

Conference Report to House Bill 5005

be limited to, ~~i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic.~~ The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a ~~quarterly~~ *monthly* basis: *(i) the uses of the COVID-19 Relief fund, (ii) the total amount deposited to the COVID-19 Relief Fund, and (iii) the amount of skill game revenues distributed to each locality pursuant to enactment clause 2 of Chapters 1217 and 1277, 2020 Acts of Assembly.*

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

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

Explanation:

(This amendment provides an appropriation of up to \$95.2 million the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments to support the local costs of the Standards of Quality.)

Item 479.10 #2c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

"A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), and the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated in this item. *Any allocations of remaining federal relief funds by the Governor shall be included in the Executive Budget submitted in accordance with § 2.2-1509, Code of*

Conference Report to House Bill 5005

Virginia. All allocations of federal relief funds are subject to the provisions and conditions contained in this item.

2. Any new federal funding approved by Congress through subsequent legislation shall be appropriated by the Governor in the Executive Budget, submitted in accordance with § 2.2-1509, Code of Virginia and shall be subject to applicable federal rules and regulations governing these funds.

23. Records Management and Reporting

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

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

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

3-4. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds. *The Governor or his designee shall submit the first such report on October 31, 2020 and each quarter thereafter.*

4-5. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. Apportionment

1. Out of the \$3,109,502,836 estimated potential revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), the following table represents allocations made as of July 1, 2020:

<i>Item</i>	<i>Amount Appropriated as of 7/1/2020</i>
<i>Allocations to Localities</i>	<i>\$1,289,146,766</i>
<i>FY20 Agency-based Requests</i>	<i>\$80,480,698</i>
<i>DGS - Consolidated Labs</i>	<i>\$6,052,673</i>
<i>DHCD - Emergency Housing for Homeless</i>	<i>\$8,828,998</i>
<i>DHCD - Mortgage and Rental Assistance</i>	<i>\$50,000,000</i>
<i>DMAS - Long-term care facilities</i>	<i>\$55,640,872</i>

Conference Report to House Bill 5005

<i>DMAS - PPE for Personal Care Attendants</i>	\$9,256,178
<i>DSBSD - Small business assistance grants</i>	\$70,000,000
<i>DSS - Food security - Expand emergency food supply package</i>	\$650,000
<i>VDACS - Food security - Agriculture surplus & emergency food</i>	\$1,211,953
<i>VDEM - Food security - 1 million MREs</i>	\$2,000,000
<i>VDEM - PPE</i>	\$97,000,000
<i>VDEM - Testing</i>	\$42,338,400
<i>VDEM - Other</i>	\$33,722,001
<i>VDH - Contract tracing/UVA Equipment</i>	\$59,157,614
<i>VDH - Replace deficit authorization</i>	\$3,291,300
Total	\$1,808,777,453

2. The allocations in this item includes an amount estimated at \$1,215,214,399 the first year from the estimated revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) cited in paragraph B.1. above. The allocation shall be as follows:

Item	Amount
<i>SCC - Direct Utility Assistance to Customers</i>	\$100,000,000
<i>DHCD - Emergency Housing for Homeless</i>	\$3,000,000
<i>DOC - PPE, medical observation units, overtime</i>	\$7,700,000
<i>Elections - Voter safety for November election - cleaning, personal protective equipment, additional pay for election day workers, drop boxes</i>	\$10,000,000
<i>DMAS - Additional hospital reimbursements for eligible COVID-19 costs</i>	\$60,000,000
<i>DMAS - Hazard pay for home health workers</i>	\$72,000,000
<i>DMAS - Retainer payments for Medicaid DD Waiver Day Support providers</i>	\$25,000,000
<i>Higher Education - PPE, Virtual Education, Cleaning , Telework, Other COVID Costs</i>	\$120,000,000
<i>State Museums and Higher Education Centers - PPE, Virtual Education, Cleaning , Telework, Other COVID Costs</i>	\$4,500,000
<i>K-12 - Costs for Re-Opening Schools</i>	\$220,798,208
<i>DSS - Childcare Provider Stabilization Funds</i>	\$60,000,000
<i>DSS - Increase local capacity to provide care for school-age children</i>	\$16,600,000
<i>DSS - Virginia Federation of Food Banks - \$1.0 million per region</i>	\$7,000,000
<i>Statewide - PPE Plan</i>	\$42,112,285
<i>Statewide - Testing and Contact Tracing</i>	\$71,829,059
<i>Statewide - state agencies telework, PPE/sanitizing, DOLI regulation compliance and other eligible operational cost increases</i>	\$60,000,000
<i>VDH - Point of Care Antigen Testing</i>	\$16,010,500
<i>DSBSD - Small business assistance grants supplement</i>	\$5,000,000

Conference Report to House Bill 5005

<i>VDEM - Technical assistance, public education and preparedness for COVID-19 pandemic response</i>	<i>\$37,000,000</i>
<i>DHCD - Mortgage and Rental Assistance supplement</i>	<i>\$12,000,000</i>
<i>DHCD - broadband accessibility</i>	<i>\$30,000,000</i>
<i>VEC - Unemployment Assistance</i>	<i>\$210,000,000</i>
<i>UVA Medical Center – capital, PPE, testing, education</i>	<i>\$10,000,000</i>
<i>VCU Hospital – capital, PPE, testing, education</i>	<i>\$10,000,000</i>
<i>VDH - Executive Order enforcement</i>	<i>\$1,298,038</i>
<i>DBHDS - hospital census support</i>	<i>\$2,800,000</i>
<i>Carilion serology study</i>	<i>\$566,309</i>
Total	<i>\$1,215,214,399</i>

3. The appropriation in this item includes an amount estimated at \$120,000,000 the first year from federal funds to be distributed to the educational and general program at public institutions of higher education for the Higher Education - PPE, Virtual Education, Cleaning, Telework, Other COVID Costs cited in paragraph B.2. above. An allocation for an individual public institution of higher education shall be based on reimbursement of allowable expenditures and shall be capped at \$24.0 million. Prior to disbursement of amounts allocated in this paragraph, each public institution of higher education shall be given 15 days to submit its reimbursement request. If amounts requested exceed the \$120,000,000, the requests shall be proportionally prorated.

4. The appropriation in this item includes an amount estimated at \$4,500,000 the first year from federal funds to be distributed to other education institutions for costs associated with the COVID-19 pandemic cited in paragraph B.1. above. An allocation for an individual other education institution shall be based on reimbursement of allowable expenditures and shall be capped at \$1.0 million. Prior to disbursement of amounts allocated in this paragraph, each other education institution shall be given 15 days to submit its reimbursement request. If amounts requested exceed the \$4,500,000, the requests shall be proportionally prorated.

5.a. The appropriation in this item includes \$100,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to be used to help provide direct assistance to customers with accounts over 30 days in arrears. In order to be eligible for the funds provided in this paragraph, utilities must be subject to the utility disconnection moratorium established in Item 4-14, clause 7.a. of this act. The State Corporation Commission shall establish an application process in order to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. The Commission shall award funds in a manner that will provide direct assistance to customers with accounts over 60 days in arrears prior to awarding funds to subsidize customer accounts 30 days in arrears. Any federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) provided to a phase II utility pursuant to this paragraph shall exclude the forgiveness of jurisdictional customer balances as specified in Item 4-14, clause 7, paragraph j. of this act. The State Corporation Commission shall transfer any dollars necessary to address the

Conference Report to House Bill 5005

arrearages held by customers of utilities outside the jurisdiction of the Commission to the Department of Housing and Community to pass along to these utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph 5.a. establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

b. Upon receipt of any funds provided in paragraph 5.a., utilities shall create separate COVID-19 Utility Assistance Funds and record direct assistance payments to customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in paragraph 5.a. to new deposits, down payments, fees, late fees, interest charges, or penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency prior to receiving direct assistance from the utility's COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it may be implied that arrearages accrued over 30 days for customer nonpayment of bills, for which federal relief funds shall be used for direct subsidy payments on behalf of customers pursuant to Item 4-14, paragraph d. of this act., were incurred as a financial hardship created by the pandemic. Utilities shall reflect the direct assistance payment on an eligible customer's monthly bill, after the funds are applied to the customer's account. Utility customers may only receive a direct payment subsidy from the utility's COVID-19 Utility Assistance Fund once.

c. The Director of the Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. Prior to any distribution from the amounts appropriated in paragraph 5.a. of this item, the Director of the Department of Planning and Budget shall work with the State Corporation Commission and the Department of Housing and Community Development to verify, which utilities that are eligible to receive funds under this appropriation based on the most recently published guidance from the United States Department of the Treasury. For the purposes of this appropriation, utilities include electric companies subject to regulation of the State Corporation Commission, natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility. "Municipal utility" means a utility providing electric, gas, water, or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.

