

Request to Amend House Bill 5005, as Introduced

commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique identifier shall be provided.

3. The department shall provide its findings and recommendations to the Chairs of the House Appropriations, House Courts of Justice, Senate Finance and Appropriations, and Senate Judiciary Committees no later than October 15, 2020.

P. Out of this appropriation, \$500,000 the first year from the general fund is provided for the Department of Criminal Justice Services to award grants to localities for training related to enforcement of the removal of firearms based on substantial risk protective orders.

Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients.

R. Out of this appropriation, \$150,000 the first year from the general fund is provided for community assessments for youth and gang violence prevention initiatives in Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg."

Explanation:

(This amendment would eliminate the \$4.7 million from the general fund each year appropriated to the Department of Criminal Justice Services for the provision of school resource officer / school security officer incentive grants to localities. A corresponding amendment to the Direct Aid for Public Education item would provide \$4.7 million from the general fund each year in additional funding for school mental health counselors.)

Request to Amend House Bill 5005, as Introduced

Public Safety and Homeland Security

Department of Emergency Management

Language

Language:

Page 187, line 28, strike "Not set out." and insert:

"Emergency Preparedness (77500)	\$29,279,639	\$26,779,639
Financial Assistance for Emergency Management and Response (77501)	\$20,370,257	\$20,370,257
Emergency Training and Exercises (77502)	\$3,745,166	\$3,745,166
Emergency Planning Preparedness Assistance (77503)	\$2,976,091	\$476,091
Emergency Preparedness and Response (77504)	\$1,022,611	\$1,022,611
Emergency Management Regional Coordination (77506)	\$1,165,514	\$1,165,514
Fund Sources:		
General	\$4,318,594	\$1,818,594
Special	\$1,710,335	\$1,710,335
Federal Trust	\$23,250,710	\$23,250,710

Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.

A. Included within this appropriation is the continuation of \$160,810 the first year and \$160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.

B. This appropriation includes \$500,000 in the first year and \$500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness. The agency shall submit a report detailing the number and types of training and exercises conducted, the costs associated with such training and exercises, and challenges and barriers to ensuring that state and local agencies are ready and able to respond to emergencies and natural disasters. The report shall be submitted to the Governor, Secretary of Public Safety and Homeland Security, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Department of Planning and Budget by November 1 of each year.

C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other

Request to Amend House Bill 5005, as Introduced

resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.

2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.

3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 358, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.

D. Out of this appropriation, \$2,500,000 the first year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.

E. The Department of Emergency Management shall provide a report on the Commonwealth's "lessons learned" from the COVID-19 pandemic and how these lessons are being incorporated into future emergency and disaster planning efforts undertaken by the Department. The report shall also include the Commonwealth's preparedness plans for the following events: CBRNE Terrorist Attack, Critical Infrastructure Protection Attack, Global Pandemic, Hurricane (Direct Impact of Category 3 or greater), Nuclear Power Plant Meltdown, Nuclear Attack.) The report shall be provided to the General Assembly no later than June 30, 2021."

Explanation:

(This amendment directs the Department of Emergency management to provide a "lessons learned" report relating to the Commonwealth's COVID-19 response, and various other preparedness plans no later than June 30, 2021.)

Chief Patron: Rush

Item 429 #1h

Public Safety and Homeland Security

Virginia Parole Board

Language

Language:

Request to Amend House Bill 5005, as Introduced

Page 191, line 10, strike "Not set out." and insert:

"Probation and Parole Determination (35200)	\$2,330,525	\$2,330,525
Adult Probation and Parole Services (35201)	\$2,330,525	\$2,330,525
Fund Sources:		
General	\$2,280,525	\$2,280,525
Federal Trust	\$50,000	\$50,000

Authority: Title 53.1, Chapter 4, Code of Virginia.

A. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, the Parole Board shall annually consider for conditional release those inmates who meet the criteria for conditional geriatric release set out in § 53.1-40.01, Code of Virginia, except that upon any such review the Board may schedule the next review as many as three years thereafter. If any such inmate is also eligible for discretionary parole under the provisions of § 53.1-151 et seq., Code of Virginia, the board shall not be required to consider that inmate for conditional geriatric release unless the inmate petitions the board for conditional geriatric release.

B. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, parole shall not be granted to persons convicted of murder as defined in § 18.2-32, Code of Virginia, in cases in which the person was convicted without the body of the victim being found."

Explanation:

(This amendment proposes to make ineligible for parole any individual convicted of murder in cases in which the individual was convicted of murder without the body of the victim being found.)

Chief Patron: Simon

Item 436 #1h

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

"Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency as defined in § 44-146.16, Code of Virginia, and for up to 90 days after the declaration of a state of emergency has been rescinded or expires, the Commissioner shall ensure that individuals age 65 and older, or with an immunocompromised or other underlying medical conditions are able to complete any necessary transactions either electronically or over the telephone."

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment clarifies that the DMV must allow individuals who are 65 or over and individuals with an underlying medical condition can make all needed transactions electronically or on the phone during the state of emergency.)

Chief Patron: Sickles

Item 436 #2h

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Chief Patron: Krizek

Item 436 #3h

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded

Request to Amend House Bill 5005, as Introduced

or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Chief Patron: Jones J.C.

Item 477 #1h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$100,000

\$100,000 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$139,652,150".

Page 204, line 6, strike "\$213,830,664" and insert "\$213,930,664".

Page 204, after line 6, insert:

"CC. Out of the amounts included in this item, amounts estimated at \$100,000 the first year and \$100,000 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of legislation adopted during the 2020 General Assembly Special Session I which creates the presumption that COVID-19 is an occupational diseases under the Workers Compensation Act for first responders and certain health care workers."

