

Committee Approved Amendments to House Bill 1400, as Introduced

Item 0 #1h

Revenues

Revenues

Language

Language:

Page 1, strike lines 35 through 47 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2022	11,733,144,497	0	11,733,144,497
Additions to Balance	(3,811,867,576)	536,481,737	(3,275,385,839)
Official Revenue Estimates	26,421,054,986	26,949,843,506	53,370,898,492
Transfers	705,144,145	797,804,987	1,502,949,132
Total General Fund Resources			
Available for Appropriation	35,047,476,052	28,284,130,230	63,331,606,282"

Page 2, strike lines 1 through 17, and insert:

	"First Year	Second Year	Total
Balance, June 30, 2022	10,137,924,294	0	10,137,924,294
Official Revenue Estimates	48,414,971,765	48,531,630,240	96,946,602,005
Lottery Proceeds Fund	775,172,253	769,009,545	1,544,181,798
Internal Service Fund	2,404,388,342	2,402,874,762	4,807,263,104
Bond Proceeds	202,096,000	53,620,000	255,716,000
Total Nongeneral Fund Revenues			
Available for Appropriation	61,934,552,654	51,757,134,547	113,691,687,201
TOTAL PROJECTED REVENUES	96,982,028,706	80,041,264,777	177,023,293,483"

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Explanation:

(This amendment updates the revenues assumed on the front page to reflect the cumulative impact of the adopted amendments.)

	Item 1 #1h	
Legislative Department	FY22-23	FY23-24
General Assembly of Virginia	\$0	(\$12,200) GF

Language:

- Page 4, line 5, strike "\$59,437,146" and insert "\$59,424,946".
- Page 4, line 10, strike "\$36,167,822" and insert "\$36,155,622".
- Page 4, line 11, strike "\$23,287,964" and insert "\$23,275,764".
- Page 11, line 23, strike the second "\$471,937" and insert "\$459,737".
- Page 11, strike lines 28 through 30.
- Page 12, line 31, strike the second "\$471,937" and insert "\$459,737".

Explanation:

(This amendment reflects a net zero transfer of legislative member expenses from the General Assembly to a newly established legislative agency for the American Revolution 250 Commission, in accordance with the provisions of House Bill 2415. A corresponding amendment appropriates these expenses under the new Commission.)

	Item 1 #2h
Legislative Department	
General Assembly of Virginia	Language

Language:

Page 12, after line 38, insert:
"G.1. There is hereby established a workgroup to review the recommendations of a November 2022 report from the Joint Legislative and Audit Review Commission (JLARC) regarding the actuarial surplus of the VA529 Defined Benefit Trust Fund (the Fund). The workgroup shall be comprised of the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the investment director of the Virginia College Savings Plan, the State Treasurer, three nonlegislative citizen member who are citizens of the Commonwealth and have investment or actuarial expertise, one each of which is to be appointed by the Governor, and by the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

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2. The workgroup shall review the considerations set forth in the JLARC report and produce recommendations with regard to: (i) the method, timing, and amount of any withdrawals from the Fund, with consideration to maintaining sufficient assets to ensure Fund solvency for future obligations; (ii) appropriate uses of monies withdrawn from the Fund, to include the appropriate amount and calculation for returning funds to Legacy Prepaid529 account holders, and the appropriate amount and method for dedicating funds to programs supporting higher education access and affordability; and (iii) ongoing oversight of Fund balances to determine availability of any future actuarial surpluses.

3. The workgroup shall submit its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1, 2023."

Explanation:

(This language-only amendment directs the establishment of a workgroup to evaluate November 2022 recommendations of the Joint Legislative and Audit Review Commission (JLARC) with regard to actuarial surpluses in the VA529 Defined Benefit Trust Fund.)

Item 1 #3h

Legislative Department	FY22-23	FY23-24	
General Assembly of Virginia	\$0	\$21,400	GF

Language:

Page 4, line 5, strike "\$59,437,146" and insert "\$59,458,546".

Page 11, after line 36, insert:

"Commission on Historically Black Colleges and Universities in the Commonwealth House Bill 2253, 2023 General Assembly Session \$0 \$21,400".

Explanation:

(This amendment provides funding from the general fund in the second year to support House Bill 2253 which establishes the Commission on Historically Black Colleges and Universities in the Commonwealth.)

Item 2 #1h

Legislative Department		Language
Auditor of Public Accounts		

Language:

Page 13, after line 40, insert:

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"G. The Auditor of Public Accounts shall include in the annual Specifications for Audits of Counties, Cities, and Towns, and Specifications for Audits of Authorities, Boards, and Commissions, for the independent certified public accountants auditing localities and local government entities, requirements to ensure that each city and county and applicable local government entity comply with the provisions of Article 12 (§ 2.2-2365 et seq.) of Chapter 22 of Title 2.2, Code of Virginia, and any guidelines, procedures, and criteria set forth by the Opioid Abatement Authority relating to opioid abatement funds. Any such adjustment to the requirements in the Specifications for Audits of Counties, Cities, and Towns and the Specifications for Audits of Authorities, Boards, and Commissions shall be exempt from the Administrative Process Act and shall be required for audits effective for fiscal years beginning on July 1, 2022, and thereafter."

Explanation:

(This language-only amendment directs annual audits of local expenditures to include a review of the use of any opioid abatement funds. Such review is to ensure compliance with guidelines, procedures, and criteria set forth by the Opioid Abatement Authority, and in turn, compliance with specific national agreements and Virginia court orders related to such settlements, the overarching statewide memorandum of understanding for allocation of opioid abatement monies, and the provisions of Article 12, Chapter 22 of the Code of Virginia. The language requires such reviews effective with the current fiscal year.)

	Item 5 #1h	
Legislative Department	FY22-23	FY23-24
Division of Legislative Automated Systems	\$0	\$1,500,000 GF

Language:

Page 14, line 31, strike "\$6,555,697" and insert "\$8,055,697".

Explanation:

(This amendment provides general fund in the second year to support the development, implementation, and integration of new e-Filing and Bill Drafting systems administered by the Division of Legislative Automated Systems.)

	Item 6 #1h	
Legislative Department	FY22-23	FY23-24
Division of Legislative Services	\$0	\$250,000 GF

Language:

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Page 15, line 17, strike "\$8,738,378" and insert "\$8,988,378".

Explanation:

(This amendment provides general fund in the second year in support of House Joint Resolution 548 which would establish a new joint subcommittee to study the feasibility of establishing the Virginia Gaming Commission to regulate and oversee all forms of gaming in the Commonwealth.)

Item 6 #2h

Legislative Department	FY22-23	FY23-24
Division of Legislative Services	\$316,471	\$0 NGF

Language:

Page 15, line 17, strike "\$8,738,378" and insert "\$9,054,849".

Page 15, after line 45, insert:

"F. Out of this appropriation, \$316,471 the first year from dedicated special revenue is provided to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

Explanation:

(This amendment appropriates \$316,471 in dedicated special revenue generated from sales of the "Friends of the Chesapeake Bay" license plate for the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.)

Item 6 #3h

Legislative Department	Language
Division of Legislative Services	

Language:

Page 15, line 42, after "E." insert "1."

Page 15, after line 45, insert:

"2. Notwithstanding any other provision of law, the Senate Joint Resolution 10 (2022 Session) Joint Subcommittee to Examine the Commonwealth's Pandemic Response shall continue conducting its study and meet as needed.

3. Any remaining appropriation at year end shall be carried forward to the subsequent fiscal year to support the joint subcommittee."

Explanation:

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(This amendment continues the work of the Joint Subcommittee to Examine the Commonwealth's Pandemic Response.)

Item 33 #1h

Legislative Department	FY22-23	FY23-24	
Behavioral Health Commission	\$0 0.00	\$190,000 1.00	GF FTE

Language:

Page 21, line 8, strike "\$608,507" and insert "\$798,507".
 Page 21, line 31, strike the second "4.00" and insert "5.00".

Explanation:

(This amendment provides funding and a position for the Behavioral Health Commission. The position would assist with oversight responsibilities related to implementation of past and future initiatives funded by the General Assembly.)

Item 35.50 #1h

Legislative Department	FY22-23	FY23-24	
American Revolution 250 Commission	\$0 \$0	\$12,200 \$6,500,000	GF NGF

Language:

Page 22, after line 11, insert:

"§ 1-11.50. American Revolution 250 Commission

35.50 American Revolution 250 Commission	\$0	\$6,512,200
Fund Sources: General	\$0	\$12,200
Special	\$0	\$6,500,000 "

Page 20, after line 28, insert:

"A. All agencies and institutions of the Commonwealth shall, upon request, designate liaisons and provide assistance and advice to the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations for the planning, coordination, and implementation of the 250th anniversary of the American Revolution.

B. Any employees paid from this appropriation shall be exempt from the Virginia Personnel Act. Employees shall not be entitled to severance and unemployment as stipulated in hiring agreements.

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C. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may perform the following actions directly relating to the planning, coordination, and implementation of the 250th anniversary of the American Revolution:

1. Solicit and accept donations of materials and services to defray expenses;
2. Retain all nongeneral funds from grants, donations, contributions, gifts, fees, sales, or other funds received, collected, or undertaken by the Jamestown-Yorktown Foundation for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of any fiscal year;
3. Procure, with the maximum delegated authority available to any executive branch agency or institution in the Commonwealth, any goods and services with which there are minimum procurement requirements associated;
4. Hire employees up to the Maximum Employment Level for the Foundation as provided in the general appropriations act, despite any potential suspension on hiring that may be mandated for the state agencies;
5. Receive assistance and advice from agencies and institutions of the Commonwealth without charge; and
6. Contact international, national, interstate, state, regional, and local elected and appointed officials.

D. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may enter into agreements or contracts with private entities for the promotion of tourism through marketing without competitive sealed bidding or competitive negotiation provided a demonstrable cost savings, as reviewed by the Secretary of Education, can be realized by the Foundation and such agreement or contracts are based on competitive principles.

E. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act shall not apply to the expenditure of funds from the 250th anniversary commemoration. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations. The guidelines shall implement a system of competitive negotiation for goods and services that; shall prohibit discrimination because of race, religion, color, sex, age, disability, national origin, sexual orientation, gender identity, political affiliation, veteran status, or any other basis prohibited by state law relating to discrimination; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§

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2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations with funds from the 250th anniversary commemoration: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.

F. The Board of Trustees of the Jamestown-Yorktown Foundation shall establish guidelines, procedures, and objective criteria for the award and distribution of grants from the appropriation to state agencies, localities and non-government organizations. Activities eligible for grants from the appropriation shall be focused on high-impact, collaborative projects that focus on the ideals of the American Revolution. The Jamestown-Yorktown Commemorations shall advertise the availability of grant funds and shall solicit, receive, and review grant applications as defined by adopted guidelines. The decisions regarding who receives the grant awards shall be the responsibility of the Jamestown-Yorktown Commemorations.

G. All general funds received by the Jamestown-Yorktown Commemoration shall be retained and not reverted back to the general fund at the end of any fiscal year.

H. The provisions of this act shall expire on July 1, 2027."

Explanation:

(This amendment transfers the American Revolution 250 Commission from the Jamestown-Yorktown Foundation, to become a legislative commission in accordance with House Bill 2415. A corresponding amendment to Item 1 transfers general fund appropriation to support costs for legislative members of the commission.)

Item 36 #1h

Legislative Department

Joint Legislative Audit and Review Commission

Language

Language:

Page 25, strike lines 18 through 53.

Page 26, strike lines 1 through 3.

Explanation:

(This language-only amendment removes outdated language related to the requirement for JLARC to provide oversight of the implementation of a new statewide enterprise resource system, Cardinal. Since the Cardinal system implementation was complete in October 2022, there is no longer a need for JLARC oversight and this corresponding language).

Item 37 #1h

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Legislative Department

Virginia Commission on Intergovernmental Cooperation

Language

Language:

Page 27, after line 13, insert:

"C. On or before June 30, 2023, the Committee on Joint Rules shall authorize a reversion to the general fund of \$5,622,307 representing savings generated by legislative agencies in the first year of the 2022-2024 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	Estimates Savings - FY 2023
107: Division of Legislative Services	\$940,000
110: Joint Legislative Audit and Review Commission	\$934,762
839: Virginia Commission on Youth	\$25,000
844: Joint Commission on Health Care	\$20,000
961: Division of Capitol Police	\$3,692,545
Total:	\$5,622,307"

Explanation:

(This amendment adds language to authorize a transfer in the first year of \$5,622,307 in general fund balances from legislative branch agencies.)

Item 37 #2h

Legislative Department	FY22-23	FY23-24
Virginia Commission on Intergovernmental Cooperation	\$0	\$12,731 GF

Language:

Page 26, line 36, strike "\$847,301" and insert "\$860,032".

Explanation:

(This amendment provides general fund in the second year to reflect an increase in the assessment charged to the Commonwealth by the Council of State Governments).

Item 42 #1h

Judicial Department

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Supreme Court

Language

Language:

Page 31, after line 31, insert:

"U. The date by which results are due from the evaluation of judicial caseloads directed by paragraph T. of Item 39, Chapter 1, 2022 Acts of Assembly Special Session I, is hereby extended to October 15, 2024."

Explanation:

(This language-only amendment extends by one year the due date for a judicial caseload study authorized by the 2022 General Assembly. This extension is granted to allow time for case volumes to level-out with respect to backlogs that accumulated as a result of the pandemic.)

	Item 44 #1h	
Judicial Department	FY22-23	FY23-24
Circuit Courts	\$0	(\$15,000,000) GF

Language:

Page 32, line 31, strike "\$114,999,326" and insert "\$99,999,326".

Page 33, line 15, strike the second "\$130,509,977" and insert, "\$115,509,977".

Explanation:

(This amendment reduces general fund appropriation in the second year to account for anticipated reductions in Criminal Fund expenditures.)

	Item 44 #2h	
Judicial Department	FY22-23	FY23-24
Circuit Courts	\$0	\$1,383,522 GF

Language:

Page 32, line 31, strike "\$114,999,326" and insert "\$116,382,848".

Page 33, line 15, strike the second "\$130,509,977" and insert "\$131,893,499".

Explanation:

(This amendment provides general fund in the second year for deposit to the Criminal Fund to support costs associated with House Bill 2317, which raises the per diem for serving on a jury duty from \$30 to \$50 per day.)

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Item 44 #3h

Judicial Department	FY22-23	FY23-24	
Circuit Courts	\$0	\$390,232	GF

Language:

Page 32, line 31, strike "\$114,999,326" and insert "\$115,389,558".

Page 33, line 15, strike the second "\$130,509,977" and insert "\$130,900,209".

Explanation:

(This amendment provides general fund in the second year for the Criminal Fund to support costs associated with House Bill 2016, which requires the appointment of two attorneys in any case in which an indigent defendant is charged with a Class 1 felony.)

Item 45 #1h

Judicial Department	FY22-23	FY23-24	
General District Courts	\$0	\$290,149	GF

Language:

Page 34, line 11, strike "\$144,414,536" and insert "\$144,704,685".

Explanation:

(This amendment provides funding in the second year for House Bill 1412 which increases the maximum number of authorized judges in the 22nd Judicial District by one. The cost of this amendment includes one-time information technology costs; as such, ongoing costs for this additional judgeship are estimated at \$286,849 per year. This additional judgeship is a recommendation of the Committee on District Courts.)

Item 60 #1h

Executive Offices	FY22-23	FY23-24	
Lieutenant Governor	\$0	(\$500,000)	GF

Language:

Page 42, line 36, strike "\$1,138,496" and insert "\$638,496".

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment implements a net-zero general fund transfer in the second year of funding provided for security costs in the Office of the Lieutenant Governor. A companion amendment appropriates an equal amount in central accounts.)

Item 61 #1h

Executive Offices

Attorney General and Department of Law

Language

Language:

Page 45, strike lines 3 through 5.

Explanation:

(This language-only amendment removes sunset provisions related to the establishment of the Commonwealth Opioid Abatement and Remediation Fund (the Fund). Such technical changes ensure the Fund is established for the entirety of the current biennium in support of companion budget amendments that appropriate eligible disbursements from the Fund in both the first and second years.)

Item 61 #2h

Executive Offices

FY22-23

FY23-24

Attorney General and Department of
Law

\$0

(\$2,500,000) GF

Language:

Page 43, line 12, strike "\$51,806,356" and insert "\$49,306,356".

Explanation:

(This amendment reflects a transfer of general fund appropriation provided in the second year for a witness protection program. A companion amendment appropriates these funds within the Virginia State Police.)

Item 72 #1h

Administration

FY22-23

FY23-24

Compensation Board

\$0

\$1,331,673 GF

Language:

Page 51, line 10, strike "\$602,800,092" and insert "\$604,131,765".

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Page 51, line 43, strike "\$82,796" and "\$82,796" and insert: "\$113,673" and "\$113,673".

Page 51, line 44, strike "\$95,165" and "\$95,165" and insert: "\$113,673" and "\$113,673".

Page 51, line 45, strike "\$104,579" and "\$104,579" and insert: "\$113,673" and "\$113,673".

Page 52, line 2, strike "\$81,137" and "\$81,137" and insert: "\$111,400" and "\$111,400".

Page 52, line 3, strike "\$93,263" and "\$93,263" and insert: "\$111,400" and "\$111,400".

Page 52, line 4, strike "\$102,486" and "\$102,486" and insert: "\$111,400" and "\$111,400".

Page 52, line 12, strike "\$76,239" and "\$76,239" and insert: "\$104,579" and "\$104,579".

Page 52, line 13, strike "\$84,710" and "\$84,710" and insert: "\$104,579" and "\$104,579".

Page 52, line 14, strike "\$94,119" and "\$94,119" and insert: "\$104,579" and "\$104,579".

Explanation:

(This amendment consolidates the population based salaries of Sheriffs in population groups below 40,000 effective July 1, 2023, creating a new population group of 0-69,999. The out year annualized cost of this amendment is \$1,452,734.)

Item 72 #2h

Administration

Compensation Board

Language

Language:

Page 63, after line 11, insert:

"M. Included in this appropriation is \$13,894,938 from the general fund the second year for compensation adjustments for deputy sheriffs and regional jail officers to address compression issues which resulted from increasing the entry level starting pay to \$42,000. The funding is provided to allow for the traditional 4.56 percent salary adjustment at the end of the first year and fund an increase in the minimum salary for higher ranked positions."

Explanation:

(This amendment sets out language and the funding amount that was included in the introduced budget to provide salary adjustments for deputy sheriffs and regional jail officers.)

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Item 76 #1h

Administration	FY22-23	FY23-24	
Compensation Board	\$0	\$7,215,281	GF

Language:

Page 60, line 32, strike "\$83,708,994" and insert "\$90,924,275".

Page 63, after line 11, insert:

"M. Included in this appropriation is \$7,215,281 the second year from the general fund to provide an additional 15 percent salary increase for Assistant Commonwealth's Attorneys and Career Prosecutors effective July 1, 2023."

Explanation:

(This amendment provides \$7.2 million from the general fund in fiscal year 2024 to increase salaries for Assistant Commonwealth's Attorneys and Career Prosecutors by an additional 15 percent to improve recruitment and retention.)

Item 78 #1h

Administration	FY22-23	FY23-24	
Compensation Board	\$0	\$3,018,660	GF

Language:

Page 65, line 39, strike "\$20,672,500" and insert "\$23,691,160".