6. The appropriation in this item includes \$10,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to support additional costs anticipated for the November 3, 2020 General Election. The Commissioner of the Department of Elections shall distribute these funds directly to offices of general registrars based on population or need within 30 days of the passage of this act. General registrars may use these funds for printing of additional ballots and envelopes; additional mailing or postage costs; additional voting equipment; installation and security for absentee or mail drop-boxes; temporary elections office staffing; cleaning supplies and protective equipment for staff and poll workers; pre-and post-election cleaning of polling places; additional laptops and mobile equipment; additional

Conference Report to House Bill 5005

automated letter opening equipment; public communication campaigns on voting changes; and other such items that support voter safety during the COVID-19 pandemic.

7. The appropriation in this item includes \$3,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to continue to provide emergency housing for homeless populations. This is in addition to the \$8,828,998 that was previously allocated to support this program using the Coronavirus Relief Funds cited in paragraph B.1. of this item.

8. The appropriation in this item includes \$210,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to provide additional support for the Virginia's Unemployment Insurance program. The Governor or his designee shall work with the Virginia Employment Commission to determine the best use of these funds. The Secretary of Commerce and Trade shall provide the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee a status report on the deployment of these funds by January 1, 2021.

9. The appropriation in this item includes \$60,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to assist with the operations of state government. This includes (i) funds to help state agencies comply with the Center for Disease Control and Prevention's and the Department of Labor and Industry's regulations for workplace safety during the COVID-19 pandemic, (ii) funds to help state agencies with increased costs for teleworking, and (iii) funds to help state agencies in acquiring PPE and sanitizing facilities. The Director of the Department of Planning and Budget shall within 30 days of the passage of this act solicit and fund requests from state agencies across all three branches of government to help cover increased expenses due to teleworking, PPE acquisition, sanitizing state facilities and retrofitting state owned buildings to comply with COVID-19 safety measures.

10. The appropriation in this item includes \$7,700,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the costs for the purchase of personal protective equipment, establishment and operation of medical observation units, overtime costs, and other eligible expenses of the Department of Corrections.

11. The appropriation in this item includes \$37,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the provision of technical assistance to local governments, the conduct of a public awareness and education campaign and other preparedness activities by the Department of Emergency Management.

12. The appropriation in this item includes \$220,798,208 the first year to be distributed to school divisions to assist with costs associated with the COVID-19 emergency, including but not limited to costs associated with implementing social distancing measures, providing distance learning, and providing computer equipment and internet access to students. In expending such funds, school divisions shall comply with federal CARES Act requirements and the most recently published United States Treasury Department guidance for the Coronavirus Relief Fund.

13. The appropriation in this item includes \$60,000,000 the first year from Coronavirus Relief

Conference Report to House Bill 5005

Funds cited in paragraph B.2. above for the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs that have not been reimbursed through other federal relief programs available for this purpose in calendar year 2020. The Department shall have the authority to implement such payments in the most efficient and expeditious manner prior to the completion of any regulatory process to effect such changes.

14. The appropriation in this item includes \$72,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance Services for hazard pay for consumer directed and agency directed personal care attendants who provide Medicaid personal care, respite or companion care services in the amount of \$1,500 per personal care attendant. The Department shall have the authority to implement such payments prior to the completion of any regulatory process to effect such changes.

15. The appropriation in this item includes \$25,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance for monthly retainer payments to Medicaid day support providers covering the period of August through December 2020. The Department shall determine the monthly retainer based on the monthly average retainer payments made by Medicaid for dates of service between April 1 and July 31, 2020 and billed, and paid by October 31, 2020. The Department shall have the authority to implement these payments prior to the completion of any regulatory process to effect such changes.

16. The appropriation in this item includes \$76,600,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above to support stabilization of the child care industry and the provision of child care during the COVID-19 emergency.

a. Out of this appropriation, \$60,000,000 is provided to support stabilization grants for child care providers and local community partnerships. The Department of Social Services, in collaboration with the Department of Education, shall award such grants with the goals of (i) preserving the long-term capacity of Virginia's early childhood and care system while programs are operating at reduced capacity during the COVID-19 emergency, and (2) providing additional child care slots in the short-term.

b. Out of this appropriation \$16,600,000 is provided for the Department of Social Services to contract with local partners to provide support to school divisions, local governments, and other entities, including religious institutions and community centers, for the provision of space to increase local capacity to provide care for school-age children, purchase personal protective equipment (PPE) and cleaning supplies, and provide a stable financial environment for the operation of these programs. School divisions, local governments, and local departments of social services shall cooperate with local partners receiving these funds to maximize the number of school-age children served. In addition, local partners are encouraged to use these funds to support a diverse set of providers with these funds including existing child day centers, family day homes, religious institutions, and other organizations seeking to provide such services. These funds shall be used prior to the expenditures of general fund amounts provided

Conference Report to House Bill 5005

for this purpose as set forth in Item 350 of this act.

c. Funds referenced in paragraphs a. and b. above may be redirected among paragraphs a. and b. to respond to greater need for either program or to ensure the use of Coronavirus Relief Funds is maximized prior to the federal deadline to incur Coronavirus Relief Fund expenses.

17. The appropriation in this item includes \$7,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above to the Department of Social Services for the Virginia Federation of Food Banks to provide \$1,000,000 to each of the seven regional food banks.

18. Out of this appropriation, \$5,000,000 is provided for DSBSD - Small business assistance grants as a supplement to increase the grant size for the Rebuild Virginia program and expand the eligibility criteria so that small businesses as defined in § 2.2-1604 of the Code of Virginia that have suffered loss as a result of the COVID-19 pandemic may participate in the federal coronavirus relief funds available through the program including recreation and tourism small businesses that are Virginia-based.

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

D. The Governor is authorized to allocate the remaining amount of the estimated potential revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) cited in paragraph B.1. above. However, the Governor shall, within two days of making any allocation action, make such plan available via electronic means to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

~~€.~~ *E. Any reports required by paragraphs A., or B., or C. above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website. However, reports in paragraphs A., B., C., or D. above are not eligible for deferral or delay as permitted under Item 4-8.01, a.4.a.) of this act.*

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

G. If, as of December 1, 2020, the Governor determines that any of the amounts outlined in paragraphs B.1. through B.18. of this item can not be spent for the purposes outlined in such

Conference Report to House Bill 5005

subparagraphs, he shall have the authority to shift unspent allocations to any other purpose outlined in paragraph B. If, as of December 18, 2020, the Governor reports unspent allocations remain, all such amounts shall be transferred to Unemployment Compensation Fund established pursuant to § 60.2-300. However, if Congress extends the expiration date for the use of Coronavirus Relief Funds, then the date by which the Governor shall be allowed to shift allocations is 30 days prior to the new expiration date for the use of the federal funds and any remaining unallocated funds as of 12 days prior to the expiration date shall be allocated to the Unemployment Compensation Fund."

Explanation:

(This amendment allocates remaining Coronavirus Relief Funds and makes technical changes to the authority previously provided related to federal relief funds.)

		Item 482.20 #1c
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$3,750,000	\$3,750,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,265,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,790,477".
Page 216, line 18, strike "\$7,500,000" and "\$7,500,000" and insert:
"\$3,750,000" and "\$3,750,000".

Explanation:

(This amendment restores \$3.75 million each year for census reduction programs for state-operated psychiatric hospitals that was reduced in the introduced budget. The budget passed in March contained \$7.5 million each year for these programs, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. Prior to the COVID-19 pandemic, the census of the state-operated psychiatric hospitals averaged 95 percent of their total bed capacity. Through the month of July 2020, the state operated psychiatric hospitals experienced an increase in admissions and at times exceeded their operating bed capacity. Restoration of half of this funding will assist the Department of Behavioral Health and Developmental Services in their efforts to develop public-private partnerships to reduce the census in these facilities.)