Explanation:

(This amendment provides funding pursuant to the enactment of House Bill 5028 of the 2020 Special Session I establishing a presumption that COVID-19 is a work related disease for first responders and certain health care workers under the Workers Compensation Act. The funding requested in this amendment is a placeholder until a detailed fiscal impact estimate developed.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Cox

Item 479.10 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include,

Request to Amend House Bill 5005, as Introduced

but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E. 1. Localities may establish programs to provide funds to parents meeting compulsory attendance requirements in § 22.1-254.A of the Code during the Coronavirus public health emergency by having their children taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent in lieu of enrollment in the public school system. Such programs may reimburse parents for: (i) tutoring services; (ii) educational therapies or services for students from a practitioner or provider, including paraprofessionals or educational aides; (iii) tuition or fees for a private online learning program; (iv) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; (v) transportation; (vi) computer hardware and software; and (vii) consumable educational supplies or any other education-related goods or services, such as Internet access, that are necessary for the provision of the student's education.

2. Out of this appropriation, \$100,000,000 in the first year from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) are provided to reimburse localities for one-half of the cost of such program. The Superintendent of Public Instruction shall establish a timeline for the submission of reimbursement requests that aligns with the Coronavirus Relief Fund deadline for incurring expenses.

3. One-half of the cost of such program shall be funded by the locality through local revenues or the federal funding provided to the locality pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), or any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency, to the extent permitted by federal law.

4. If additional federal funding is provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency and federal law permits such funds to be used to support programs as provided in paragraph E 1, the Governor shall reserve a reasonable amount to provide reimbursements for such programs."

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment permits localities to establish programs to reimburse parents for costs related to teaching pods established in response to the Coronavirus public health emergency. This amendment provides \$100,000,000 the first year from the federal Coronavirus Relief Fund to reimburse localities for one-half of the cost. The amendment also provides that if additional federal relief becomes available, the Governor shall reserve a reasonable amount of such funding to support these reimbursements.)

Chief Patron: Coyner

Item 479.10 #3h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,000,000

\$0 NGF

Language:

Page 204, line 9, strike "\$0" and insert "\$1,000,000".

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any

Request to Amend House Bill 5005, as Introduced

appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E. 1. Out of this appropriation, \$500,000 in the first year from federal relief provided in paragraph A and \$500,000 in the first year from the COVID-19 Relief Fund established in paragraph B shall be provided to reimburse school divisions for the state share of costs associated with providing substitute teachers for classrooms impacted by teachers using COVID-19 related sick leave as required by House Bill 5078.

2. Reimbursements shall be based on the state share of prevailing substitute teacher costs, prorated based on the number of days a substitute teacher was provided due to a teacher using COVID-19 related sick leave.”

Explanation:

(This amendment provides \$1,000,000 the first year from the nongeneral fund to school divisions for the state share of substitute teachers required to be deployed due to COVID-19 sick leave established in House Bill 5078. Federal Coronavirus Relief funds would be used for reimbursements through December 30, 2020 and COVID-19 Relief Funds generated from gray machine revenues would be used for reimbursements thereafter.)

Chief Patron: Guzman

Item 479.10 #4h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide public employees a guaranteed two weeks of paid quarantine leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

2. Furthermore, the Governor is authorized to establish a program, using available federal funds, which provides reimbursement to social service agencies, homecare agencies, and other non-profit agencies providing essential services to provide employees a guaranteed two weeks of paid quarantine leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

3. Twenty percent of unexpended funds designated for small business assistance grants from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136) shall be directed to support paid quarantine leave for employees of small businesses who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19. For the purposes of this allocation, a small business is defined as an employer with one to fifty employees.

4. For the benefits provided in this paragraph, an employer shall provide compensation for the number of hours equal to the number of hours that such eligible employee works, on average, over a two-week period."

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide two weeks of paid quarantine leave to all state employees, employees of political subdivisions, and specific social service/health care workers who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19. It also directs 20 percent of funds allocated for the Rebuild Virginia program to support small business in providing paid time off for employees who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19.)

Chief Patron: Reid

Item 479.10 #5h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide public employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

2. Furthermore, the Governor is authorized to establish a program, using available federal funds, which provides reimbursement to social service agencies, homecare agencies, and other non-profit agencies providing essential services to provide employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19."

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide 80 hours of paid sick leave to all state employees, employees of political subdivisions, and specific social service/health care workers who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19.)

Chief Patron: Reid

Item 479.10 #7h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide hazardous duty pay to public and private employees deemed to be at risk of being infected with COVID-19 due to work requirements. Employees provided the hazardous duty pay shall include any K-12 staff or professional, who is returning to or directly supporting an in-person instructional environment, direct care social service/health care workers, poll workers; nurses; doctors; law enforcement officers; emergency first responders; and correctional officers. The hazardous duty pay shall continue until the Federal funding is exhausted; the Governor's Emergency Order is lifted or expires; or the COVID-19 mortality rate for the jurisdiction, where the individual serves, returns to a season flu-like rate, whichever comes first."

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide hazardous duty pay to individuals in essential professions that are at risk of exposure to COVID-19 due to their work environment.)

Chief Patron: Bulova

Item 479.10 #8h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for

Request to Amend House Bill 5005, as Introduced

federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E. Out of this appropriation, \$80,000,000 in the first year from the federal relief funds shall be provided to support child care stabilization grants with local community partnerships and providers. Grant criteria shall be developed by the Department of Social Services in consultation with the Department of Education. Grants awarded shall support communities or regional collaboratives provide additional child care classrooms, home-based child care providers, or responses to short term needs to respond to virtual learning during the COVID-19 emergency."

Explanation:

(This amendment provides \$80 million from the federal Coronavirus Relief Fund generated to establish a grant program to support communities and regional partnerships formed to meet child care needs while many school facilities and child care centers are closed during the COVID-19 emergency.)