Page 66, after line 45, insert:

"E. Out of this appropriation, \$3,018,660 the second year from the general fund is provided as the state share of funding for 227 unfunded deputy Treasurer positions."

Explanation:

(This amendment provides from the general fund in the second year for the state share of 227 unfunded deputy Treasurer positions.)

Item 89 #1h

Administration	FY22-23	FY23-24	
Department of Elections	\$0	\$109,532	GF

Language:

Page 81, line 8, strike "\$19,314,633" and insert "\$19,424,165".

Page 82, after line 12, insert:

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"I. Out of this appropriation, \$109,532 the second year from the general fund is provided for the department to cover any costs associated with the passage of House Bill 1444 of the 2023 General Assembly."

Explanation:

(This amendment provides \$109,532 in fiscal year 2024 from the general fund for the Department of Elections to effectuate the provisions of House Bill 1444, 2023 General Assembly Session, which requires the Department of Elections to produce voter ID cards and to provide equipment to general registrars for obtaining a photograph and signature from voters in need of an identification card.)

	Item 98 #1h	
Agriculture and Forestry	FY22-23	FY23-24
Department of Agriculture and Consumer Services	\$0	\$125,000 GF

Language:

Page 90, line 35, strike "\$25,275,307" and insert "\$25,400,307".
Page 91, line 39, strike "\$2,355,013" and insert "\$2,480,013".
Page 91, line 42, after "year", insert:
"and \$125,000 the second year".

Explanation:

(This amendment provides \$125,000 from the general fund the second year to support the Wine Board of Virginia for the purpose of breeding vinifera-style wine grapes adapted to the Mid-Atlantic US with a specified focus on combining vinifera fruit quality with downy mildew resistance, with an objective of commercializing the resulting variety within 10 to 15 years. The Winemakers Research Exchange and Wine Board have committed to raising \$125,000 each as a match to funds provided by the Commonwealth.)

	Item 98 #2h	
Agriculture and Forestry	FY22-23	FY23-24
Department of Agriculture and Consumer Services	\$0	\$784,200 GF

Language:

Page 90, line 35, strike "\$25,275,307" and insert "\$26,059,507".
Page 92, after line 25, insert:
"M. Out of the amounts in this item, \$784,200 the second year from the general fund is provided

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for the Virginia Beer Distribution Company."

Explanation:

(This amendment provides \$784,200 from the general fund the second year for the Virginia Beer Distribution Company, pursuant to House Bill 2258.)

		Item 99 #1h	
Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0	\$2,000,000	GF

Language:

Page 92, line 27, strike "\$3,838,820" and insert "\$5,838,820".

Page 92, line 34, after "A." insert "1."

Page 92, line 35, strike "\$2,500,000" and insert "\$4,500,000".

Page 92, after line 43, insert:

"2. Out of the amounts in this item, \$2,000,000 the second year is provided for the Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program establish pursuant to House Bill 1664 of the 2023 Session of the General Assembly."

Explanation:

(This amendment provides \$2.0 million from the general fund in fiscal year 2024 to support the Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program, established pursuant to House Bill 1664.)

		Item 99 #2h	
Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0	\$1,000,000	GF

Language:

Page 92, line 27, strike "\$3,838,820" and insert "\$4,838,820".

Page 92, line 46, after "year" insert:

"and \$1,000,000 the second year".

Explanation:

(This amendment provides \$1.0 million from the general fund the second year to continue the Dairy Margin Coverage Premium Assistance Program. House Bill 1660 would remove the

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program's sunset and continue the program past its current statutory expiration date of July 1, 2023.)

	Item 99 #3h		
Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0	\$1,250,000	GF

Language:

Page 92, line 27, strike "\$3,838,820" and insert "\$5,088,820".

Page 92, line 35, strike "\$2,500,000" and insert "\$3,750,000".

Page 92, line 40, after "efficiency" insert:

"Also of this amount, up to \$1,250,000 the second year shall be used for grants to individuals and businesses that would increase meat processing capacity in the Commonwealth."

Explanation:

(This amendment provides an additional \$1.3 million from the general fund in fiscal year 2024 to the Agriculture and Forestry Industries Development Fund (AFID) and directs this amount to be used for grants to individuals and businesses that would increase meat processing capacity in the Commonwealth.)

	Item 100 #1h		
Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0 0.00	\$75,000 1.00	GF FTE

Language:

Page 93, line 4, strike "\$4,832,158" and insert "\$4,907,158".

Explanation:

(This amendment provides \$75,000 from the general fund the second year and one position for the Virginia Department of Agriculture and Consumer Services to employ an additional pesticide inspector to oversee pesticide use in the Southwest Virginia region.)

	Item 108 #1h		
Agriculture and Forestry	FY22-23	FY23-24	

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Department of Forestry	\$0	\$175,000	GF
	0.00	1.00	FTE

Language:

Page 96, line 14, strike "\$39,041,707" and insert "\$39,216,707".

Explanation:

(This amendment provides \$175,000 from the general fund the second year and one position for the Department of Forestry to hire a policy analyst to support the agency's executive team with complex legislative, policy and administrative duties that are technical and legal in nature, due to the Department's increasing responsibilities in the analysis and development of policies related to environmental, economic, and social issues related to trees and forests.)

Item 111 #1h

Agriculture and Forestry	FY22-23	FY23-24	
Virginia Racing Commission	\$0	\$250,000	GF

Language:

Page 98, line 20, strike "\$4,573,891" and insert "\$4,823,891".

Page 99, after line 30, insert:

"H. Out of this appropriation, \$250,000 the second year from the general fund is provided to engage an outside consultant with expertise in the regulating process of historical horse racing (HHR) to advise the Virginia Racing Commission (VRC) to ensure proper operations at HHR facilities and effectively minimize risks as per the recommendations of the JLARC study, "Oversight and Administration of Gaming in the Commonwealth." This consultation would include, inter alia, the establishment of internal control requirements for day-to-day operations of HHR facilities, requirements for the HHR operator to submit an annual independent financial audit, including the management letter, conducting regular, formal inspections of HHR facilities to identify and remedy any noncompliance, and creating mechanisms that can be used for enforcement. It would also include developing internal policies for ensuring the HHR operator's compliance with all applicable laws and regulations. At a minimum, the outside consultant should establish (i) procedures for inspecting HHR facilities, observing operations and wagering at the facilities, and documenting any noncompliance; (ii) the aspects of operations and facilities to be inspected and observed and what constitutes a satisfactory inspection, (iii) procedures for routine financial and operational audits, and (iv) the frequency with which compliance activities will be conducted. Finally, it would include the development of policies detailing how it will participate in statewide efforts to prevent and treat problem gambling."

Explanation:

(This amendment provides \$250,000 from the general fund the second year for the Virginia Racing Commission to engage a consultant to provide recommendations to improve the

Commission's oversight activities in relation to historical horse racing.)

Item 112 #1h

Commerce and Trade

Secretary of Commerce and Trade

Language

Language:

Page 100, line 7, before "It" insert "A."

Page 100, after line 14, insert:

"B. The Secretary of Commerce and Trade and the Virginia Department of Transportation (VDOT) shall review the economic development, transportation, and public safety benefits of expanding Van Buren Road, North Extension in Prince William County. The review shall include representatives from Prince William County, the Northern Virginia Transportation Authority, and any private sector interests required to aid in the completion of this review. In addition to assessing the economic benefits of the expansion, the Secretary and VDOT shall determine and communicate any additional benefits, potential financing, and time table options for this project. The Secretary and VDOT shall report its findings to the Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations on or before August 1, 2023."

Explanation:

(This amendment directs the Secretary of Commerce and Trade and the Virginia Department of Transportation to review the economic development, transportation, and public safety benefits of expanding Van Buren Road in Prince William County.)

Item 113 #1h

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Page 102, strike lines 35 through 39, and insert:

"N. Notwithstanding any provision of § 30-310, Code of Virginia, the MEI Project Approval Commission shall only be required to review economic development incentive packages that incentivize the relocation of an existing Virginia company from one Virginia locality to another that include \$2,500,000 or more in state incentives, as defined in subsection A.1.(ii) of § 30-310, Code of Virginia."

Explanation:

(This amendment conforms existing budget language to the provisions of House Bill 1769,

which requires the MEI Commission to review in-state relocation economic development projects receiving incentives over \$2.5 million.)

Item 113 #2h

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Page 102, line 44, strike "104,500,000" and insert "204,500,000".

Page 102, after "sites" strike remainder of the line and insert "."

Page 103, strike line 1.

Page 103, strike lines 24 through 56.

Page 104, strike lines 1 through 44, and insert:

"S. Out of this appropriation, \$100,000,000 the first year from the general fund shall be deposited to the Virginia Business Ready Sites Acquisition Fund.

T.1. Contingent upon actual general fund revenue collections for fiscal year 2023 being equal to or in excess of the official fiscal year 2023 revenue estimate included in this act, there is included in the general fund appropriation in this item \$150,000,000 in the second year for the Virginia Business Ready Sites Program Fund.

2. In the event that actual general fund revenue collections for fiscal year 2023 are less than the official fiscal year 2023 revenue estimate included in this act, \$150,000,000 shall be unallotted and made unavailable for spending pending a determination of available resources by the Governor pursuant to Paragraph P, Item 485 of this act.

U.1. Contingent upon actual general fund revenue collections for fiscal year 2023 being equal to or in excess of the official fiscal year 2023 revenue estimate included in this act, there is included in the general fund appropriation in this item \$100,000,000 in the second year for the Virginia Business Ready Sites Acquisition Fund.

2. In the event that actual general fund revenue collections for fiscal year 2023 are less than the official fiscal year 2023 revenue estimate included in this act, \$100,000,000 shall be unallotted and made unavailable for spending pending a determination of available resources by the Governor pursuant to Paragraph P, Item 485 of this act."