		Item 482.20 #2c
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$250,000 GF

Conference Report to House Bill 5005

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,290,477".
Page 216, strike line 24.

Explanation:

(This amendment restores \$250,000 each year from the general fund to provide grants for recovery residences through the Virginia Association of Recovery Residences to promote services for substance use disorder. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #3c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$2,458,479	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,081,998".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,081,998".
Page 215, line 38, strike "\$2,458,479" and insert "\$0".
Page 216, line 8, strike "\$127,501,107" and insert "\$125,042,628".

Explanation:

(This amendment adds \$2.4 million from the general fund the second year to restore funding for Medicaid rate increases for mental health service providers to 110 percent of Medicare rates. The budget passed in March contained \$2.4 million each year for this rate increase, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #4c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$293,023	\$3,289,890	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,722,969".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,722,969".
Page 205, line 9, strike "\$1,335,540,477" and insert "1,332,250,587".

Conference Report to House Bill 5005

Page 215, line 15, strike "\$1,172,091" and insert "\$879,068".

Page 215, line 15, strike "\$3,289,890" and insert "\$0".

Page 216, line 8, strike "\$79,572,610" and insert "\$79,279,587".

Page 216, line 8, strike "\$127,501,107" and insert "\$124,211,217".

Explanation:

(This amendment restores \$293,023 the first year and \$3.3 million general fund the second year to eliminate, effective April 1, 2021 or later upon federal approval, the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #5c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$17,486,839	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,053,638".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,318,053,638".

Page 215, line 7, strike "\$25,304,935" and insert "\$7,818,096".

Page 216, line 8, strike "\$127,501,107" and insert "\$110,014,268".

Explanation:

(This amendment restores \$17.5 million from the general fund the second year to add a Medicaid adult dental benefit to take effect on July 1, 2021. This benefit was funded in the 2020 Appropriation Act to take effect January 1, 2021, but subsequently was unallotted in the April 2020 Reconvened Session and eliminated in the Governor's introduced budget for the 2020 Special Session I.)

Item 482.20 #6c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,209,470	\$9,609,223	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,806,522".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,931,254".

Page 205, line 9, strike "\$754,015,992" and insert "\$750,806,522".

Conference Report to House Bill 5005

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,931,254".

Page 215, line 13, strike "\$9,609,223" and "\$9,609,223" and insert: "\$6,399,753" and "\$0".

Page 216, line 8, strike "\$79,572,610" and insert "\$76,363,140".

Page 216, line 8, strike "\$127,501,107" and insert "\$117,891,884".

Explanation:

(This amendment restores \$3.2 million the first year and \$9.6 million the second year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to eight hours for a single attendant who works more than 40 hours per week, beginning January 1, 2021, and effective July 1, 2021 to pay for up to 16 hours of overtime per week. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #7c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$278,734	\$2,116,376	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,737,258".

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

Page 205, line 9, strike "\$754,015,992" and insert "\$753,737,258".

Page 205, line 9, strike "\$1,335,540,477" and insert "1,333,424,101".

Page 215, line 22, strike "\$1,114,936" and insert "\$836,202".

Page 215, line 22, strike "\$2,116,376" and insert "\$0".

Page 216, line 8, strike "\$79,572,610" and insert "\$79,293,876".

Page 216, line 8, strike "\$127,501,107" and insert "\$125,384,731".

Explanation:

(This amendment restores \$278,734 the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months, effective April 1, 2021 or upon federal approval. Funding for this coverage extension was included in the 2020 Appropriation Act but subsequently unallotted in April due to the COVID-19 pandemic, and proposed to be eliminated in the introduced budget for the 2020 Special Session I. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children’s Health Insurance Program with a typical 35 percent state match.)

Conference Report to House Bill 5005

Item 482.20 #8c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$352,534	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,187,943".
 Page 215, line 48, strike "\$352,534" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$127,148,573".

Explanation:

(This amendment restores \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March 2020, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #9c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$6,245,286	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,295,191".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,329,295,191".
 Page 215, line 46, strike the second "\$6,245,286" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$121,255,821".

Explanation:

(This amendment restores funding to increase Medicaid reimbursement for skilled and private duty nursing to 80 percent of the benchmark rate effective July 1, 2021. This increase applies to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 16.1 percent and private duty nursing rates by an average of 11.6 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Conference Report to House Bill 5005

Item 482.20 #10c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$262,491	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".
Page 205, line 9, strike "\$1,335,540,477" and insert "1,335,277,986".
Page 215, line 36, strike "\$262,491" and insert "\$0".
Page 216, line 8, strike "\$127,501,107" and insert "\$127,238,616".

Explanation:

(This amendment restores \$262,491 the second year from the general fund to increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #11c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$250,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
Page 214, strike lines 14 and 15.
Page 214, line 18, strike "\$300,000" and insert "\$50,000".

Explanation:

(This amendment adds \$250,000 the first year from the general fund to restore funding to complete the rate study for private day special education programs funded through the Children's Services Act. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Conference Report to House Bill 5005

Item 482.20 #12c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$300,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,715,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,715,992".

Page 215, strike line 50.

Page 216, line 8, strike "\$79,572,610" and insert "\$79,272,610".

Explanation:

(This amendment restores \$300,000 the first year from the general fund for the Department of Medical Assistance Services to contract with a consultant with expertise in health care rate setting to thoroughly analyze current Medicaid rates for services likely impacted by an increase in the state minimum wage and to make recommendations for rate adjustments as appropriate. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #13c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,350,000	\$2,600,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,940,477".

Page 205, line 9, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,940,477".

Page 215, strike lines 8 and 9.

Page 216, line 8, strike "\$79,572,610" and insert "\$78,222,610".

Page 216, line 8, strike "\$127,501,107" and insert "\$124,901,107".

Explanation:

(This amendment restores \$1.4 million the first year and \$2.6 million the second year to fully fund an error in the Official Medicaid Forecast that removed funding for new graduate medical residency slots funded through Medicaid. Included in this funding is \$100,000 from the general fund which matches a like amount of nongeneral funds for the Graduate Medical Education residency program each year of the biennium, to provide funding for 27 slots, rather than 25, for the physicians who begin their residencies in July 2021. These funds were included in the

Conference Report to House Bill 5005

budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #14c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$10,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 216, line 15, strike "\$7,500,000" and insert "\$0".
- Page 216, line 15, strike "\$12,500,000" and insert "\$2,500,000".
- Page 216, line 27, strike "\$20,713,104" and insert "\$13,213,104".
- Page 216, line 27, strike "\$26,155,627" and insert "\$16,655,627".

Explanation:

(This amendment restores \$7.5 million the first year and \$10.0 million the second year to fund statewide discharge assistance plans to address census issues at state facilities by increasing the availability of community-based services for individuals determined clinically ready for discharge. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #15c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$17,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 9, strike "\$1,355,540,477" and insert "\$1,318,540,477".
- Page 216, line 32, strike "\$8,500,000" and insert "\$5,500,000".
- Page 216, line 32, strike "\$17,000,000" and insert "\$0".
- Page 216, line 36, strike "\$29,604,173" and insert "\$26,604,173".
- Page 216, line 36, strike "\$49,252,214" and insert "\$32,252,214".

Conference Report to House Bill 5005

Explanation:

(This amendment restores \$3.0 million the first year and \$17.0 million the second year to increase permanent supportive housing capacity to serve more individuals with serious mental illness and provide stable housing. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #16c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,112,194	\$4,224,388	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,903,798".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,316,089".
Page 205, line 9, strike "\$754,015,992" and insert "\$751,903,798".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,331,316,089".
Page 216, line 20, strike "\$4,224,388" and "\$4,224,388" and insert:
"\$2,112,194" and "\$0".
Page 216, line 27, strike "\$20,713,104" and insert "\$18,600,910".
Page 216, line 27, strike "\$26,155,627" and insert "\$21,931,239".

Explanation:

(This amendment restores \$2.1 million the first year and \$4.2 million the second year to fully fund statewide implementation, effective January 1, 2021, of the Virginia Mental Health Access Program (VMAP), an integrated care program that increases access for children and adolescents to behavioral health services through enhanced pediatric training, psychiatric consultations, telehealth, and care navigation. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #17c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$30,151,414	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,305,389,063".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,305,389,063".
Page 216, line 34, strike "\$30,151,414" and insert "\$0".