Chief Patron: Hurst

Item 479.10 #9h

Central Appropriations

Central Appropriations

Language

Language:

Request to Amend House Bill 5005, as Introduced

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide \$10,000,000 in federal funding for the Virginia Department of Health and Department of Emergency Management to develop a multi-media, multi-lingual COVID-19 campaign that prioritizes getting COVID-19 information to at-risk communities and all residents of the Commonwealth. The campaign shall include the use of all media channels available, with a focus on advertising in local Virginia media outlets, such as newspapers (print and digital versions) and local radio and television, ensuring that there is a focus on those that serve areas of the state with a significant high-risk populations. The Health Department shall work with the VA Press Association and the Virginia Association of Broadcasters to develop the campaign and shall use a portion of the public information campaign funds for non-traditional outreach, such as placing flyers in the breakfast and lunch kits that are still being served to school aged children around the state."

Explanation:

(This amendment authorizes the use of \$10.0 million in federal COVID-19 relief funds to develop a public information campaign.)

Chief Patron: Guzman

Item 479.10 #10h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide \$500,000 in federal funding for the Virginia Department of Health to develop a one-time grant program to contract with non-profit organizations to provide COVID-19 education and outreach programs targeted to the Latinx community."

Explanation:

(This amendment authorizes the use of \$500,000 in federal COVID-19 relief funds to provide a one-time grant program for education and outreach targeting the Latinx community.)

Chief Patron: Krizek

Item 479.10 #11h

Central Appropriations

Central Appropriations

Language

Language:

Request to Amend House Bill 5005, as Introduced

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use federal funds appropriated within this item to provide \$882,500 for the Virginia Mental Health Access Program."

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide \$882,500 from the Coronavirus Aid, Relief and Economic Security Act (CARES) Act to enable the Virginia Mental Health Access Program (VMAP) to respond to the children’s mental health crisis being experienced as a result of the COVID-19 pandemic. Since the start of the pandemic, primary care providers are seeing an increase in the number of children with mental health issues. The sudden and traumatic experiences of changes to daily routines, social isolation, increased family stress, and the challenges of virtual education have resulted in an escalating number of children with mental health disorders. In July, the Virginia Chapter of the American Academy of Pediatrics conducted a survey of primary care providers and found that 88% of respondents reported an increase in mental and behavioral health issues in children since the onset of COVID. VMAP is specifically designed for children and provides them with mental health services by expanding the existing workforce. It gives children's health care providers access to child psychiatrists, psychologists, social workers, and care navigation. This funding will allow VMAP to expand components of the program statewide, so that more children have access to these services.)

Chief Patron: Sickles

Item 479.10 #12h

Central Appropriations

Central Appropriations

Language

Language:

Page 145, after line 26, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to increase Medicaid personal care, respite and companion care rates to include a \$20 per patient per day supplement. Such supplement will be effective for the period of the Governor's Declaration of a State of Emergency due to COVID-19 through December 30, 2020. Such supplement shall be made through existing managed care capitation rates as a mandated specified rate increase for the period of the Governor's emergency declaration through December 30, 2020. The Department of Medical Assistance Services shall adjust capitation rates to account for the personal care, respite, and companion care supplement increase and reflect the duration of the Governor's emergency. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care programs."

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment authorizes the use of federal Coronavirus Relief Funds to increase rates by \$20 per patient per day for Medicaid personal care, respite care and companion care services for the duration of the Governor's declared emergency due to COVID-19 through December 30, 2020.)

Chief Patron: Cox

Item 482.20 #1h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$54,750,000

\$25,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

Explanation:

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

Chief Patron: Cox

Item 482.20 #4h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,000,000

\$1,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,015,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".

Page 213, strike lines 41 through 45.

Explanation:

(This amendment restores funding for the expansion of the Online Virginia Network.)

Chief Patron: Reid

Item 482.20 #5h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$54,750,000

\$25,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Request to Amend House Bill 5005, as Introduced

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

Explanation:

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

Chief Patron: Sickles

Item 482.20 #6h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,172,091

\$3,289,890 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

Explanation:

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Fariss

Item 482.20 #7h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$8,628,574

\$8,628,574 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$745,387,418".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,911,903".

Page 219, strikes lines 50 and 51.

Explanation:

(This amendment removes the reversion of \$8.6 million in the general fund each year from the Aids to Localities with Police Departments ("House Bill 599") program administered by the Department of Criminal Justice Services. These additional funds were provided during the 2020 Session based upon expected growth in general fund revenue from fiscal year 2020 to fiscal year 2021.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Carroll Foy

Item 482.20 #8h

Central Appropriations

Central Appropriations

Language

Language:

Page 206, strike lines 42 through 43.

Page 206, line 44, strike "\$3,000,000" and insert "\$1,000,000".

Explanation:

(This amendment fully restores funding for the Virginia Jobs Investments Program).

Chief Patron: Carroll Foy

Item 482.20 #9h

Central Appropriations

Central Appropriations

Language

Language:

Page 207, strike lines 24 through 25.

Page 207, line 28, strike "\$4,679,613" and insert "\$0".

Explanation:

(This amendment fully restores funding for the Virginia Talent Accelerator program.)

Chief Patron: Reid

Item 482.20 #10h

Central Appropriations

Central Appropriations

Language

Language:

Page 206, strike lines 42 through 43.

Page 206, line 44, strike "\$3,000,000" and insert "\$1,000,000".

Explanation:

(This amendment fully restores funding for the Virginia Jobs Investments Program).

Chief Patron: Reid

Item 482.20 #11h

Central Appropriations

Request to Amend House Bill 5005, as Introduced

Central Appropriations

Language

Language:

Page 207, strike lines 26 through 27.

Page 207, line 28, strike "\$12,500,000" and insert "\$0".

Explanation:

(This amendment fully restores \$12.5 million of additional funding for the Virginia Business Ready Sites program in fiscal year 2021.)

Chief Patron: Gilbert

Item 482.20 #12h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$8,628,574

\$8,628,574

GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$745,387,418)".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,911,903)".

Page 219, strikes lines 50 and 51.