Explanation:

(This amendment provides \$250.0 million to the Virginia Business Ready Sites Program Fund and \$200.0 million to the Virginia Business Ready Sites Acquisition Fund over the biennium. Funding provided in the second year of the biennium for each of these site development programs is contingent on the Commonwealth meeting or exceeding its fiscal year 2023 revenue forecast.)

Item 113 #3h

Commerce and Trade	FY22-23	FY23-24	
Economic Development Incentive Payments	\$10,000,000	\$45,000,000	GF

Language:

Page 100, line 21, strike "\$442,743,083" and insert "\$452,743,083".

Page 100, line 21, strike "\$403,577,290" and insert "\$448,577,290".

Page 104, after line 44, insert:

"U.1. Out of this appropriation, \$10,000,000 the first year and \$45,000,000 the second year from the general fund is provided for the construction of an inland port in the Mount Rogers Planning District. The Virginia Port Authority shall acquire, plan, design, and develop a site for the establishment of an inland port in the Mount Rogers Planning District. The Virginia Port Authority and the Virginia Economic Development Partnership Authority shall develop a business recruitment strategy for the inland port and the surrounding area to provide for rapid development and utilization of the facility. The Virginia Port Authority in consultation with the Virginia Economic Development Partnership Authority shall provide recommendations to the Governor, the Secretary of Transportation and the Secretary of Commerce and Trade and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on any additional infrastructure improvements needed to maximize the economic benefit of the inland port by November 1, 2023.

2. The Director of the Department of Planning and Budget is authorized to transfer moneys from this fund on a quarterly basis to the Virginia Port Authority. The Virginia Port Authority shall verify to the Secretary of Finance and the Director of the Department of Planning and Budget estimated quarterly expenses prior to the release of these funds. The Virginia Port Authority may collaborate with the Virginia Department of Rail and Public Transportation, Virginia Department of Transportation, the Virginia Economic Development Partnership Authority, and any federal, state, or local agency as may be necessary to support the development and utilization of an inland port. Any funding remaining at the end of the fiscal years 2023 and 2024 shall be carried forward into the next fiscal year for the purposes described in this paragraph.

3. The Virginia Port Authority shall report quarterly to the Governor, the Secretary of Transportation, Secretary of Commerce and Trade, and Virginia Economic Development Authority, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the timeline, progress to date, and overall cost for the construction of the inland port."

Explanation:

(This amendment provides \$55.0 million from the general fund in fiscal year 2024 for

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preliminary engineering and design, property acquisition, and construction and equipment costs to support the establishment of an inland port within the Mount Rogers Planning District. The Virginia Economic Development Partnership Authority shall support the Port in developing and advancing the marketing and key economic development aspects related to the inland port.)

Item 113 #4h

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Page 104, after line 44, insert

"U. Notwithstanding any other provision of law to the contrary, a data center operator that was approved by the MEI Project Approval Commission for a grant from the Cloud Computing Cluster Infrastructure Grant Fund on December 13, 2022, shall be eligible to receive grants beginning with the Commonwealth's fiscal year starting on July 1, 2025, and ending no later than the Commonwealth's fiscal year starting on July 1, 2044, and not to exceed \$140 million, subject to the terms of a memorandum of understanding (MOU) entered into between such data center operator and the Commonwealth. The amount of the grant payment in each fiscal year shall be calculated based upon an award of \$8,642 for each new full-time job that pays an average annual wage of at least \$122,300 created by the qualified company in the prior calendar year, and an award of \$3,364 for each \$1 million of capital investment by the qualified company in the prior calendar year."

Explanation:

(This amendment clarifies Amazon Web Services (AWS) qualifies for a grant award from the Cloud Computing Cluster Infrastructure Grant Fund created by House Bill 2479 in the 2023 General Assembly Session. The MEI Project Approval Commission endorsed a \$140.0 million custom performance grant in December of 2022 for AWS.)

Item 113 #5h

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Page 104, after line 44, insert:

"U. Notwithstanding any provision of paragraph T. of Item 112 of Chapter 1 of the Acts of Assembly of 2022, Special Session I, to the contrary, approval from the National Aeronautics and Space Administration for a Return to Pad Landing by the guided missile and space vehicle parts manufacturing company described in such paragraph shall not be required to disburse

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funds to the Virginia Commercial Space Flight Authority pursuant to such paragraph."

Explanation:

(This amendment authorizes the distribution of \$15.0 million to the Virginia Commercial Space Flight Authority in accordance with a MEI approved project.)

	Item 114 #1h		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0 0.00	\$6,600,000 1.00	NGF FTE

Language:

Page 105, line 9, strike "\$308,460,495" and insert "\$315,060,495".

Page 108, after line 1, insert:

"10. The department shall report to the General Assembly on the expenditure of funds from this paragraph within 90 days of the completion of this flood victim assistance program to include total assistance deployed by type of loss, total victims served, and completion of funded repairs or new residential or commercial construction."

Page 108, line 24, strike "11,400,000" and insert "18,000,000".

Page 109, after line 14, insert:

"10. The department shall report to the General Assembly on the expenditure of funds from this paragraph within 90 days of the completion of this flood victim assistance program to include total assistance deployed by type of loss, total victims served, and completion of funded repairs or new residential or commercial construction."

Explanation:

(This amendment increases the amount of relief provided for the victims of flooding in Tazewell and Buchanan counties in July of 2022 to \$18.0 million. This amendment authorizes the Department of Housing and Community Development (DHCD) to hire a temporary position to help administer this flood relief program. It also requires the DHCD to report on the outcomes of flood relief programs for the Hurley and Whitewood floods.)

	Item 114 #2h		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	\$500,000	GF

Language:

Page 105, line 9, strike "\$308,460,495" and insert "\$308,960,495".

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Page 109, after line 14, insert:

"P. Out of this appropriation, \$500,000 the second year from the general fund is provided for the department to expand capacity in its housing division to support housing studies directed by the General Assembly and Virginia Housing Commission, a statewide housing needs assessment and plan, and the expansion of the Livable Homes Tax Credit."

Explanation:

(This amendment provides additional support to the Department of Housing and Community Development to assist in the department's delivery and support of housing studies directed by the General Assembly and the Virginia Housing Commission, the housing needs assessment and plans of House Bill 2046 of the 2023 General Assembly, and the proposed expansion of the Livable Homes Tax Credit in House Bill 2099.)

	Item 115 #1h		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0 0.00	(\$5,025,000) 1.00	GF FTE

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$182,135,442".

Page 113, line 14, after "N.2." insert ", O., P. and Q."

Page 113, line 14, after "in" strike "paragraph" and insert "paragraphs".

Page 113, line 16, after "population," strike "and".

Page 113, line 17, after "basis" insert:

", amounts allocated to talent pathways programming and agriculture technology workforce initiatives".

Page 113, line 19, after "N.2." insert:

"and balances of the talent pathways programs of paragraphs O. and P. of this item and the agriculture technology workforce initiatives of paragraph Q."

Page 113, after line 28, insert:

"O. The department shall continue the talent pathways planning grant program established in Item 114, Paragraph S. in Chapter 1, 2022 General Assembly, Special Session I. The Department may use a portion of funds not allocated to regions to support development and implementation of the regional plans.

P.1. Out of the amounts in this item, \$21,000,000 the second year from the general fund shall be deposited to the Virginia Growth and Opportunity Fund for the purposes of establishing the Talent Pathways Program.

2. After the Virginia Initiative for Growth and Opportunity Board (the Board) approves the plan submitted by a regional council developed pursuant paragraph O. of this item, the Board may make talent pathways development grants to the regional council to facilitate the collaborative

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creation of talent pathways in regional industry clusters identified in the report and in alignment with the region's growth and diversification plan. Funds may be used to foster talent pathways development between businesses and the providers of education and training programs in the region, including primary and secondary schools, community colleges, public and private colleges and universities, industry-focused training consortia, local governments, and other organizations engaged in workforce training, for the purpose of addressing the current and future workforce needs of industry clusters identified as priorities in the region's report. Funds may be used to administer this talent pathways development program by the department.

3. Of these amounts, \$3,500,000 the second year from the general fund shall be allocated by the Board to qualifying regions to support organizational, administrative, and capacity building activities, which, notwithstanding § 2.2-2489, Code of Virginia, shall not require matching funds.

4. Of these amounts, \$17,500,000 the second year from the general fund shall be allocated to qualifying regions to support talent pathways aligned to the report of paragraph O. of this item, submitted to the Board. Grants shall require a match as provided by § 2.2-2489, Code of Virginia. Each region may seek grants to support the development of talent pathways for not more than three targeted industry clusters in an amount per cluster to be determined by the Board. Collaborations among regions may seek grants in an amount per joint industry cluster to be determined by the Board. Talent pathways development grants shall be made within or among the regions for the purposes of fostering business-education collaboration, aligning educational and training curricula with existing or projected workforce needs, incorporating work-based learning in curricula to the fullest extent practicable, and providing students with opportunities for full-time employment in the industry cluster in the region or with another Virginia-based employer. Priority shall be given to traded sector industry clusters, and the creation of new or enhanced job opportunities. The Board may make grants that are phased over time and tied to the achievement of development milestones established by the Board. To facilitate development of talent pathways that remedy current workforce shortages and unemployment or under-employment in the Commonwealth, talent pathways facilitated by this program shall emphasize alignment with programs that support transition of veterans into full-time employment in Virginia and programs that address reskilling or upskilling of adults for workforce needs and employment opportunities in Virginia. Grant funds may be used for the marketing of the program and resulting pathways. Grant funds may be awarded over more than one year.