Conference Report to House Bill 5005

Page 216, line 36, strike "\$49,252,214" and insert "\$19,100,800".

Explanation:

(This amendment restores \$30.2 million the second year from the general fund to restore funding for services as part of STEP-VA that was included in Chapter 1289, of the 2020 Appropriation Act. The funding includes \$6.8 million for mobile crisis services and \$4.7 million for crisis dispatch that will assist in implementation of House Bill 5043 / Senate Bill 5038, that creates a mental health awareness response system. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #18c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$579,951	\$1,159,901	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,436,041".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,380,576".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,436,041".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,380,576".

Page 217, line 47, strike "\$1,159,901" and "\$1,159,901" and insert: "\$579,950" and "\$0".

Page 217, line 51, strike "\$31,646,263" and insert "\$31,066,312".

Page 217, line 51, strike "\$41,188,197" and insert "\$40,028,296".

Explanation:

(This amendment restores \$579,951 the first year and \$1.2 million the second year to fund a 15 percent increase in TANF cash assistance payments to two-parent families. On July 1, 2020, the increase was provided to most TANF families, however cash assistance for two-parent families are funded from the general fund, and the associated funding included in the budget passed in March was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the funding to allow two-parents families to receive the 15 percent increase beginning January 1, 2021.)

Item 482.20 #19c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$250,000	\$0	GF

Conference Report to House Bill 5005

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
Page 208, strike line 9 through line 10.
Page 208, line 32, strike "\$178,344,517" and insert "\$178,094,517".

Explanation:

(This amendment restores funding to the Emil and Grace Shihadeh Innovation Center for one-time support for furniture and equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #20c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$161,719	\$323,437 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,854,273".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,217,040".
Page 205, line 27, strike:
"\$323,437" and "\$323,437" and insert "\$161,718" and "\$0".
Page 205, line 9, strike:
"\$754,015,992" and insert "\$753,854,273".
Page 205, line 9, strike:
"\$1,335,540,477" and insert "\$1,335,217,040".

Explanation:

(This amendment restores funding related to a new judgeship in the 19th judicial district that was unallotted in Chapter 1289, 2020 Acts of Assembly. The first year funding is prorated six months, with an effective date of January 1, 2021.)

Item 482.20 #21c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$400,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,615,992".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,615,992".

Conference Report to House Bill 5005

Page 208, line 36, strike the first "\$400,000" and insert "\$0".

Explanation:

(This amendment restores \$400,000 the first year only in additional funding for the Virtual Library of Virginia. New funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the funding.)

Item 482.20 #22c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$350,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,665,992".

Page 208, line 2, strike the first "\$500,000" and insert "\$150,000".

Explanation:

(This amendment restores \$350,000 the first year from the general fund to support educational programming produced by Blue Ridge PBS. The budget passed in March included \$500,000 for this initiative, but funds were subsequently unallotted in April due to the pandemic and eliminated in House Bill 5005.)

Item 482.20 #23c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$2,500,000	\$4,100,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,440,477".

Page 208, line 12, strike "\$5,300,000" and "\$5,300,000" and insert: "\$2,800,000" and "\$1,200,000".

Explanation:

(This amendment restores \$2.5 million in the first year and \$4.1 million in the second year from the general fund to implement expanded access to school meals.)

Item 482.20 #24c

Conference Report to House Bill 5005

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,424,522	\$7,596,300	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,591,470".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,944,177".
Page 205, line 25, strike "\$5,732,280" and insert "\$4,307,758".

Explanation:

(This amendment restores funding of \$1.4 million from the general fund the first year and \$7.6 million from the general fund the second year related to additional district court clerk positions that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

Item 482.20 #25c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$949,682	\$5,698,089	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,066,310".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,842,388".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,066,310".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,329,842,388".
Page 205, line 31, strike "\$3,798,726" and insert "\$2,849,044".
Page 205, line 31, strike "\$5,698,089" and insert "\$0".

Explanation:

(This amendment restores funding of \$949,682 from the general fund the first year and \$5.7 million from the general fund the second year related to additional public defender positions for the Indigent Defense Commission that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

Item 482.20 #26c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,000,000	\$1,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,015,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".

Conference Report to House Bill 5005

Page 213, lines 41 through 45.

Explanation:

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

	Item 482.20 #27c		
Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$10,273,553	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,266,924".

Page 215, line 17, strike "\$10,273,553" and insert "\$0".

Explanation:

(This amendment adds \$10.3 million from the general fund the second year to restore funding for the redesign of Medicaid behavioral health services to ensure that services provided through Medicaid are evidence based and provide a continuum of community rehabilitation behavioral health services. The budget passed in March contained funding for this effort, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

	Item 482.20 #28c		
Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$10,697,611	\$22,037,077	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$743,318,381".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,313,503,400".

Page 215, line 30, strike "(21,395,221)" and insert "(10,697,610)".

Page 215, line 30, strike "\$22,037,077" and insert "\$0".

Explanation:

(This amendment restores \$10.7 million the first year and \$22.0 million the second year from the general fund to increase group home, sponsored residential and group day support rates effective January 1, 2021 for services provided through the current Medicaid Developmental Disability Waiver programs using updated data measures available, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A companion amendment updates rates for community integration services provided through the DD waiver programs.)

Conference Report to House Bill 5005

Item 482.20 #29c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$3,748,853	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,791,624".

Page 215, line 32, strike "\$3,748,853" and insert "\$0".

Explanation:

(This amendment restores \$3.7 million the second year from the general fund to increase Medicaid rates for community integration services provided through the current Medicaid Developmental Disability Waiver programs using updated data. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A companion amendment updates rates for group homes, sponsored residential and group day support services provided through the DD waiver programs.)

Item 482.20 #30c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$7,599,696	GF

Language:

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

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

Explanation:

(This amendment adds \$7.6 million from the general fund the second year to restore funding for a Medicaid rate increase for psychiatric residential treatment facilities effective July 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #31c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$37,313,648	GF

Language:

Conference Report to House Bill 5005

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,298,226,829".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,298,226,829".

Page 208, line 23, strike "\$48,436,297" and insert "\$11,122,649".

Page 208, line 32, strike "\$304,970,121" and insert "\$267,656,473".

Explanation:

(This amendment restores funding for pre-kindergarten access for at-risk three and four year old children in the second year. The restored amount increases the Virginia Preschool Initiative per pupil amount from \$6,326 in fiscal year 2021 to \$6,959 in fiscal year 2022, representing a 10 percent increase. The budget passed in March increased the per pupil amount from \$6,326 in fiscal year 2020 to \$6,959 in fiscal year 2021 and \$7,655 in fiscal year 2022, but these funds were subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #32c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$35,173,962	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,300,366,515".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,300,366,515".

Page 208, line 16, strike "\$35,173,962" and insert "\$0".

Page 208, line 32, strike "\$304,970,121" and insert "\$269,796,159".

Explanation:

(This amendment restores funding to support at-risk students in the second year. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #33c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$170,125	\$226,832	GF

Language:

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

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

Page 219, strike lines 29 through 31.

Explanation:

Conference Report to House Bill 5005

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

Item 482.20 #34c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$100,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,915,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,915,992".

Page 218, strike line 45 through line 46.

Page 219, line 3, strike "\$1,082,144" and insert "\$982,144".

Explanation:

(This amendment restores funding for the County of Gloucester in support of the historic preservation of the Woodville School.)

Item 482.20 #35c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

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

Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".

Page 218, strike line 48 through line 49.

Page 219, line 3, strike "\$1,082,144" and insert "\$832,144".

Explanation:

(This amendment restores funding to the County of Fairfax to support NOVA Parks in commemoration of the centennial of Women's Suffrage.)

Item 482.20 #36c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$376,364	\$376,364 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,639,628".

Conference Report to House Bill 5005

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,164,113".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,639,628".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,164,113".

Page 218, strike line 18.

Page 218, line 28, strike "\$3,398,510" and insert "\$3,022,146".

Page 218, line 28, strike "\$27,935,341" and insert "\$27,558,977".

Explanation:

(This amendment restores dedicated operating support to the public operations of Natural Bridge State Park.)

Item 482.20 #37c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$342,678	\$209,509	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,673,314".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,330,968".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,673,314".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,330,968".