Explanation:

(This amendment removes the reversion of \$8.6 million in the general fund each year from the Aids to Localities with Police Departments ("House Bill 599") program administered by the Department of Criminal Justice Services. These additional funds were provided during the 2020 Session based upon expected growth in general fund revenue from fiscal year 2020 to fiscal year 2021.)

Chief Patron: Sickles

Item 482.20 #13h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$6,794,541

\$6,984,788

GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$747,221,451)".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,555,689)".

Page 215, strike lines 34 and 35.

Explanation:

(This amendment restores \$6.8 million the first year and \$7.0 million the second year from the general fund for nursing facility reimbursement. Funding will increase the peer group adjustment factors used in nursing facility reimbursement in order to account for lower cost

Request to Amend House Bill 5005, as Introduced

facilities inappropriately suppressing Medicaid rates for facilities with higher costs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Samirah

Item 482.20 #14h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,172,091

\$3,289,890 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

Explanation:

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Coyner

Item 482.20 #15h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$170,125

\$226,832 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,845,867".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,313,645".

Page 219, strike lines 29 through 31.

Explanation:

(This amendment restores \$170,125 the first year and \$226,832 the second year for the an executive director and additional investigator for the Board of Local and Regional Jails.)

Chief Patron: Austin

Item 482.20 #16h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

\$350,000 GF

Request to Amend House Bill 5005, as Introduced

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,190,477".
Page 211, strike lines 27 through 28.

Explanation:

(This amendment restores funding for the health science and technology pilot at Virginia Western Community College.)

Chief Patron: Carr

Item 482.20 #17h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$159,479

\$159,479 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,856,513".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,380,998".
Page 218, strike lines 39 and 40.

Explanation:

(This amendment restores \$159,000 in general funds each year for the Department of Historic resources to establish an underwater archaeology program.)

Chief Patron: Sickles

Item 482.20 #18h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,114,936

\$2,116,376 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,901,056".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".
Page 215, strike lines 22 and 23.

Explanation:

(This amendment restores \$1.1 million the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children's Health Insurance Program with a 35 percent state match. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Sickles

Item 482.20 #19h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

\$7,599,696 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,940,781".

Page 215, line 44, strike the second "\$7,599,696" and insert "\$0".

Explanation:

(This amendment restores \$7.6 million the second year from the general fund to increase Medicaid reimbursement to residential psychiatric facilities. The rates paid to these facilities, unlike other institutional providers (hospitals, nursing facilities, etc.), have not increased since 2008 and have not been adjusted for inflation. These facilities serve only children in a clinically and medically-necessary active treatment program designed to provide necessary support and address mental health, behavioral, substance abuse, cognitive and training needs in order to prevent or minimize the need for more intensive outpatient treatment, per federal regulations. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles

Item 482.20 #20h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$6,245,286

\$6,245,286 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$747,770,706".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,295,191".

Page 215, strike lines 46 and 47.

Explanation:

(This amendment restores \$6.2 million each year from the general fund to increase Medicaid reimbursement for skilled and private duty nursing to 80 percent of the benchmark rate effective July 1, 2020. This shall apply to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 16.1 percent and private duty nursing rates by an average of 11.6 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the

Request to Amend House Bill 5005, as Introduced

introduced budget.)

Chief Patron: Tran

Item 482.20 #21h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$9,609,223

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,406,769".

Page 215, line 13, strike the second "\$9,609,223" and insert "\$0".

Explanation:

(This amendment restores \$9.6 million the first year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 16 hours for a single attendant who works more than 40 hours per week. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. Matching federal funds are available to augment the state general funds in fiscal year 2021.)

Chief Patron: Carroll Foy

Item 482.20 #22h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,500,000

\$1,500,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,040,477".

Page 205, strike lines 35 through 39.

Explanation:

(This amendment restores \$1.5 million each year in the general fund provided by the 2020 General Assembly for the State Bar to contract for additional civil indigent defense attorneys to represent individuals in eviction cases.)

Chief Patron: Reid

Item 482.20 #23h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$253,376

\$262,491 GF

Request to Amend House Bill 5005, as Introduced

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,762,616".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".
Page 215, strike lines 36 and 37.

Explanation:

(This amendment restores \$253,376 the first year and \$262,491 the second year from the general fund increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Krizek

Item 482.20 #24h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$500,000

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992".
Page 219, line 43, strike the first "\$1,000,000" and insert "\$500,000".

Explanation:

(This amendment restores \$500,000 from the general fund in new funding for the Pre- and Post-Incarceration Services (PAPIS) program approved by the 2020 General Assembly. The PAPIS program provides wrap-around services to individuals nearing or newly released from incarceration with the goal of reducing improving outcomes for individuals and reducing recidivism rates.)

Chief Patron: Subramanyam

Item 482.20 #25h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$42,319

\$42,319 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,973,673".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,498,158".

Request to Amend House Bill 5005, as Introduced

Page 220, strike lines 20 and 21.

Explanation:

(This amendment restores \$42,319 from the general fund each year for an additional part-time release planning coordinator position at the Virginia Parole Board. The position would support Senate Bill 5018, which would expand eligibility for conditional release to individuals who are terminally ill or physically disabled.)

Chief Patron: Tran

Item 482.20 #26h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$507,500

\$373,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,508,492".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,167,477".

Page 215, strike lines 18 and 19.

Explanation:

(This amendment restores \$507,500 the first year and \$373,000 the second year from the general fund to restore funding for the administrative costs related to exempting live-in caretakers from the Medicaid electronic visit verification requirement. This funding will cover increased costs for the fiscal/employer agent and managed care organizations. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carr

Item 482.20 #27h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$4,100,000

\$7,900,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$749,915,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,640,477".

Page 208, strike lines 42 through 43.

Explanation:

(This amendment restores funding for the Tuition Assistance Grant (VTAG) to increase the annual award to \$4,000.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Tran

Item 482.20 #28h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$160,800

\$160,800 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,855,192".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,379,677".