5. Regional councils shall regularly report to the Board on the progress and results of talent pathways facilitated by this program. Such reports shall identify existing, expected, or proposed funding sources to support sustained implementation of the talent pathways after development, including support for marketing the pathways to students and employers, expanding access to internships, apprenticeships, and other work-based learning opportunities, and ongoing analysis and updating of pathways based on labor market data. The reports shall also detail job creation facilitated by the grants and how funded talent pathways are mitigating outmigration of talent and creating new opportunities for Virginians or attracting talent to the Commonwealth.

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6. The Board shall convene a working group to develop guidelines for the distribution of funds pursuant to this paragraph. Such guidelines shall require that the award of such grants include provisions to facilitate repeatable and shareable curricula across educational institutions, active business engagement in development of such curricula, leverage of other public and private sources to support the programs, the ability to scale up existing successful programs and to enhance supply chain activities, the recruitment of and access for under-represented populations in talent pathways initiatives, and the retention for full-time employment in the Commonwealth of college graduates, returning veterans, and other identified sources of talent. The department shall support efforts to share best practices and provide other such direction to the regions to assist with prioritizing initiatives and ensuring alignment with the state's economic development goals.

7. Out of the amounts in this Item, \$8,475,000 the second year from the general fund is provided to support emerging talent pathways programming. Prior to the award and release of these funds by the department, each region must submit to the department information on the proposed use of these funds to support the development and continuation of talent pathways programming.

a. The department shall provide \$2,500,000 to the GO Virginia Region 5 Council to advance workforce development initiatives related to shipbuilding, offshore wind, and road and tunnel construction. The department may award these funds to Region 5 for the purposes of supporting the Hampton Roads Regional Training System under the Hampton Roads Workforce Council.

b. The department shall provide \$2,500,000 to the GO Virginia Region 3 Council to expand the Great Opportunities in Technology and Engineering Centers Program administered by the Institute for Advanced Learning and Research.

c. The department shall provide \$2,500,000 to the GO Virginia Region 1 Council to grow the number of students in nursing and commercial drivers license credential programs.

d. The department shall provide \$975,000 to the GO Virginia Region 2 Council to support a talent attraction project for the technology sector. Notwithstanding the provisions of § 2.2-2488, Code of Virginia, the funds provided in this paragraph may be used by the region to offer recruitment incentives in order to increase the number of technology workers in the region and state.

Q. Out of the amounts in this Item, \$1,300,000 the second year from the general fund is provided for the department to award grants to certified regional councils established by § 2.2-2488, Code of Virginia to identify and address workforce needs in agricultural technology industries. The department shall work with the Virginia Initiative for Growth and Opportunity Board established by § 2.2-2485, Code of Virginia, the Department of Agriculture and Consumer Services (VDACS), and the Secretary of Agriculture and Forestry to distribute these funds. Grant awards must be recommended by staff of the department and VDACS with final approval by the GO Virginia Board.

Page 113, line 29, strike "O" and insert "R".

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Page 113, line 35, strike "P" and insert "S".
Page 114, line 27, strike "P" and insert "S".
Page 114, line 37, strike "P" and insert "S".
Page 114, line 38, strike "Q" and insert "T".
Page 114, line 49, strike "R" and insert "U".
Page 114, line 54, strike "S" and insert "V".
Page 115, line 4, strike "T" and insert "W".
Page 115, line 32, strike "T" and insert "W".
Page 115, line 35, strike "T" and insert "W".
Page 115, line 42, strike "T" and insert "W".
Page 116, line 8, strike "T" and insert "W".
Page 116, line 21, strike "T" and insert "W".
Page 116, line 22, strike "U" and insert "V".
Page 117, line 30, strike "V" and insert "X".
Page 116, strike lines 22 through 56.
Page 117, strike lines 1 through 29.
Page 118, strike lines 7 through 37.

Explanation:

(This amendment provides over \$30.0 million in fiscal year 2024 to support workforce development through the GO Virginia program. These investments support the development of a new Talent Pathways Program, emerging talent pathways initiatives, and targeted workforce development efforts for the agriculture technology industry.)

Item 115 #2h

Commerce and Trade

FY22-23

FY23-24

Department of Housing and
Community Development

0.00

1.00 FTE

Language:

Page 112, after line 27, insert:

"N. The department is hereby authorized to use federal funding received by Virginia from the Broadband Equity, Access, and Deployment (BEAD) Program of the Federal Infrastructure and Jobs Act (Public Law 117-58)."

Page 112, line 28, strike "N" and insert "O".

Page 112, line 43, strike "N" and insert "O".

Page 113, line 14, strike "N" and insert "O".

Page 113, line 19, strike "N" and insert "O".

Page 113, line 29 strike "O" and insert "P".

Page 113, line 35, strike "P" and insert "Q".

Page 114, line 27, strike "P" and insert "Q".

Committee Approved Amendments to House Bill 1400, as Introduced

- Page 114, line 37, strike "P" and insert "Q".
- Page 114, line 38, strike "Q" and insert "R".
- Page 114, line 49, strike "R" and insert "S".
- Page 114, line 54, strike "S" and insert "T".
- Page 115, line 4, strike "T" and insert "U".
- Page 115, line 32, strike "T" and insert "U".
- Page 115, line 35, strike "T" and insert "U".
- Page 115, line 42, strike "T" and insert "U".
- Page 116, line 8, strike "T" and insert "U".
- Page 116, line 21, strike "T" and insert "U".
- Page 116, line 22, strike "U" and insert "V".
- Page 117, line 30, strike "V" and insert "W".
- Page 118, line 7, strike "W" and insert "X".
- Page 118, line 15, strike "X" and insert "Y".

Explanation:

(This amendment ensures the Department of Housing and Community Development can deploy federal resources it receives from the newly created Broadband Equity, Access, and Deployment (BEAD) Program, and authorizes a position to assist DHCD in deploying these funds. At a minimum, Virginia is expected to receive at least \$100.0 million in broadband funding from this program.)

	Item 115 #3h		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	(\$500,000)	GF

Language:

- Page 109, line 16, strike "\$187,160,442" and insert "\$186,660,442".
- Page 111, line 10, strike "\$2,500,000" and insert "\$2,000,000".

Explanation:

(This amendment directs \$1.5 million to the city of Petersburg for Virginia Main Street activities. It continues funding the base program at \$500,000 in fiscal year 2024.)

	Item 115 #4h		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	0.00	1.00	FTE

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 112, line 27, after "Initiative." insert:

"The department shall use these funds and federal broadband funds to support localities and others in the permitting and citing of broadband projects supported with these funds, the funds provided in Item 479.20 of Chapter 1, 2021 General Assembly, Special Session I for broadband projects, and the funds Virginia receives for broadband from the Federal Infrastructure and Jobs Act (Public Law 117-58)."

Explanation:

(This amendment directs the Broadband Office of the Department of Housing and Community Development to support localities in the permitting and citing of projects to ensure broadband projects funded with federal resources are completed within federally mandated spending deadlines. This amendment adds a position in DHCD to hire an additional position to address issues in broadband construction delays related to permitting and citing of projects with federal money from the Federal Infrastructure and Jobs Act.)

	Item 115 #5h	
Commerce and Trade	FY22-23	FY23-24
Department of Housing and Community Development	\$0	\$400,000 GF

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$187,560,442".

Page 118, after line 37, insert:

"Y. Out of this appropriation, \$400,000 the second year from the general fund is provided to support the Fairfax County Workforce, Innovation, Skills Hub (WISH). The funding provided in this paragraph shall be used to support programming costs including tuition grants, transportation stipends, wraparound services, and consumables for WISH. The department in coordination with the agency responsible for the state's one-stop centers will examine the feasibility of implementing similar regional workforce center models throughout the state."

Explanation:

(This amendment provides \$400,000 in fiscal year 2024 from the general fund to support a workforce development model in Fairfax County.)

	Item 115 #6h	
Commerce and Trade	FY22-23	FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Department of Housing and
Community Development

\$2,000,000

\$5,000,000 GF

Language:

Page 109, line 15, strike "\$176,626,786" and insert "\$178,626,786".

Page 109, line 16, strike "\$187,160,442" and insert "\$192,160,442".

Page 111, line 4, after "H." insert "1."

Page 111, line 4, strike the first "3,000,000" and insert "5,000,000".

Page 111, line 4, strike the secone "3,000,000" and insert "8,000,000".

Page 111, after line 9, insert:

"2. Out of the amounts in this paragraph, \$2,000,000 the first year is provided for Charles City County to support the redevelopment and rehabilitation of a site on John Tyler Memorial Highway into a retail and public engagement space to increase visitation to the area. Notwithstanding § 36-155, Code of Virginia, the maximum grant award and local match requirements shall not apply to the amounts provided in this paragraph.

3. Out the amounts in this paragraph, \$3,000,000 the second year is provided for the City of Danville to develop property along the Dan River, known as White Mill. The funding provided in this paragraph may be used to establish a recreation and first responder training facility as a part of the overall redevelopment of White Mill, to promote tourism and market driven economic development activity in the city. The department shall require the city to provide a one for two match from non-state sources as certified by the department or a minimum investment of non-state funds of \$6,000,000 prior to releasing any of these funds. Notwithstanding § 36-155, Code of Virginia, the maximum grant award shall not apply to the amounts provided in this paragraph.

4. Out of the amounts in this paragraph, \$250,000 the second year is provided for Tappahannock to plan and rebuild a business district to reduce blight caused by major fire damage. Notwithstanding § 36-155, Code of Virginia, local match requirements shall not apply to the amounts provided in this paragraph.

5. Of the amounts in this paragraph, \$500,000 the second year is provided for Bedford County to complete a redevelopment plan for the site of a land fuel pipeline and associated fuel storage tanks no longer in operation in Montvale, Virginia. The redevelopment plan shall identify the market driven economic development opportunities the site is well positioned to accommodate and include an evaluation of the sites' potential for rail-centric economic development. The locality awarded these funds shall provide a copy of the redevelopment plan to the department on or before June 30, 2024. Notwithstanding § 36-155, Code of Virginia, local match requirements shall not apply to the amounts provided in this paragraph."