Page 218, strike line 24 through line 25.

Page 218 line 28, strike "\$3,398,510" and insert "\$3,055,832".

Page 218 line 28, strike "\$27,935,341" and insert "\$27,725,832".

Explanation:

(This amendment restores funding for the operation of the Green Pastures Recreation Area as a satellite facility of Douthat State Park.)

Item 482.20 #38c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,150,000	\$2,300,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,865,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,240,477".

Page 205, line 9, strike "\$754,015,992" and insert "\$752,865,992".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,240,477".

Page 219, line 47, strike "\$2,300,000" and "\$2,300,000" and insert :
"\$1,150,000" and "\$0".

Conference Report to House Bill 5005

Page 219, line 52, strike the first "\$13,878,574" and insert "\$12,728,574)."

Page 219, line 52, strike the second "\$13,878,574" and insert "\$11,578,574)".

Explanation:

(This amendment restores \$1.2 million the first year and \$2.3 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services to distribute to local community corrections programs for pretrial and probation services. The funding provides for programs to be established in 33 localities lacking such programs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #39c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$500,000	\$1,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992)".

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

Page 205, line 9, strike "\$754,015,992" and insert "\$753,515,992)".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,540,477)".

Page 219, line 43, strike "\$1,000,000" and "\$1,000,000)" and insert: "\$500,000" and "\$0".

Page 219, line 52, strike "\$13,878,574" and "\$13,878,574)" and insert: "\$13,378,574" and "\$12,878,574)".

Explanation:

(This amendment restores \$0.5 million the first year and \$1.0 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services for pre-release and post-incarceration services. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #40c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$200,000	\$200,000	GF

Language:

Conference Report to House Bill 5005

Page 205, line 1, strike "\$754,015,992" and insert "\$753,815,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,340,477".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,815,992".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,340,477".
Page 219 strike line 45 through line 46.
Page 219, line 52, strike "\$13,878,574" and "\$13,878,574" and insert:
"\$13,678,574" and "\$13,678,574".

Explanation:

(This amendment restores \$0.2 million in each year from the general fund to increase the amount available to the Department of Criminal Justice Services to make grants to organizations for post-critical incident support for law enforcement officers. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #41c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$3,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,540,477".
Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,540,477".
Page 219, strike line 35 through line 37.
Page 219, line 38, strike "\$15,142,502" and insert "\$12,142,502."
Page 219, line 38, strike "\$26,956,626" and insert "\$23,956,626".

Explanation:

(This amendment restores \$3.0 million in each year from the general fund for the Department of Corrections to implement an electronic health records system for all correctional facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #42c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$20,000,000	\$14,000,000	GF

Conference Report to House Bill 5005

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$734,015,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,321,540,477".
Page 205, line 9, strike "\$754,015,992" and insert "\$744,015,992".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,311,540,477".
Page 209, line 29, strike "\$10,000,000" and insert "\$0".
Page 209, line 29, strike "\$12,000,000" and insert "\$5,000,000".
Page 210, line 13, strike "\$10,000,000" and insert "\$0".
Page 210, line 13, strike "\$12,000,000" and insert "\$5,000,000".

Explanation:

(This amendment restores \$10.0 million each the first year and \$7.0 million each the second year for George Mason University and Old Dominion University to begin addressing funding disparities due to enrollment growth for in-state students, continued increases in two-year transfer students, and educational program development to support economic growth. Funding was included in the budget passed in March was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the original amount of funding in the first year and a partial amount in the second year.)

Item 482.20 #43c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$4,133,500	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,406,977".
Page 215, strike line 6.

Explanation:

(This amendment adds \$4.1 million from the general fund the second year to restore funding for 250 Medicaid Developmental Disability Waiver slots. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #44c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$6,984,788	GF

Conference Report to House Bill 5005

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,555,689".
Page 215, line 34, strike "\$6,984,788" and insert "\$0".

Explanation:

(This amendment adds \$6.9 million from the general fund the second year to restore funding for Medicaid nursing facility reimbursement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #45c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$160,800	\$160,800	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,855,192".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,379,677".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,835,192".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,379,677".
Page 218, strike line 17.
Page 218, line 28, strike "\$3,398,510" and insert "\$3,237,710".
Page 218, line 28, strike "\$27,935,341" and insert "\$27,774,541".

Explanation:

(This amendment restores dedicated funding to support the public operations of Mason Neck State Park.)

Item 482.20 #46c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$8,718,731	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,821,746".
Page 217, line 36, strike "\$17,437,461" and insert "\$8,718,730".

Explanation:

(This amendment restores \$8.7 million from the general fund the second year for Family First

Conference Report to House Bill 5005

prevention services at local departments of social services. The budget passed in March contained funding for this effort, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item C-12.10 #1c

Education

George Mason University

Language

Language:

Page 225, line 24, strike "Not set out." and insert:

"C-12.10 Planning: Academic VIII-STEM, *Science and Technology Campus* (18498)".

Explanation:

(This amendment makes a technical project title change clarifying project location based on the institution's capital project request.)

Item C-42 #1c

Natural Resources

FY20-21

FY21-22

Department of Conservation and
Recreation

\$500,000

\$0 NGF

Language:

Page 227, line 16, strike "\$12,500,000" and insert "\$13,000,000".

Page 227, line 16, strike "Not set out." and insert:

**"Improvements: Make Critical Infrastructure
Repairs and Residences at Various
State Parks, Phase I (18366)**

~~\$12,500,000~~
\$13,000,000

\$0

Fund Sources:

Bond Proceeds

~~\$12,500,000~~
\$13,000,000".

\$0

Explanation:

(This amendment provides and additional \$500,000 nongeneral fund bond proceeds for critical infrastructure repairs and preventive maintenance projects across the Virginia State Park System.)

Item C-61.50 #1c

Transportation

Virginia Commercial Space Flight Authority

Language

Language:

Page 228, unstrike line 24.

Page 228, line 24, strike "General" and insert "Bond Proceeds".

Explanation:

(This amendment changes the fund source for the regional airport hangar project.)

Item C-69 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 230, line 46, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 592, strike paragraph A.1. and insert:

"A. 1. Included in this item is \$170,700,000 in bond appropriation which may be transferred between and among the capital project pools listed, *or any project within a listed pool notwithstanding § 2.2-1519 E*, in paragraph O. of § 2-0 of this act in order to address any shortfall in appropriation in one or more of such project pools *or project*, pursuant to the provisions of § 2-0, paragraph O., of this act and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amount shall not exceed \$170,700,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia."

Explanation:

(This amendment clarifies that bond appropriation may be transferred between and among the listed capital project pools.)

Item C-72.10 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, unstrike lines 2 through 7.

Page 231, line 4, strike "General" and insert "Bond Proceeds".

Page 231, line 5, strike "general fund" and insert "bond proceeds".

Explanation:

(This amendment changes the funding source for the Virginia Beach Nimmo Parkway access project.)

Item C-74 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, line 16, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 650, strike Item C-74 and insert:

"A.1. Pursuant to projects authorized and funded in paragraphs B. and E.1. of Item C-39.40 of Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects. Project work includes improvements and safety and security enhancements to be constructed or installed within the right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the ~~western~~ *eastern* right-of-way line of Governor Street intersects East Broad Street), which rights-of-way are owned by the City of Richmond (City), and more specifically as determined by the DGS project team and in collaboration with the City with respect to such rights-of-way. Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street, (a) the perpetual and irrevocable right, privilege and easement to construct, install, use, operate, inspect, maintain, repair, replace, rebuild, improve, alter and

Conference Report to House Bill 5005

remove (i) any construction or installation contracted for by DGS either as part of the referenced construction projects or at any time with respect to safety and security enhancements around the perimeter of Capitol Square deemed appropriate by DGS and (ii) all equipment, accessories, utilities and appurtenances necessary to support such construction projects and such incorporation of safety and security enhancements, (b) the perpetual and irrevocable right, privilege and easement to inspect, maintain, repair, replace and rebuild the sidewalks and elements thereof (but not traffic control devices and signage or street lighting located thereupon) of the referenced right-of-way of North 9th Street and East Broad Street and (c) any necessary or appropriate temporary construction easements, upon terms approved by the Mayor of Richmond and the Governor (pursuant to § 2.2-1149, Code of Virginia); approval by Richmond City Council shall not be required.