Page 218, strike line 17.

Explanation:

(This amendment restores \$160,800 each year included in Chapter 1289 for additional staffing at Mason Neck State Park. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Tran

Item 482.20 #29h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$250,000

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".

Page 218, strike lines 48 and 49.

Explanation:

(This amendment restores \$250,000 the first year included in Chapter 1289 for the Turning Point Suffragist memorial in Lorton, Virginia. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carr

Item 482.20 #30h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$7,500,000

\$7,500,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,040,477".

Page 216, strike lines 18 and 19.

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment restores \$7.5 million each year for pilot programs to reduce census in the state-operated psychiatric hospitals that was reduced in the introduced budget. Prior to the COVID-19 pandemic, the census of the state-operated psychiatric hospitals averaged 95 percent or over their total bed capacity. Through the month of July 2020, the state operated psychiatric hospitals experienced an increase in admissions and at times exceeded their operating bed capacity. Restoration of this funding will assist the hospitals in developing public-private partnerships to reduce the census in these facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carroll Foy

Item 482.20 #33h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$178,344,517

\$304,970,121 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$575,671,475".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,030,570,356".

Page 207, strike lines 50 and 51.

Page 208, strike lines 1 through 33.

Explanation:

(This amendment restores funding for all of the K-12 direct aid funding initiatives that were unallotted at reconvened session due to the pandemic and eliminated in the introduced budget. Among these initiatives include a 2% salary increase in each year, early childhood expansion, increases to the At-Risk Add-On, and increases to the Cost of Competing Adjustment. This amendment, along with a companion amendment in Item 145 to restore funding for additional school counselors, would restore K-12 direct aid funding to the level provided in the budget approved during the 2020 Regular Session.)

Chief Patron: Bulova

Item 482.20 #34h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$10,000,000

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".

Page 209, line 29, strike "\$10,000,000" and insert "\$0".

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment restores first year funding for enrollment growth at George Mason University.)

Chief Patron: Jones J.C.

Item 482.20 #35h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$10,000,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".

Page 210, line 13, strike "\$10,000,000" and insert "\$0".

Explanation:

(This amendment restores first year funding for enrollment growth at Old Dominion University.)

Chief Patron: Coyner

Item 482.20 #36h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$2,500,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,040,477".

Page 210, strike line 50.

Page 211, strike line 1.

Explanation:

(This amendment restores funding for cancer research at the Massey Cancer Center.)

Chief Patron: McQuinn

Item 482.20 #37h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$5,300,000	\$5,300,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$748,715,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,330,240,477".

Page 208, strike line 12.

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment restores \$5.3 million each year from the general fund to implement expanded access to school meals. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A corresponding amendment to Item 145 decreases the cost of the program by \$1.2 million each year.)

Chief Patron: Mugler

Item 482.20 #38h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$36,000,000

\$35,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$718,015,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,300,540,477".

Page 211, strike lines 23 and 24.

Explanation:

(This amendment restores funding for the G-3 program at the Virginia Community College System. The funding would restore \$34.5 million each year for the G-3 program in Item 221. In addition, the amendment would restore \$1.5 million in the first year and \$500,000 in the second year in Item 220 for outreach efforts related to the G-3 program.)

Chief Patron: Carter

Item 482.20 #40h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

(\$11,408,892)

(\$11,408,892) GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$765,424,884".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,346,949,369".

Page 219, line 50, strike "\$8,628,574" and "\$8,628,574" and insert: "\$20,037,466" and "\$20,037,466".

Explanation:

(This amendment increases the reduction in aid to localities with police departments to a total of \$20.0 million from the general fund each year, representing a 10 percent reduction from amounts adopted in Chapter 1289 of the 2020 Session of the General Assembly.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Carter

Item 482.20 #41h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

(\$41,465,090)

(\$41,465,090) GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$795,481,082".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,377,005,567".

Page 219, line 50, strike "\$8,628,574" and "\$8,628,571" and insert: "\$50,093,664" and "\$50,093,664".

Explanation:

(This amendment increases the reduction in aid to localities with police departments to a total of \$50.1 million from the general fund each year, representing a 25 percent reduction from amounts adopted in Chapter 1289 of the 2020 Session of the General Assembly.)

Chief Patron: Carter

Item 482.20 #42h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

(\$29,035,294)

(\$29,009,410) GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$783,051,286".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,364,549,887".

Page 220, after line 18, insert:

"Department of State Police (156)

10% reduction in general fund appropriation

(\$29,035,294)

(\$29,009,410)

Department of State Police (156) Total

(\$29,035,294)

(\$29,009,410)".

Explanation:

(This amendment reverts a total of \$29.0 million from the general fund each year from the Department of State Police, representing a 10 percent reduction in the general fund appropriation for the Department.)

Chief Patron: Carter

Item 482.20 #43h

Central Appropriations

FY20-21

FY21-22

Request to Amend House Bill 5005, as Introduced

Central Appropriations (\$72,588,235) (\$72,523,525) GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$826,604,227".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,408,064,002".

Page 220, after line 18, insert:

"Department of State Police (156)

25% reduction in general fund appropriation (\$72,588,235) (\$72,523,525)

Department of State Police (156) Total (\$72,588,235) (\$72,523,525)".

Explanation:

(This amendment reverts \$72.6 million from the general fund in fiscal year 2021 and \$72.5 million from the general fund in fiscal year 2022 from the Department of State Police, representing a 25 percent reduction in the general fund appropriation for the Department.)

Chief Patron: Delaney

Item 482.20 #44h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$750,000

\$750,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,790,477".

Page 214, strike lines 37 and 38.