Explanation:

(This amendment provides \$7.0 million in additional funding for the Industrial Revitalization Fund.)

Committee Approved Amendments to House Bill 1400, as Introduced

Item 115 #7h

Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0 0.00	\$5,300,000 2.00	GF FTE

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$192,460,442".

Page 114, line 38, after "Q." strike remainder of the line and insert:

"Out of this appropriation, \$5,300,000 the second year from the general fund is provided to effectuate the provisions of House Bill 1411 of the 2023 General Assembly and capitalize the Community Development Financial Institutions Fund. Of these amounts, the department is authorized to use up to \$300,000 to administer these funds."

Page 114, strike lines 39 through 48.

Explanation:

(This amendment provides \$5.3 million in fiscal year 2024 from the general fund to recapitalize the Community Development Financial Institutions Fund to invest in small businesses and housing projects.)

Item 115 #8h

Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	\$355,000	GF

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$187,515,442".

Page 110, line 41, strike the second "\$95,000" and insert "\$450,000".

Explanation:

(This amendment provides additional funding for the Center for Rural Virginia. This additional funding will support programming including the Virginia Rural Leadership Institute.)

Item 115 #9h

Commerce and Trade		
Department of Housing and Community Development		Language

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 112, after line 27, insert:

"N.1. Notwithstanding the provisions of Chapter 1, 2022 Special Session I, Item 479.20, paragraph B.2.b.3) and Item 486, paragraph A.2.b.2) of this act, the \$16,000,000 provided for the Line Extension Customer Assistance Program (LECAP) from the federal State and Local Recovery Fund of the American Rescue Plan Act shall be allocated as follows: \$8,000,000 for construction grants to extend existing broadband networks to residential buildings where residents have low to moderate income and \$8,000,000 for construction grants to extend existing broadband networks to residential buildings without regard to a resident's income. The department shall establish program guidelines to effectuate the provisions of this paragraph. The guidelines shall allow for applicants to attest that their income places them within the low-to-moderate income limits established by the department and determine a maximum grant award for applications without a consideration of income. If the funds appropriated in this paragraph remain unspent for its dedicated purpose by December 31, 2025, then the department may allocate any remaining funds between the purposes described above."

Page 112, line 28, strike "N" and insert "O".

Page 112, line 43, strike "N" and insert "O".

Page 113, line 14, strike "N" and insert "O".

Page 113, line 19, strike "N" and insert "O".

Page 113, line 29 strike "O" and insert "P".

Page 113, line 35, strike "P" and insert "Q".

Page 114, line 27, strike "P" and insert "Q".

Page 114, line 37, strike "P" and insert "Q".

Page 114, line 38, strike "Q" and insert "R".

Page 114, line 49, strike "R" and insert "S".

Page 114, line 54, strike "S" and insert "T".

Page 115, line 4, strike "T" and insert "U".

Page 115, line 32, strike "T" and insert "U".

Page 115, line 35, strike "T" and insert "U".

Page 115, line 42, strike "T" and insert "U".

Page 116, line 8, strike "T" and insert "U".

Page 116, line 21, strike "T" and insert "U".

Page 116, line 22, strike "U" and insert "V".

Page 117, line 30, strike "V" and insert "W".

Page 118, line 7, strike "W" and insert "X".

Page 118, line 15, strike "X" and insert "Y".

Explanation:

(This amendment updates language for the Line Extension Customer Assistance Program, funded with federal funds from the American Rescue Plan Act. It allocates \$16.0 million of federal funds provided for this program between serving low-to-moderate income households and all households that may need assistance to extend existing broadband networks to their homes.)

Item 115 #10h

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 112, after line 24, insert:

"7. The department in awarding funds from the amounts provided in this paragraph for fiscal years 2023 and 2024 shall prioritize grant funds for broadband projects in the Central Shenandoah Planning District Commission that did not receive a grant during the fiscal year 2022 Virginia Telecommunications Initiative award cycle."

Explanation:

(This amendment directs the Department of Housing and Community Development to prioritize Virginia Telecommunication Initiative grant funds for projects in the Central Shenandoah Planning District Commission region that did not receive a broadband grant award in fiscal year 2022.)

Item 117 #1h

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 119, strike lines 24 through 29, and insert:

"Out of the amounts in this item, \$10,000,000 the second year from the general fund is provided for a program to provide financial assistance to localities or planning district commissions acting on behalf of its member localities, to increase capacity for and accelerate plan review and the review and issuance of building permits by local building departments. Financial assistance shall be provided in the form of grant funding to support local building departments or regional activities including building code enforcement, plan review, and technology advancements. The department shall develop appropriate criteria and guidelines for the deployment and use of the funding for this pilot program based on a competitive scoring process that considers the need and fiscal stress of the locality or region and gives preference to projects that are regional, realize economies of scale, and prioritize solutions that address challenges with short-term state assistance."

Explanation:

(This amendment provides additional guidance for a short-term program to help expand capacity in local building permitting offices.)

Item 121 #1h

Commerce and Trade

FY22-23

FY23-24

Department of Energy

\$0

\$5,000,000 GF

Language:

Page 120, line 46, strike "\$7,812,564" and insert "\$12,812,564".

Page 121, after line 29, insert:

"F. Out of this appropriation, \$5,000,000 the second year from the general fund is provided for the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund. Notwithstanding the provisions of §45.2-1725 F, Code of Virginia, non-federal funds may be deposited to the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and the department may administer the grant program regardless of federal funding availability."

Explanation:

(This amendment provides \$5.0 million from the general fund the second year to support the Virginia Brightfields Program, to redevelop coalfields and brownfields as renewable energy generation sites.)

Item 122 #1h

Commerce and Trade

Department of Energy

Language

Language:

Page 121, strike lines 39 through 54, and insert:

"Out of the amounts in this item, \$10,000,000 the second year from the general fund shall be deposited into the Virginia Power Innovation Fund. Of these amounts, \$5,000,000 shall be used to create the Virginia Nuclear Innovation Hub. The department may use up to \$250,000 of these funds to effectuate the provisions of House Bill 1781 of the 2023 General Assembly, related to the evaluation of actions needed to further develop and encourage private sector initiatives to capture, process, compress, and transport coal mine methane."

Page 122, strike lines 1 through 6.

Explanation:

(This amendment modifies language included in the introduced budget, establishing the Virginia Power Innovation Fund. House Bill 2386 of the 2023 General Assembly creates this fund, and the budget language is no longer necessary. It also directs \$5.0 million of these funds to create the Virginia Nuclear Innovation Hub. Additionally, it allows the Department of Energy to use up to \$250,000 of these funds to effectuate the provisions of House Bill 1781 of the 2023

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General Assembly.)

	Item 124 #1h	
Commerce and Trade	FY22-23	FY23-24
Fort Monroe Authority	\$0	\$150,000 GF

Language:

Page 124, line 27, strike "\$6,808,351" and insert "\$6,958,351".

Page 125, after line 4, insert:

"C. Out of this appropriation, \$150,000 the second year from the general fund is provided to support the hiring of a Director of Development at the Fort Monroe Authority with responsibility for identifying funding partners and/or grant opportunities to support preservation and educational programs at Fort Monroe."

Explanation:

(This amendment provides \$150,000 in fiscal year 2024 from the general fund to support personnel costs for the Fort Monroe Authority to hire a Director of Development. This is temporary funding until the Fort Monroe Foundation can support the ongoing costs of this position.)

	Item 124 #2h	
Commerce and Trade	FY22-23	FY23-24
Fort Monroe Authority	\$0	\$362,216 GF

Language:

Page 124, line 27, strike "\$6,808,351" and insert "\$7,170,567".

Page 125, after line 4, insert:

"C. Out of this appropriation, \$362,216 the second year from the general fund is provided to strengthen security at Fort Monroe. The authority may use these funds to increase the rate of compensation for its private security contractor and hire an additional security officer."

Explanation:

(This amendment provides \$362,216 in fiscal year 2024 from the general fund to strengthen security at Fort Monroe.)

	Item 124 #3h	
Commerce and Trade	FY22-23	FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Fort Monroe Authority \$0 \$480,000 GF

Language:

Page 124, line 27, strike "\$6,808,351" and insert "\$7,288,351".

Page 125, after line 4, insert:

"C. Out of this appropriation, \$480,000 the second year from the general fund is provided for the authority to install license plate reader cameras and surveillance cameras."

Explanation:

(This amendment provides \$480,000 in fiscal year 2024 from the general fund for the Fort Monroe Authority to install surveillance equipment to help investigate vandalism and other criminal activity.)

Item 125 #1h

Commerce and Trade

Virginia Economic Development Partnership

Language

Language:

Page 126, strike lines 48 through 49, and insert:

"The authority shall provide an update on the status of implementing the International Trade Plan and refresh the goals and initiatives of the plan based on current progress, priorities, and data. This update shall be submitted to the General Assembly by November 1, 2023."

Explanation:

(This amendment updates language included in Chapter 2 of the 2022 General Assembly Session, Special Session I requiring the Virginia Economic Development Authority to update the International Trade Plan.)

Item 125 #2h

Commerce and Trade

FY22-23

FY23-24

Virginia Economic Development Partnership

\$0

\$1,100,000 GF

Language:

Page 125, line 11, strike "\$51,979,192" and insert "\$53,079,192".

Page 126, line 31, strike the second "500,000" and insert "1,600,000".

Page 126, strike lines 34 through 45, and insert:

"2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state

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government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in current and future education and workforce training programs with a particular focus on those programs supported with state general fund dollars.