2. The City, without expending City funds, shall cooperate with DGS (i) to support the referenced construction project work and incorporation of safety and security enhancements at and along North 9th Street and East Broad Street, (ii) to relocate any utilities located in the agreed upon easement area, if necessary, and (iii) to coordinate any closure or other traffic flow controls of North 9th Street and East Broad Street during the performance of the construction projects and the incorporation of any safety and security features that will enhance safety and security around the perimeter of Capitol Square. At no time shall DGS make any permanent changes to the North 9th Street or East Broad Street rights-of-way without the prior approval of the Chief Administrative Officer of the City or the City hinder or delay construction of the referenced construction projects. Notwithstanding the foregoing, DGS may commence the construction project work and safety and security enhancements within the referenced right-of-way of North 9th Street and East Broad Street prior to the execution of a deed of easement or other proper instruments, if deemed necessary by DGS to avoid delay in the implementation of the construction project work or safety and security enhancements.

~~B.4. Pursuant to projects authorized and funded in paragraph E.1. of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, operations of the Virginia General Assembly have temporarily moved and now operate from the Pocahontas Building bounded by the following streets 9th to the west, 10th to the east, Bank to the north, and Main to the south in the City of Richmond. This temporary move has resulted in the Commonwealth's legislative activities to be concentrated in an area requiring traffic and pedestrian operational safety and security enhancements. As such, and pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), Bank Street from 9th to 12th Street in the City of Richmond shall be controlled by the DGS and the DCP year round while General Assembly operations are located, and conducted, in the Pocahontas Building. Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP during this time. These determinations will be based on the recommendations outlined in the Bank Street Safety and Security Assessment prepared by Commonwealth Architects dated February 15, 2017 (the Assessment). Funding for materials and contract services needed to address pedestrian and vehicle management activities are available to DGS from the Chapter referenced in this item.~~

~~2. At no time, will DGS or DCP make permanent changes to Bank Street right-of-way (e.g.~~

Conference Report to House Bill 5005

~~traffic control devices, security fixtures, street lighting, surface treatments) without the approval of the City of Richmond's Chief Administrative Officer. Additionally, at no time will the City prevent DGS and DCP from implementing and maintaining the recommendations outlined in the Assessment. Bank Street operations, as described in paragraph A, will remain under the control of DGS and DCP year-round until control of Bank Street 1 reverts to the City of Richmond upon the General Assembly, and its operations, vacating the Pocahontas Building, and the General Assembly, with approval of the Governor, authorizing control of Bank Street back to the City of Richmond."~~

Explanation:

(This amendment modifies existing language having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item 4-5.11.)

Item C-75 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, after line 17, insert:

"A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed ~~\$194,901,500~~ \$206,401,500 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the capital costs of the projects described in paragraph C. of this item.

B. Debt service on bonds issued under the authorization in this item shall be provided from appropriations to the Treasury Board.

C. The appropriations for the following authorized projects are contained in the appropriation items listed:

Agency Name/Project Title	Project Code	Item	VPBA Bonds
Department of Military Affairs (123)			
Replace/Install Fire Safety Systems in Readiness Centers	18318	C-62	\$3,000,000
Department of State Police (156)			
Upgrade Statewide Radio System (STARS) Network	18414	C-56	\$80,000,000

Conference Report to House Bill 5005

Department of General Services (194)

Renovate and Repair Fort Monroe	18191	C-1	\$17,800,000
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Department of Conservation and Recreation (199)

Make Critical Infrastructure Repairs and Residences at Various State Parks	18366	C-42	\$12,500,000 <i>\$13,000,000</i>
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Renovation of Existing Revenue Generating Cabins	18490	C-46	\$16,158,000
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Virginia Museum of Fine Arts (238)

Repairs and Structural Issues	18503	C-36.50	\$2,750,000
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Marine Resources Commission (402)

Oyster Reef Restoration	18479	C-54	\$10,000,000
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Department for the Blind and Vision Impaired (702)

Improve campus infrastructure	18488	C-39	\$1,223,500
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Department of Behavioral Health and Developmental Services (720)

Address patient and staff safety issues at state facilities	18365	C-38	\$7,600,000
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Make infrastructure repairs to state facilities	18307	C-37	\$13,870,000
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Virginia Commercial Space Flight Authority (509)

Accomack Regional Airport Hangar	18504	C-61.50	\$1,000,000
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Central Capital Outlay (949)

Virginia Beach Improve Access	18505	C-72.10	\$10,000,000
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Department of Corrections (799)

DOC Capital Infrastructure Fund	18480	C-55	\$30,000,000
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Total VPBA Bonds	\$194,901,500
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\$206,401,500''.

Conference Report to House Bill 5005

Explanation:

(This amendment makes technical corrections to the VPBA table.)

Item 3-1.01 #1c

Transfers

Interfund Transfers

Language

Language:

Page 233, line 2, strike "Not set out." and insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund an amount estimated at \$275,000 from the Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program."

Explanation:

(This amendment transfers nongeneral fund balances from the Virginia Alcohol Safety Action Program to the general fund. Upon enrolling, Item 3-1.01 will be set out and enrolled appropriately.)

Item 3-1.01 #2c

Transfers

Interfund Transfers

Language

Language:

Page 234, set out Item § 3-1.01, and after paragraph JJ., insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund, the balance of the Aerospace Manufacturer Workforce Training Grant Fund estimated at \$1,203,000."

Explanation:

(This amendment transfers the balance of the Aerospace Manufacturer Workforce Training Grant Fund to the general fund. Upon enrolling, Item § 3-1.01 will be set out and enrolled appropriately.)

Item 3-1.01 #3c

Transfers

Interfund Transfers

Language

Conference Report to House Bill 5005

Language:

Page 233, set out Item § 3-1.01.

Item § 3-1.01, Paragraph 2.a., strike "\$125,100,000" and insert "\$136,200,745".

Explanation:

(This is a technical amendment to increase the transfer of Alcoholic Beverage Control Authority net profits in fiscal year 2021 by \$11.1 million, to reflect the accrual-based transfer to the general fund of excess fiscal year 2020 Q4 profits deposited in the general fund in Q1 of fiscal year 2021. This amendment is to an item not set out in the Governor's introduced budget; it will be set out in the enrolling process.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 233, set out Item § 3-1.01.

Item § 3-1.01, Paragraph 2.a., strike "\$125,100,000" and insert "\$128,400,000".

Item § 3-1.01, Paragraph 2.a., strike "\$128,700,000" and insert "\$132,700,000".

Explanation:

(This amendment is to an item not set out in the governor's introduced budget; it will be set out in the enrolling process. This amendment increases the expected transfer to the general fund of Alcoholic Beverage Control Authority net profits by \$3.4 million in fiscal year 2021 and \$4.0 million in fiscal year 2022. These amounts are based upon higher than assumed growth in gross sales in fiscal year 2020, and assume annual growth in gross sales of 4.5 percent in each of fiscal year 2021 and fiscal year 2022.)

Item 3-4.01 #1c

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, after line 33, insert:

"4. a. Institutions of higher education shall have the authority to use available fund balances from other fund sources, to include educational and general program reserves, to support operations, increased costs or revenue reductions, for auxiliary enterprise programs for the

Conference Report to House Bill 5005

2020-2022 biennium. However, with the exception of transfer payments, educational and general program reserves may not be used to directly support intercollegiate athletics.

b. Any use of available fund balances pursuant to these temporary provisions shall be subject to approval by the Board of Visitors of the institution, provided that the Board has also reviewed the measures of financial status included in the most recent Auditor of Public Account Higher Education Comparative Report. Prior to any transfer, the institution shall provide the approval resolution to the Chairs the House Appropriations and Senate Finance and Appropriations Committees."

Explanation:

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

Item 4-0.01 #1c

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

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

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

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

Conference Report to House Bill 5005

conducting the meeting;

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

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

Explanation:

(This amendment sets out Item 4-0.01 and modifies the language to include joint meetings of public entities on the list of entities that can meet remotely during a state of emergency. Upon enrolling, Item 4-0.01 will be set out and enrolled appropriately.)

Item 4-0.01 #2c

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.