Explanation:

(This amendment restores \$750,000 each year from the general fund for the newly created Virginia Sexual and Domestic Violence Prevention Fund. The fund will be used to develop and support programs that prevent sexual and domestic violence through strategies that (i) promote healthy practices related to relationships, sexuality, and social-emotional development and (ii) counteract the factors associated with the initial perpetration of sexual and domestic violence. This funding was included in the budget passed in March but was unallotted in April due to the pandemic and subsequently eliminated in the introduced budget.)

Chief Patron: Carr

Item 482.20 #50h

Central Appropriations

FY20-21

FY21-22

Request to Amend House Bill 5005, as Introduced

Central Appropriations \$2,374,698 \$2,458,479 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,641,294".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,081,998".
Page 215, strike line 38.

Explanation:

(This amendment restores \$2.4 million each year from the general fund for the an increase in Medicaid mental health provider rates to 110% of Medicare. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles Item 482.20 #52h

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$22,037,077 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,313,503,400".
Page 215, line 30, strike "\$22,037,077" and insert "\$0".

Explanation:

(This amendment restores \$22.0 million the second year from the general fund to increase provider rates for services provided through the current Medicaid Developmental Disability Waiver programs using updated data measures available, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Brewer Item 482.20 #57h

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$5,592,707 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,947,770".
Page 217, line 17, strike the second "\$5,592,707" and insert "\$0".

Explanation:

(This amendment restores \$5.6 million the second year from the general fund to restore funding

Request to Amend House Bill 5005, as Introduced

to adjust minimum salary levels for family service workers and other positions in local departments of social services and address compression issues. Turnover rates for a Family Services Worker Specialist is 42% with retention efforts an even greater issue in small, rural agencies. The impact of high turnover rates is found in Virginia's low rate of permanency for children and the number of placements children experience. Fifteen percent of foster care caseworkers in Virginia carry caseloads of more than 15 children at a time, higher than the widely accepted caseload standard of 12 to 15 children per caseworker. These caseworkers collectively manage one-third of all foster care cases. Restoring the salary increase will also increase minimum salaries for for benefit program services positions, self sufficiency services positions and administration positions that are currently below the new minimum threshold. Funding will be matched by local governments at a match rate of 15.5% beginning July 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carroll Foy

Item 482.20 #58h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,172,091

\$3,289,890 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

Explanation:

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement.)

Chief Patron: Edmunds

Item 482.20 #59h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$345,621

\$352,534 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,670,371".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".

Page 215, strike lines 48 and 49.

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment restores \$345,621 the first year and \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Willett

Item 482.20 #60h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,114,936

\$2,116,376 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,901,056".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".

Page 215, strike lines 22 and 23.

Explanation:

(This amendment restores \$1.1 million the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children's Health Insurance Program with a 35 percent state match.)

Chief Patron: Bloxom

Item C-61.50 #1h

Transportation

FY20-21

FY21-22

Virginia Commercial Space Flight
Authority

\$1,000,000

\$0 GF

Language:

Page 228, line 23, strike "\$1,000,000" and insert "\$2,000,000".

Explanation:

(This amendment restores general fund support for the regional airport hangar project.)

Chief Patron: LaRock

Item C-67.10 #1h

Request to Amend House Bill 5005, as Introduced

Central Appropriations

Central Capital Outlay

Language

Language:

Page 230, after line 44, insert:

"A. The title and scope of the capital project for the Department of State Police, titled, "Construct Area 13 Barracks" authorized in Item C-45, Chapter 2, 2018 Special Session I, is hereby changed to "Acquire, Renovate, Relocate or Construct Area 13 Barracks".

Explanation:

(This amendment is a technical title and scope change to reflect additional options for the Department of State Police in replacing the Area 13 Barracks.)

Chief Patron: Knight

Item C-72.10 #1h

Central Appropriations

FY20-21

FY21-22

Central Capital Outlay

\$10,000,000

\$0 GF

Language:

Page 231, line 4, strike "\$0" and insert "\$10,000,000".

Page 231, unstrike lines 2 through 7.

Explanation:

(This amendment restores general fund support for the parkway access project.)

Chief Patron: Rush

Item C-76.20 #1h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, after line 31, insert:

"1. Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall provide for the construction, renovation, or improvement of the projects listed below from proceeds previously authorized in Item C-68 of Chapter 1289, 2020 Acts of Assembly, prior to other projects contained in this Act except for those projects in Items C-64, C-65 and C-69. The projects are:

Agency Name / Project Title

Virginia State University (212)

Demolish / Replace Daniel Gym and Demolish Harris Hall (18333)

Request to Amend House Bill 5005, as Introduced

Norfolk State University (213)

Science Building Replacement (18385)

Longwood University (214)

Renovate / Expand Environmental Health & Safety Facilities Annex Building (18384)

Old Dominion University (221)

Construct Health Sciences Building (18335)

Radford University (217)

Renovate / Construction Center of Adaptive Innovation and Creativity (CAIC) (18386)

Richard Bland College (241)

Construct Center for Innovation and Educational Development (18337)

University of Virginia's College at Wise (246)

Renovate / Convert Wylie Library (18338)

Virginia Community College System (260)

Renovate Godwin Building, Annandale Campus, Northern Virginia (18087)

Replace Diggs / Moore / Harrison Complex, Hampton, Tomas Nelson (18341)

Construct Advanced Technical Training Center, Piedmont Virginia (18343)

2. Planning funds associated with these projects shall be transferred from the bond proceeds to the Central Capital Planning Fund in accordance with § 2.2-1520, Code of Virginia."

Explanation:

(This amendment provides for the construction, renovation or improvement projects currently approved in Chapter 1289, 2020 Acts of Assembly and previously planned. No additional debt authorization is required. The language requires that as projects from this Act proceed to construction priority would be given to these projects for funding before any other projects in this Act with the exception of Maintenance Reserve (C-64), Capital Equipment (C-65) and Capital Project Supplements (C-69).)

