter 836 of the 2017 Acts of Assembly. Terms of such agreement shall be cost effective and efficient to meet ABC's operational and business needs."

**Explanation:**

(This amendment provides the Department of Alcoholic Beverage Control (ABC) and the Department of General Services (DGS) with the authority to proceed with the new warehouse and administrative office project. It is the intent of this amendment that Item C-52.45 be set out during enrolling.)

---

Item 3-1.01 #1s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 218, line 2, strike "\$6,300,000" and insert "\$4,700,000"

**Explanation:**

(This amendment reduces the transfer from the general fund to the Game and Protection Fund by \$1.6 million in FY 2018.)

---

Item 3-1.01 #2s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 214, line 41, strike "\$0" and insert "\$500,000".

Page 214, line 45, strike "\$74,915,400" and insert "\$75,415,400".

**Explanation:**

(This amendment increases the transfer from the Virginia Alcohol Safety Action Program to the general fund by \$500,000 in FY 2018.)

---

Item 3-1.01 #3s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 221, line 12, after "the first year", insert "and \$500,000 the second year".

**Explanation:**

(This amendment increases the transfer to the general fund from excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund by \$500,000 the second year.)

---

Item 3-1.01 #4s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 217, line 12, strike "\$598,478,743" and insert "\$608,478,743".

Page 217, line 15, strike "\$598,478,743" and insert "\$608,478,743".

**Explanation:**

(This amendment updates the Lottery revenue transfer to public education to reflect an increase of \$10.0 million in the second year.)

---

Item 3-2.03 #1s

**Working Capital Funds and Lines of Credit**

Lines of Credit

Language

**Language:**

Page 229, line 9, strike "\$20,700,000" and insert "\$10,500,000".

**Explanation:**

(This amendment reduces the proposed line of credit for REAL ID in order to phase-in implementation over several years.)

---

Item 3-5.20 #1s

**Adjustments and Modifications to Tax Collections**

Provider Assessment

Language

**Language:**

Page 234, strike lines 10 through 28.

**Explanation:**

(This amendment removes language included in the introduced budget that establishes an assessment on private hospitals in the Commonwealth that would be used to pay for the costs of expanding the Medicaid program pursuant to the Affordable Care on October 1, 2018.)

---

Item 4-14 #1s

**Effective Date**

Language

**Language:**

Page 292, strike line 4 through line 5.

Page 292, line 6, strike "4." and insert "3."

Page 292, line 9, strike "or June".

Page 292, line 10, strike "30, 2018,".

Page 292, line 11, after D." insert "1."

Page 292, line 11, after "remaining fifty percent" insert:



"from the fiscal year 2017 surplus revenues".

Page 292, after line 13, insert:

"2. Notwithstanding the limits prescribed in §2.2-1831.3 B, Code of Virginia, the Comptroller shall reflect a commitment on the preliminary balance sheet entitled "Revenue Reserve" to be held solely for the purposes of mitigating any loss of general fund revenues or transfers in future biennia pursuant to the provisions of Chapter 827, 2018 Session of the General Assembly, and any future appropriation acts."

**Explanation:**

(This amendment increases the percentage of excess fiscal year 2018 general fund revenues to be committed to the Revenue reserve Fund established pursuant to Chapter 827, 2018 Session of the General Assembly, from 50 percent to 100 percent of the amounts remaining after other required commitments and assignments excluding the Water Quality Improvement Fund.)

---