Conference Report to House Bill 5005

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

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

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

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

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

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

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

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

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

Conference Report to House Bill 5005

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

h. Notwithstanding § 2.2-1510 B., Code of Virginia, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, during a state of emergency as declared by the Governor, shall hold at least one, but up to four, public hearings, on the budget bill the Governor submits for the 2021 Regular Session and may hold such hearings through electronic means, if deemed necessary, to ensure the safety of all participants."

Explanation:

(This amendment provides flexibility for the Chairs of the House Appropriations and Senate Finance and Appropriations Committees to determine how many budget hearings will be held on the Governor's proposed budget prior to the 2021 Regular Session and if such hearings will be through electronic means. The COVID-19 pandemic may require such hearings to be held online in an electronic format for the safety of all participants involved. This amendment provides temporary flexibility to determine the safest and most appropriate way to hear public comment on the budget during the pandemic.)

Item 4-5.11 #1c

Special Conditions and Restrictions on Expenditures

Seat of Government Traffic and Pedestrian Safety

Language

Language:

Page 238, line 16, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 650, strike Section 4-5.11 and insert:

"§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

In order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Commonwealth Transportation Board shall, not later than January 1, 2020, add to the state primary highway system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from 9th Street to 14th Street, 10th Street from Main Street to Bank Street, 12th Street from Main Street to Bank Street, and Governor Street from Main Street to Bank Street and, pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control those rights-of-way and pedestrian and vehicular traffic thereon. The rights-of-way so transferred shall be in addition to the 50 miles per year authorized to be transferred under § 33.2-314(A). *The City of Richmond shall transfer fee ownership of the rights-of-way identified*

Conference Report to House Bill 5005

in this section to DGS by deed or other instrument, as determined by DGS."

Explanation:

(This amendment modifies existing language to address the transfer of rights-of-way having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item C-74.)

Item 4-8.01 #1c

Reporting Requirements

Governor

Language

Language:

Page 238, after line 24, insert:

"4. a) ~~Except for the reports required under Item 479.10 of this act, Notwithstanding any other provision of law or of any provision of this Act,~~ the Governor may delay or defer the submission of any report or study that is required by the Code of Virginia or by this act of a state entity, including agencies, boards, commissions, and authorities, and that is due prior to June 30, 2021, if in the opinion of the Governor, meeting the reporting deadline is either not possible or is impractical due to impacts of the COVID-19 pandemic on the reporting entity. Reporting entities seeking approval of the Governor to grant such a delay must submit a written request to the Governor no less than 30 days prior to the reporting deadline. Upon receiving approval from the Governor, the reporting entity shall provide the parties designated to receive the report with notice of an approved delay. This notice shall be in lieu of the required report until such time as the required report is submitted. Any report receiving approval for delayed submission shall be submitted as soon as the reporting entity can resume normal business operations and can complete the work necessary to compile the report; however, no report shall be submitted later than 12 months from the original reporting requirement.

b) The Governor may establish guidelines for the submission and approval process described in paragraph a) above."

Explanation:

(This amendment makes technical adjustments to reporting requirements.)

Item 4-14 #1c

Effective Date

Effective Date

Language

Language:

Conference Report to House Bill 5005

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

"7.a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17, Code of Virginia, in response to a communicable disease of public health threat as defined in § 44-146.16, Code of Virginia, electric companies subject to regulation of the State Corporation Commission ("Commission"), natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility ("utilities") are prohibited from disconnecting service to residential customers for non-payment of bills or fees until the Governor determines that the economic and public health conditions have improved such that the prohibition does not need to be in place, or until at least 60 days after such declared state of emergency ends, whichever is sooner. "Municipal utility" means a utility providing electric, gas, or water or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth. The utilities shall notify all customers who are at least 30 days in arrears of this utility disconnection moratorium, which may be by bill insert or bill notice.

b. No more than 60 days after the enactment of this act, the utilities shall notify all customers who are at least 30 days in arrears of the COVID-19 Relief Repayment Plan (Repayment Plan), which may be by bill insert or bill notice, such notice shall include eligibility, billing information, applicable financial assistance resources, and contact information where customers may file an initial complaint on Repayment Plan related disputes. All utilities within 60 days after the enactment of this act must offer customers a Repayment Plan for past due accounts while the universal prohibition on service disconnections is in effect that includes, at minimum, the following provisions:

1. The Repayment Plan shall not require any new deposits, down payments, fees, late fees, interest charges, or penalties, nor shall such plan accrue any fees, interest, or penalties, including prepayment penalties;

2. The Repayment Plan shall amortize the repayment of a customer's utility debt over a minimum period of 6 months and up to 24 months for each utility. The utility will work with the customer to establish a Repayment Plan that meets the requirements of this clause 7.b. and that the customer determines is sustainable and affordable for them. A customer may satisfy the Repayment Plan in part or in full at any time; and

3. The utilities shall not apply eligibility criteria, such as installment plan history. However, the utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency.

4. If a utility reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan, the utility shall report the account as "current" in accordance with the Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act. If the provisions of

Conference Report to House Bill 5005

Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act expire prior to the end of the universal moratorium established in clause 7.a., the utility may only resume reporting any default on the Repayment Plan at the end of the universal moratorium established in clause 7.a.

5. However, no utility that has received an order exempting it from the provisions of this clause 7.a. shall disconnect from service a customer who is making timely payments under the Repayment Plan at the time of the order and until such time as a customer ceases to make timely payments under the Repayment Plan. A utility that has received an order exempting it from the provisions of this clause 7.a. shall attempt to establish a Repayment Plan with its customers prior to any disconnection of service.

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource, from entering into another payment plan offered by the utility, or from renegotiating the terms of the Repayment Plan.

d. In accordance with the provisions of Item 479.10, paragraph B.5. of this act, utilities shall use any funding allocated from the federal Coronavirus Relief Funds of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) to provide direct subsidy payments on behalf of customers whose accounts are over 30 days in arrears, provided such use meets eligibility requirements pursuant to United States Department of the Treasury guidance. In applying these funds to customer accounts, utilities shall prioritize providing financial assistance to customers who are over 60 days in arrears prior to using the funds to assist customers with accounts 31 to 60 days in arrears. To the extent possible, utilities shall use available funding to cover one-hundred percent of the customer's arrearage.

In addition to the funds provided in Item 479.10, paragraph B.2. of this act, where applicable, utilities must accept financial assistance from other utility assistance programs funded with federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) for customers who are at least 30 days in arrears. To the extent possible, utilities must direct customers in writing to these resources when establishing a Repayment Plan.

e. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to regulation of the Commission has accounts receivable arrearages for Virginia customers that exceed 2% of an investor-owned electric utility's, or 1% of any other utility's, annual Virginia jurisdictional operating revenues, then the utility may obtain relief from the moratorium established in clause 7.a. by filing an informational letter notice with the clerk of the Commission, stating such facts to demonstrate the exceedance and contemporaneously tendering associated workpapers to the staff of the Commission. The Commission staff shall verify the information as filed by the utility and shall file a verification letter with the Clerk of the Commission. The Commission, upon receipt of a favorable verification letter, shall issue a final order within five days. Upon issuance of an order, a utility shall thereafter be exempt from the moratorium provisions of this clause 7.a.

f. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a

Conference Report to House Bill 5005

utility subject to this clause 7 but not subject to regulation of the Commission has accounts receivable arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from the moratorium established in clause 7.a. if (i) the utility provides a written analysis stating such facts to demonstrate the exceedance to staff of the governing body, (ii) the utility contemporaneously makes available for public inspection associated workpapers verifying such facts to staff of the governing body, and (iii) the governing body verifies the exceedance, provides public notice, takes public comment on, and votes to approve that the exceedance is accurate in an open public meeting. In the event of an affirmative vote of the utility's governing body, the utility shall thereafter be exempt from the moratorium provisions of this clause 7.a.