Chief Patron: Carr

Item 3-4.01 #1h

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, after line 33, insert:

"4. Furthermore, available fund balances from other fund sources, to include educational and general, can be utilized to meet unavoidable auxiliary enterprise expenditures that exceed auxiliary fund capacity due to incurred revenue losses and/or additional expense related the COVID-19 pandemic."

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment provides additional flexibility for the use of fund balances to address expenses related to the COVID-19 pandemic.)

Chief Patron: Sullivan

Item 4-0.01 #1h

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.

b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.

c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.

d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.

e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.

f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;

b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and

c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

Request to Amend House Bill 5005, as Introduced

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia, *or any joint meeting of such entities*, may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;

b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board."

Explanation:

(This amendment sets out Item 4-.01 and modifies the language to include joint meetings of public entities on the list of entities that can meet remotely during a state of emergency.)

Chief Patron: LaRock

Item 4-0.01 #2h

Operating Policies

Request to Amend House Bill 5005, as Introduced

Operating Policies

Language

Language:

Page 237, after line 2, insert:

“h. No department, agency, local government, or other entity receiving funding from the Commonwealth, including CARES Act funding, shall require employees, as a condition of employment, to receive any vaccine for COVID-19 if (i) the vaccine is derived from human fetal tissue obtained after an induced abortion, (ii) the vaccine modifies the ribonucleic acid (RNA) or deoxyribonucleic acid (DNA) of the person to whom it is administered, or (iii) the development of the vaccine did not include preclinical testing on laboratory animals prior to clinical trials involving human testing.

The Department of Health shall make data and information about the safety and efficacy of each vaccine, including data and information about any risk of harm associated with administration of the vaccine, available to the public on a website maintained by the Department. Such data and information shall be presented in a manner that is easily understandable and accessible to all individuals.”

Explanation:

(This amendment clarifies the conditions which must be met before a vaccination for COVID-19 can be required as a condition of employment.)

Chief Patron: Rush

Item 4-2.01 #1h

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 237, after line 10, insert:

"e) 1) The requirements for § 4-2.01 b.2.b), as it pertains to nonresident undergraduate students, are waived for new nonresident undergraduate students enrolled in Data Science and Technology, Science and Engineering, Healthcare, and Education programs at Norfolk State University, Virginia State University, the Virginia Military Institute or any public institution with nonresident undergraduate enrollment less than 15 percent.

2) Nonresident students attending an institution and participating on an athletic team may be considered resident students for the purposes of charging tuition and fees."

Explanation:

(This amendment provides out-of-state enrollment flexibility for public institutions of higher education.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Carroll Foy

Item 4-14 #1h

Effective Date

Effective Date

Language

Language:

Page 242, after line 6 insert:

"9. a. For the purposes of this section: "Eligible taxpayer" means (i) any small business; (ii) any business enterprise that is engaged in agricultural production for market, ranching, raising of livestock, or aquaculture; (iii) a nonprofit organization described in 26 U.S.C § 501(c)(3); (iv) a veterans organization; or (v) an individual who operates under a sole proprietorship, as an independent contractor, or as a self-employed individual.

b. Qualified personal protective equipment expense" means amounts paid or incurred by an eligible taxpayer (a) for the sole purpose of reducing the risk of transmission of the virus responsible for COVID-19 between people on the premises of the business of the eligible taxpayer, including (1) gloves, medical masks, N-95 respirators, eye protection, gowns, aprons, boots or closed-toe work shoes, cleaning detergents, hand sanitizers, and cleaning products; (2) installation of equipment; and (3) any other relevant expense determined necessary by the Virginia Department of Health, and (b) at any time during a year in which, with respect to the COVID-19 pandemic, the Governor declares a state of emergency.

c. Small business" means a business entity operating in the Commonwealth and certified by the Department of Small Business and Supplier Diversity as a small, women-owned, or minority-owned business pursuant to the conditions and provisions in § 2.2-1604.

d. For taxable years beginning on and after January 1, 2020, an eligible taxpayer shall be allowed a refundable credit against the tax imposed pursuant to § 58.1-320 or 58.1-400 in an amount equal to the amount paid or incurred by such eligible taxpayer for qualified personal protective equipment expense during such taxable year.

e. Credits granted to a partnership, limited liability company, or electing small business corporation (S corporation) shall be allocated to the individual partners, members, or shareholders, respectively, in proportion to their ownership or interest in such business entities.

f. The Department of Taxation, in consultation with the Department of Agriculture and Consumer Services and the Department of Conservation and Recreation, shall develop guidelines for claiming the credit provided by this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.)."

Page 242, line 7, after "seventh" strike "and".

Page 242, line 7, after "eighth" insert "and ninth".

Explanation:

(This amendment creates a tax credit for the purchase of personal protective equipment (PPE) by small businesses, 501(c)(3) non-profits, veterans' organizations, independent contractors,

Request to Amend House Bill 5005, as Introduced

farmers, sole proprietors, and other organizations as defined by the Administration.)

Chief Patron: Bulova

Item 4-14 #2h

Effective Date

Effective Date

Language

Language:

Page 241, line 3, after “water”, insert “suppliers and wastewater”.

Page 241, line 4, after “disconnecting”, insert “residential account”.

Page 241, line 11, after “agree”, insert “by email, telephone, or”.

Page 241, line 12, after “water”, insert “suppliers and wastewater”.

Page 241, line 16, strike "12 months", and insert "six months".

Page 241, line 27 after "of", strike the remainder of the line.

Page 241, strike lines 28 through 29, and insert:

“six months, or if less than six months remains on the lease agreement, amortize the principal equally over the remainder of the lease agreement.”

Explanation:

(This amendment clarifies the provisions of the COVID Relief Payment Plans for utilities managed by local governments, aligns the program to current business practices, and clarifies the program applies only to residential customers. Additionally this amendment amortizes payments over six months for both the housing and utility payment plans established in the introduced budget.)

Chief Patron: Jones J.C.