3. The Office shall develop and report an annual research agenda to the Governor and General Assembly on or before June 30th of each year in collaboration with the Secretaries of Education, Labor, and Commerce and Trade, the State Council of Higher Education for Virginia, institutions of higher education, the Virginia Department of Education, the Virginia Employment Commission, the Virginia Initiative for Growth and Opportunity Board, and the Department of Workforce Development and Advancement, members of or staff to the House Committee on Education, Senate Committee on Education and Health, House Committee on Appropriations, and Senate Committee on Finance and Appropriations.

4. The Virginia Economic Development Partnership shall include in its annual report, due on November 1st of each year, an update on the activities of the Office of Labor Market and Alignment."

Explanation:

(This amendment provides an additional \$1.1 million in fiscal year 2024 for the work of the Virginia Office of Education Economics.)

Item 125 #3h

Commerce and Trade

Virginia Economic Development Partnership

Language

Language:

Page 126, line 29, after "Assembly" insert:
", House Bill 1842 of the 2023 General Assembly."

Explanation:

(This amendment clarifies that current administrative resources at the Virginia Economic Development Partnership Authority can be used to administer the proposed Virginia Business Ready Sites Acquisition Fund.)

Item 125 #4h

Commerce and Trade

FY22-23

FY23-24

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Virginia Economic Development Partnership	\$0	\$2,000,000	GF
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Language:

Page 125, line 11, strike "\$51,979,192" and insert "\$53,979,192".

Page 126, line 3, strike the second "\$2,250,000" and insert "\$4,250,000".

Page 126, line 11, after "grants." insert:

"The guidelines shall also allow these funds to be used for the demolition of concrete slabs and other clearance work that impede renovation and redevelopment."

Explanation:

(This amendment provides an additional \$2.0 million in fiscal year 2024 for the Virginia Brownfields and Economic Redevelopment Assistance Fund. Additionally, this amendment requires the Virginia Economic Development Partnership Authority to allow program funding to be used for the removal of concrete slabs.)

Item 126 #1h

Commerce and Trade	FY22-23	FY23-24	
Virginia Tourism Authority	\$0	\$500,000	GF

Language:

Page 128, line 10, strike "\$23,914,872" and insert "\$24,414,872".

Page 130, after line 3, insert:

"Q. Out of this appropriation, \$500,000 the second year from the general fund shall be used by the authority to develop a marketing and promotional campaign to increase visitation to the Carter Family Fold. The authority will develop, create, and manage the campaign and may coordinate with existing regional marketing organizations and other state tourism agencies to maximize the economic impact of this campaign."

Explanation:

(This amendment provides \$500,000 in fiscal year 2024 from the general fund for the Virginia Tourism Authority to develop a marketing campaign to increase visitation at the Carter Family Fold.)

Item 126 #2h

Commerce and Trade	FY22-23	FY23-24	
Virginia Tourism Authority	\$0	\$97,000	GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 128, line 10, strike "\$23,914,872" and insert "\$24,011,872".

Page 129, line 45, after "O." insert "1."

Page 129, after line 53, insert:

"2. Of this appropriation, \$97,000 the second year from the general fund is provided for the authority and Department of Historic Resources (the department) to conduct a historic study describing the Green Book in Virginia by documenting surviving buildings. In conducting this review, the authority and department shall develop an architectural survey to improve information for at least 60 existing Green Book properties. The authority and department shall complete this study and report its findings to the General Assembly on or before June 30, 2024. The authority is authorized to transfer all or part of these amounts to the Department of Historic Resources to complete this study."

Explanation:

(This amendment provides \$97,000 in fiscal year 2024 from the general fund for the Virginia Tourism Authority and Department of Historic Resources to conduct a historic study describing Green Book sites in Virginia. The information gathered will accelerate and simplify the listing of these properties on the Virginia Landmarks Register, making them eligible for potential sources of funding, highway markers, and increase public education about the Green Book and Black History in Virginia.)

	Item 126 #3h	
Commerce and Trade	FY22-23	FY23-24
Virginia Tourism Authority	\$0	\$125,000 GF

Language:

Page 128, line 10, strike "\$23,914,872" and insert "\$24,039,872".

Page 128, line 38, strike "\$3,100,000" and insert "\$3,225,000".

Page 128, line 46, after "year" insert:

"and \$125,000 the second year".

Explanation:

(This amendment provides \$125,000 in fiscal year 2024 for the Virginia Sports Hall of Fame.)

	Item 126 #4h	
Commerce and Trade	FY22-23	FY23-24
Virginia Tourism Authority	\$0	\$350,000 GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 128, line 10, strike "\$23,914,872" and insert "\$24,264,872".

Page 130, after line 3, insert:

"Q. Out of this appropriation, \$350,000 the second year from the general fund is provided to support Smithfield VA Events."

Explanation:

(This amendment provides \$350,000 in fiscal year 2024 for Smithfield VA Events, which helps drive tourism in the Smithfield community through event recruitment efforts.)

Item 127 #1h

Commerce and Trade

Virginia Innovation Partnership Authority

Language

Language:

Page 133, after line 9, insert:

"9. Notwithstanding the provisions of Paragraph K.9. of Chapter 56 of the 2020 General Assembly, Special Session I, the Virginia Biosciences Health Research Corporation may invest remaining nongeneral funds authorized in Chapter 56 for the research and development of therapeutic drug treatments for COVID-19 in bioscience research and commercialization projects."

Explanation:

(This amendment authorizes the Virginia Biosciences Health Research Corporation to invest an estimated \$2.4 million originally provided for investment in research and development of therapeutic drug treatments for COVID-19 in biosciences research, development, and commercialization projects. A project funded under the COVID-19 therapeutic drug treatment program was canceled and funding remains uncommitted. A companion amendment transfers \$1.0 million of these funds authorized by the 2020 General Assembly, Special Session I to the general fund to offset investments in research and development projects in the agriculture technology industry.)

Item 128 #1h

Education

Secretary of Education

Language

Language:

Page 136, after line 39, insert:

"D. The Commission on Early Childhood Care and Education shall evaluate the future of the

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child care workforce, considering: (i) severing regulations for programs serving school-aged children from early childhood education program regulations, (ii) examining requirements for early childhood education site directors and individuals in the classroom for all licensed programs, and (iii) initiating a holistic review of early childhood education regulations addressing health and safety matters, with a particular emphasis on eliminating duplicative regulations. The Commission shall submit its findings and recommendations to the Board of Education and the Chairs of the House Education and Senate Education and Health Committees no later than December 1, 2023. This amendment is contingent upon the passage of House Bill 1423 establishing the Commission."

Explanation:

(This amendment is self-explanatory.)

Item 128 #2h

Education

Secretary of Education

Language

Language:

Page 136, after line 39, insert:

"D. The Commission on Early Childhood Care and Education shall develop recommendations to prevent the loss of federally funded Head Start classrooms across the state. The Commission shall (i) examine strategies to overcome the inequity in salaries between Head Start programs and state funded programs and consider whether supplemental state appropriations can assist in maintaining Head Start classrooms, and (ii) develop recommendations that ensure proactive steps are taken to ensure local Head Start classrooms are filled before VPI classrooms. In developing its recommendations, the Commission shall engage with representatives of Head Start providers that operate independently of local school systems. The Commission shall provide its recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment is self-explanatory.)

Item 128 #3h

Education: Other Education

Secretary of Education

Language

Language:

Page 136, after line 39, insert:

Committee Approved Amendments to House Bill 1400, as Introduced

"D. The Secretary of Education shall convene a workgroup to determine the feasibility of converting the Virginia Museum of Transportation into a state agency and develop a plan for the conversion if determined to be feasible and beneficial to the Commonwealth. The work group shall include representatives from the Virginia Museum of Transportation, the City of Roanoke, the Roanoke Regional Chamber of Commerce, the Office of the Secretary of Education, and any other appropriate stakeholders. The workgroup shall report its findings by November 1, 2023 to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees."

Explanation:

(This amendment is self-explanatory.)

	Item 129 #1h	
Education	FY22-23	FY23-24
Department of Education, Central Office Operations	\$0	\$6,700,000 NGF

Language:

Page 136, line 50, strike "\$292,102,386" and insert "\$298,802,386".

Page 141, strike lines 30 through 46 and insert:

"U.1 Out of this appropriation, \$4,150,000 the first year and \$3,300,000 the second year from the general fund and \$1,740,000 the second year from the federal Governor's Education Emergency Relief fund is provided to support activities related to the initial implementation of the Virginia Literacy Act, Chapters 549 and 550, 2022 Acts of Assembly and as amended by House Bill 1526 of the 2023 General Assembly.

a. Of this amount, \$850,000 the first year is provided to support the development of microcredentials, parent resources and professional development to school divisions.

b. Of this amount, \$1,000,000 the second year is provided to the University of Virginia's Virginia Literacy Partnership through the Department of Education, for the development of a literacy screener for administration to students in grades 4-7.

c. Of this amount, \$3,300,000 the first year and \$4,300,000 the second year is provided to deploy a train the trainer model to disseminate professional development.

d. Of this amount, \$1,000,000 the second year is provided to the University of Virginia's Virginia Literacy Partnership through the Department of Education, to conduct a one-time review of curriculum materials for alignment with the Act.

2. Out of this appropriation, \$740,000 the first year and \$1,340,000 the second year from the general fund and \$4,960,000 the second year from the federal Governor's Education Emergency Relief (GEER) fund is provided to support ongoing implementation of literacy instruction and

Committee Approved Amendments to House Bill 1400, as Introduced

literacy screening as required by the Act.

a. Of this amount, \$600,000 the first year and \$2,400,000 the second year is provided to the University of Virginia's Virginia Literacy Partnership through the Department of Education, for the provision of literacy coaching, technical assistance and professional development as required by the Act. Such services shall be provided by licensed reading specialists. Of this amount, \$1,000,000 the second year is provided to support ongoing professional development.

3. The Board of Education shall initiate the textbook approval process as provided in § 22.1-238 et seq. to ensure local school boards may purchase textbooks aligned with Chapters 549 and 550, 2022 Acts of Assembly, through the Virginia Public Procurement Act exemption provided in § 22.1-241."