g. The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from a Repayment Plan for electric, gas, water, or wastewater utilities, including through a rate adjustment clause or through base rates, however, the Commission shall exclude from recovery all costs associated with any jurisdictional customer balances forgiven by a Phase II utility pursuant to paragraph j. below. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs. The Commission shall also require the utilities subject to regulation by the Commission to submit information on the status of customer accounts, including (a) the number and value of outstanding aged account balances, categorized by customer type; (b) the number and value of associated collections from customers, categorized by customer type; (c) the number and value of associated additions to aged accounts receivable balances, categorized by customer type; (d) the number and value of aged accounts receivable balances, net of collections and additions; (e) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility; (f) the number of accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason; (g) the amount of and average debt still remaining for customer accounts removed from the Repayment Plan or another repayment plan as set forth by the utility; (h) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred; (i) the number, total value, and average debt of customer accounts receiving direct assistance by the funds provided in Item 479.10, paragraph B.2. of this act, categorized by days in arrears and customer account type; (j) the cumulative level of customer arrearages by locality; and (k) any cost recorded as regular asset authorized by that certain order of the Commission in Case Number PUR-2020-00074. The Commission shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by December 31, 2020, within 90 days of the expiration of the universal prohibition established in clause 7.a., and annually, on or before December 31st, thereafter for the following two years. The report due on December 31, 2020 shall cover the period from March 16, 2020 through December 15, 2020. The report due within 90 days of the end of the universal prohibition established in clause 7.a. shall cover the period

Conference Report to House Bill 5005

from December 16, 2020 to the end of the universal prohibition established in clause 7.a. Annual reports shall cover the period from the end of the universal prohibition established in clause 7.a. to December 16th of the year the report is due.

h. Utilities not subject to regulation by the Commission shall submit information on the status of customer accounts to the Commission on Local Government managed by the Department of Housing and Community Development, including (a) the number and value of accounts that are at least 30 days in arrears; (b) the number and value of accounts that are at least 60 days in arrears; (c) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility; (d) the number of accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason; (e) the amount of and average debt still remaining for accounts removed from the Repayment Plan or another repayment plan as set forth by the utility; (f) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred; (g) the number, total value, and average debt of accounts offset by the funds provided in Item 479.10, paragraph B.2. of this act and local programs using Coronavirus Relief Funds, categorized by days in arrears, customer account type, and Coronavirus Relief Fund type; and, (h) the cumulative level of customer arrearages by locality. The Commission on Local Government shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by December 31, 2020, within 90 days of the expiration of the universal prohibition established in clause 7.a., and annually, on or before December 31st, thereafter for the following two years. The report due on December 31, 2020 shall cover the period from March 16, 2020 through December 15, 2020. The report due within 90 days of the end of the universal prohibition established in clause 7.a. shall cover the period from December 16, 2020 to the end of the universal prohibition established in clause 7.a. Annual reports shall cover the period from the end of the universal prohibition established in clause 7.a. to December 16th of the year the report is due.

i. The reports required in paragraphs g. and h. of this clause 7 are not eligible for deferral or delay as permitted under Item 4-8.01, a.4.a. of this act.

j. Within 60 days after the enactment of this act, a Phase II Utility shall forgive all such utility's jurisdictional customer balances more than 30 days in arrears as of September 30, 2020.

1. In the utility's 2021 triennial review, any forgiven amounts shall be excluded from the utility's cost of service for purposes of determining any test period earnings and determining any future rates of the utility. In determining any customer bill credits, in the utility's 2021 triennial review, the Commission shall first offset any forgiven amounts against the total earnings for the 2017 through 2020 test periods that are determined to be above the utility's authorized earnings band. Such offset shall be made prior to any offset to customer bill credits by customer credit reinvestment offsets.

2. Each Phase II Utility shall, no later than December 31, 2020, submit a report to the Governor,

Conference Report to House Bill 5005

the Chairs of the House Committees on Labor and Commerce and Appropriations, and the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Chair of the Commission on Electric Utility Regulation, detailing all actions by it pursuant to this act to forgive customer balances."

Explanation:

(This amendment outlines a policy to extend Virginia's moratorium on utility disconnections.)

Item 4-14 #2c

Effective Date

Language

Language:

Page 241, strike lines 21 through 48.

Page 242, strike lines 1 through 6, and insert:

"8.a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit, for non-payment of rent through December 31, 2020, unless such eligible tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program. Such landlords and tenants must also comply with the following:

1. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. If the tenant fails to pay in full, enter into a written payment plan with the landlord, or pay any installment required by the plan, the landlord may not terminate the tenancy nor take any action to obtain possession of the dwelling unit until the provisions of subsection 8.b. are effectuated on January 1, 2021. However, during the time the provisions of this subsection 8.a. are in effect, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251 in the event that the

Conference Report to House Bill 5005

tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, as described in subsection 8.a.2. below. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

2. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251 for non-payment of rent, during such time the provisions of 8.a. are in effect. Before January 1, 2021, a landlord may not terminate a tenancy nor take action to obtain possession of a dwelling unit based solely on failure to receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program. After the provisions of subsection 8.b. are effectuated on January 1, 2021, the landlord may terminate the tenancy or take action to obtain possession of the dwelling unit based on failure to receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, but only in compliance with the applicable provisions of subsection 8.b.3. For any application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application.

b. Beginning January 1, 2021, notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit, for non-payment of rent due to lost income or additional expenses resulting from the declared state of emergency until such time the declared state of emergency ends, except as follows:

Conference Report to House Bill 5005

1. For an owner who owns four or fewer rental dwelling units in the Commonwealth, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, pursuant to § 55.1-1202, notifying the tenant of his nonpayment and of the landlord's intention to obtain possession of the premises if the rent is not paid within the fourteen-day period, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3. below.

2. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. The written notice shall also inform the tenant that if the tenant fails to either pay the total amount due and owed or enter into the payment plan offered, or an alternative payment arrangement acceptable to the landlord, within fourteen days of receiving the written notice from the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant fails to pay in full or enter into a written payment plan with the landlord within fourteen days of when the notice is served on him, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3. below. If the tenant enters into a payment plan and, after the plan becomes effective, fails to pay any installment required by the plan within fourteen days of its due date, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that he has sent the tenant a new notice, pursuant to § 55.1-1202, advising the tenant of the landlord's intention to obtain possession of the premises unless the tenant pays the total amount due and owed as stated on the notice within fourteen days of receipt and provided that the landlord complies with subsection 3. below. The option of entering into a payment plan or alternative payment arrangement pursuant to this subdivision may only be utilized once during the time period of the rental agreement. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

3. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how

Conference Report to House Bill 5005

to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. Unless the tenant has communicated to the landlord that they are applying for rental assistance funds, the landlord shall apply for rental assistance on behalf of the tenant to the Virginia Rent and Mortgage Relief program, or another federal, state, or local rental assistance program no later than fourteen days from the time the written notice is served. If the tenant refuses to apply for rental assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent as provided in § 55.1-1251. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty-five days of when the application for assistance is made by the tenant or the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the landlord or tenant does not receive written approval from the Virginia Rent and Mortgage Relief program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, or state rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection, 8.b.3. do not apply.

c. If a landlord reports to a consumer reporting agency or debt collector regarding a tenant who is participating in the repayment plan or receiving assistance from a federal, state, or local rent relief program, the landlord shall report the account as “current” in accordance with the Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act.

d. If a tenant is complying with a written payment plan with the landlord or has resolved any non-payment of rent, the landlord cannot take any action to obtain possession of a dwelling unit for non-payment of rent.

e. Nothing in this section relieves either the landlord or the tenant from their obligations to maintain the dwelling as those obligations are set forth in Article 2 and Article 3 of Chapter 12 of Title 55.1.

f. Nothing in this section shall void any judgment for possession validly obtained by a landlord

Conference Report to House Bill 5005

prior to the effective date of this section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section 8."

Explanation:

(This amendment replaces the eviction moratorium language included in the Governor's proposed budget, and establishes the terms by which a landlord may evict a tenant for nonpayment. For owners with more than four dwelling units, requires that the landlord provide written notice informing the tenant of the total amount due and owed; and inform the tenant that if the tenant provides a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan and amortize the amount owed over the lesser of six months or the remainder of lease term. If the tenant fails to pay in full, enter into a payment plan, or pay any installment required by the plan, the landlord may proceed to obtain possession of the premises beginning January 1, 2021 provided certain other conditions are met, including notifying the tenant of the availability of rental assistance. For owners with four or fewer dwelling units, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, the landlord may proceed to obtain possession of the premises beginning January 1, 2021, as long as the landlord meets certain other conditions, including notifying the tenant of the availability of rental assistance. The amendment also provides that if a tenant refuses to apply for rental assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, the landlord can take action on or before December 31, 2020, to obtain possession of a dwelling unit for non-payment of rent.)