Item 4-14 #3h

Effective Date

Effective Date

Language

Language:

Page 241, after line 20, insert:

"c. Notwithstanding any other provision of law, the State Corporation Commission (the Commission) shall direct each Phase II Utility, as that term is defined in § 56-585.1 of the Code of Virginia, to provide emergency customer bill credits in the amount of \$366.8 million, which amount corresponds to the aggregate amount of overearnings the Commission found, for calendar years 2017 through 2019, to be above 70 basis points (0.7%) above the utility's authorized rate of return on common equity in its August 18, 2020, Status Report on the Implementation of the Virginia Electric Utility Regulation Act. The Commission shall administer such emergency credits as follows: (i) 70 percent of such amounts shall be credited to customers' bills as a one-time bill credit, (ii) 30 percent shall offset, on a dollar-for-dollar

Request to Amend House Bill 5005, as Introduced

basis, any of the utility's outstanding aged accounts receivable balances as of August 31, 2020, and (iii) the Commission shall establish an account for any amounts left over from the 30 percent, which the Department of Housing and Community Development shall administer to provide future bill relief to residential customers who are eligible for state or federal unemployment or disability benefits or any utility-sponsored, federally-funded, or state-sponsored income-based or age qualifying energy assistance program, in a manner determined by the Commission. The Commission may adopt regulations and eligibility criteria that are consistent with the purpose of this act and necessary to accomplish such emergency credits and relief. The Commission shall ensure that such emergency credits are made effective as soon as practicable after the effective date of this act.

Nothing in this act shall prohibit the Commission from ordering additional bill credits if the Commission finds in the utility's next triennial review that such bill credits are appropriate. To ensure that customers receive the full amount of appropriate bill credits in the utility's next triennial review, in any triennial review commencing in 2021 pursuant to § 56-585.1, the following shall apply: (i) the Commission shall direct that 100 percent of any overearnings that are more than 70 basis points above the utility's authorized rate of return on common equity not otherwise administered as emergency credits authorized by this act shall be credited to customers' bills, which the Commission shall amortize, in its sole discretion, over a period of 6 to 12 months; (ii) the provisions of subdivision 8 d of § 56-585.1 shall not apply; (iii), the Commission shall determine the amortization period for the recovery of any appropriate costs of early retirement for automated meter reading electric distribution service meters, costs associated with projects necessary to comply with state or federal environmental laws, regulations, or judicial or administrative orders relating to coal combustion by-product management that the utility does not petition to recover through a rate adjustment clause pursuant to subdivision 5 e of § 56-585.1, costs associated with severe weather events, and costs associated with natural disasters, and the Commission shall allow for the recovery of any carrying costs that the Commission deems appropriate; and (iv) there shall be no limit on the Commission's authority to order appropriate rate reductions except that the resulting rates must provide the utility with the opportunity to fully recover its costs of providing its services and to earn not less than a fair combined rate of return on its generation and distribution services.

Any emergency bill credits ordered pursuant to this act shall not be considered as revenue reductions in any future earnings tests. Any bill credits ordered in connection with the utility's 2021 triennial review shall be calculated net of any emergency bill credits ordered pursuant to this act. The Commission shall not authorize increases to the utility's rates for generation and distribution services prior to 2023 unless the Commission determines that such rate increases are necessary to allow the utility to recover its costs of service, including a fair rate of return. In the utility's next triennial review, the Commission may take any actions it deems necessary and appropriate if the emergency bill credits ordered pursuant to an emergency investigation exceed the bill credits due to customers in the normal course of the utility's triennial review."

Explanation:

(This amendment directs the State Corporation Commission to conduct an emergency

Request to Amend House Bill 5005, as Introduced

investigation of the earnings of investor-owned electric utilities and to order credits to customers' bills for earnings above 70 basis points above the utility's authorized rate of return for calendar years 2017 through 2019. It also provides that in any triennial earnings review conducted for a utility in 2021 the Commission shall order bill credits for any earnings above 70 basis points above the utility's authorized rate of return and that the Commission shall have the discretion to amortize certain categories of costs incurred by utilities.)

Chief Patron: Aird

Item 4-14 #4h

Effective Date

Effective Date

Language

Language:

Page 241, strike lines 1 through 20, and insert:

"7. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, electric companies, natural gas suppliers, and water service providers ("utilities") are prohibited from disconnecting service for non-payment of bills or fees until at least 60 days after such declared state of emergency ends. The following provisions shall apply:

1.) The utilities shall notify all residential customers of this extension of the utility disconnection moratorium and the Emergency Debt Repayment Plan (EDR Plan); and

2.) The utilities and residential customers shall agree in writing to engage in a EDR Plan.

b. No more than 60 days after the enactment of this act, utilities must offer residential customers the right to enter into a EDR Plan for arrearages accrued during the aforementioned state of emergency. The following provisions shall apply:

1.) The EDR Plan shall not require any new deposits, down payments, or fees to enroll, nor shall such plans accrue any fees, interest or penalties, including prepayment penalties;

2.) The EDR Plan can amortize the repayment over no more than 24 months;

3.) The monthly amortized payments shall be limited to such amount that can be affordable and sustainable throughout the repayment period for the residential customer, and shall be determined by means established by the utility and agreed to by the customer, otherwise such payment shall be no more than \$45.50;

4.) The utilities shall not apply eligibility criteria, such as installment plan history, nor shall utilities report anything to credit bureaus or other debt collectors on payments owed while residential customers on the EDR Plan;

5.) Residential customers shall be able to enroll in and begin repayment under an EDR Plan

Request to Amend House Bill 5005, as Introduced

prior to the end of the state of emergency, if mutually agreed between the utility and the residential customer;

6.) At any time a residential customer can seek relief from an EDR Plan and enter into another payment plan offered by the utility, or ask to renegotiate the terms of their EDR Plan

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource."

Explanation:

(This amendment establishes the Emergency Debt Repayment plan for residential customers and utility companies to address past due accounts that stemmed from the public health emergency.)