Explanation:

(This amendment provides \$6.7 million the second year from remaining balances of Governor's Emergency Education Relief federal pandemic relief funds to implement the provisions of House Bill 1526, which expands the Virginia Literacy Act from grades K-3 to grades K-8. These funds specifically are provided to support additional literacy coaches, development of a literacy screener for use in grades 4-7, professional development, and review of curriculum materials. In addition, the amendment restructures the existing language to delineate one-time versus ongoing costs associated with this initiative. Finally, the amendment ensures that all regional literacy coaches are licensed reading specialists.)

		Item 129 #2h	
Education	FY22-23	FY23-24	
Department of Education, Central Office Operations	\$0 0.00	\$132,932 1.00	GF FTE

Language:

Page 136, line 50, strike "\$292,102,386" and insert "\$292,235,318".

Explanation:

(This amendment provides \$132,932 the second year from the general fund to provide one full-time position to support new initiatives including College Partnership Laboratory Schools, Division Laboratory Schools, and Middle School Mathematics Innovation Zones.)

		Item 130 #1h	
Education	FY22-23	FY23-24	

Committee Approved Amendments to House Bill 1400, as Introduced

Department of Education, Central Office Operations \$0 \$500,000 GF

Language:

Page 142, line 1, strike "\$17,688,686" and insert "\$18,188,686".

Page 142, line 38, strike the second "\$447,416" and insert "\$947,416".

Explanation:

(This amendment provides \$500,000 the second year from the general fund to increase support for the Virginia Tiered System of Supports to \$947,416 annually allowing expansion of the system to additional school divisions. The program provides support, technical assistance and coaching for school staff to help reduce disruptive classroom behavior by providing positive behavior interventions and supports. This recommendation was included in JLARC's report "Pandemic Impact on K-12 Public Education" and is also a recommendation of the Behavioral Health Commission.)

Item 130 #2h

Education

Department of Education, Central Office Operations

Language

Language:

Page 144, after line 2, insert:

"The Superintendent of Public Instruction shall convene the Virginia Intercommunity Transition Council to develop and implement a statewide plan for oversight of local practices related to post-secondary transition planning and services for students with disabilities. The Council shall meet at least biannually and shall include, but not be limited to stakeholders from the Department for Aging and Rehabilitative Services, the Department of Behavioral Health and Developmental Services, the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard of Hearing, the Department of Social Services, the Virginia Community College System, and Virginia Commonwealth University's Partnership for People with Disabilities. The objective of this council shall include streamlining and collaboration, developing a better transition communication network in the Commonwealth, educating all members about what Virginia and local organizations provide for students transitioning to adulthood, identifying any gaps or overlap in services for potential streamlining and problem-solving, identifying best practices for students without family involvement or who are in the custody of a social services agency, and developing an improved transition infrastructure for students with disabilities."

Explanation:

(This amendment establishes the Virginia Intercommunity Transition Council to address issues related to post-secondary school transition planning for students with disabilities. This is a

Committee Approved Amendments to House Bill 1400, as Introduced

recommendation of the Virginia Commission on Youth.)

Item 135 #1h

Education

Department of Education, Central Office Operations

Language

Language:

Page 148, after line 7, insert:

"K. The Department of Education shall convene a workgroup including representatives from the Department of Planning & Budget, the Auditor of Public Accounts, the Virginia Association of School Business Officials, the Virginia Association of School Superintendents, the Virginia School Boards Association, the House Appropriations and Senate Finance and Appropriations Committees, and others as deemed appropriate to develop recommendations for the Department's existing systems used for distributing direct aid funds to school divisions. Such review shall consider (i) the need to modernize systems to meet current business needs and provide adequate fiscal controls, (ii) providing external stakeholders with access to the system and transparent information, (iii) systems used by other states to distribute public education funding, and (iv) adaptability of the system to consider alternate staffing scenarios and funding models. The workgroup shall submit recommendations including funding options to the chairs of the House Appropriations, House Education, Senate Finance and Appropriations, and Senate Education and Health Committees no later than December 1, 2023."

Explanation:

(This amendment is self-explanatory.)

Item 135 #2h

Education

FY22-23

FY23-24

Department of Education, Central
Office Operations

\$0

\$18,000 GF

Language:

Page 146, line 28, strike "\$23,008,204" and insert "\$23,026,204".

Explanation:

(This amendment provides \$18,000 the second year from the general fund to provide support for the AAPI Heritage Commission established pursuant to House Bill 2440.)

Item 136 #1h

Committee Approved Amendments to House Bill 1400, as Introduced

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$250,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,166,982".

Page 150, after line 12, insert:

"Critical National Security Language Grant Program \$0 \$250,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$250,000 the second year from the general fund is provided for Critical National Security Language Grants. These Department of Education shall award these competitive grants to school divisions that provide one or more foreign language courses in a foreign language that is currently identified as critical by the National Security Language Initiative for Youth scholarship program. Each grant shall be limited to an annual amount sufficient to provide one or more full-time equivalent teaching position to provide one or more critical foreign language courses. The Department shall establish guidelines for administering the program, including selection criteria that considers teacher experience and qualifications, student interest, class size and student to teacher ratios, and the number of courses to be taught."

Explanation:

(This amendment is self-explanatory.)

Item 136 #2h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$120,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,036,982".

Page 150, after line 12, insert:

"Governor's Health Sciences Academy \$0 \$120,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$120,000 the second year from the general fund is provided to support the establishment of a new clinical lab at the Governor's Health Sciences Academy at Warwick High School."

Explanation:

(This amendment provides \$120,000 the second year from the general fund to support costs associated with the new clinical lab at the Governor's Health Sciences Academy, which serves students from Newport News and York County.)

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Item 136 #3h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$20,000,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$160,916,982".

Page 150, after line 12, insert:

"Chesapeake Regional Career and Technical Education Center \$0 \$20,000,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$20,000,000 the second year from the general fund is provided to Chesapeake Public Schools support establishment of a regional CTE facility for students in Chesapeake, Portsmouth and Norfolk."

Explanation:

(This amendment is self-explanatory.)

Item 136 #4h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$630,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,546,982".

Page 150, after line 12, insert:

"REACH Virginia Teacher Mentoring Program \$0 \$630,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$630,000 the second year from the general fund is provided to support the REACH Virginia Teacher Mentoring Program. The program shall provide a report to the Department of Education detailing the activities conducted under the contract and measurable outcomes, which shall be provided to the chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2023."

Explanation:

(This amendment provides \$630,000 the second year from the general fund to sustain and expand the REACH Virginia model to all eight regions in the state, supporting implementation of new teacher mentorship programs.)

Item 136 #5h

Committee Approved Amendments to House Bill 1400, as Introduced

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$500,000	NGF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,416,982".

Page 149, line 17, strike "\$0" and insert "\$500,000".

Page 161, line 12, after "fund", insert:

"and \$500,000 the second year from the federal Governor's Emergency Education Relief fund".

Explanation:

(This amendment provides \$500,000 the second year from Governor's Emergency Education Relief federal pandemic relief funds to support PBS Appalachia.)

Item 136 #6h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	(\$1,000,000)	\$0	GF

Language:

Page 148, line 23, strike "\$76,530,982" and insert "\$75,530,982".

Page 148, line 49, strike "\$3,004,400" and insert "\$2,004,400".

Page 152, line 45, strike "\$3,004,400" and insert "\$2,004,400".

Explanation:

(This amendment maintains \$2.0 million in general fund support for Communities in Schools, eliminating the \$1.0 million proposed in fiscal year 2023.)

Item 136 #7h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	(\$50,000,000)	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$90,916,982".

Page 149, strike line 45.

Page 161, strike lines 39 through 47.

Explanation:

(This amendment captures \$50.0 million the second year in general fund savings by eliminating

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the proposed teacher performance bonus and redirecting these funds to provide a seven percent compensation increase, included in a companion amendment in Item 137.)

Item 136 #8h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,000,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,916,982".

Page 150, after line 12, insert:

"AP/IB Exam Fee Reduction \$0 \$1,000,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$1,000,000 the second year from the general fund is provided for the Advanced Placement/International Baccalaureate Exam Fee Reduction Program (the Program) for the purpose of covering all but \$40 of the last dollar cost of applicable fees associated with taking an AP or IB examination for any public high school student who is eligible to receive free or reduced price lunch after all other applicable discounts and financial assistance are taken into account. For students attending a school participating in the Community Eligibility Provision, eligibility shall be based on an individual student's family income. The Program shall be administered by the Department. Pursuant to the Program, the Department shall annually transfer to each local school board a grant in a sum sufficient to cover such portion of such fees for each such student in the local school division. The Department shall establish such rules, policies, and procedures as it deems necessary or appropriate for the administration of the Program, including an annual process whereby each local school board demonstrates its grant funding needs. Each local school board shall annually notify the parents of each public high school student in the local school division who is eligible for free or reduced price lunch of the opportunity for the student to take an AP or IB examination at such reduced fee."

Explanation:

(This amendment provides \$1.0 million the second year from the general fund to implement a program to cover all except \$40 of AP and IB exam fees for students eligible for free or reduced lunch.)

Item 136 #9h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$150,000	GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 148, line 23, strike "\$140,916,982" and insert "\$141,066,982".

Page 150, line 1, strike "\$0" and insert "\$150,000".

Page 161, line 15, after "year", insert:

"and \$150,000 the second year".

Explanation:

(This amendment provides \$150,000 from the general fund the second year to continue support for the Virginia Holocaust Museum to provide high-quality, off-site learning experiences, educational content, and exhibitions for students to engage in educational content aligned to Virginia's Standards of Learning.)

Item 136 #10h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$128,151	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,045,133".

Page 149, line 50, strike the second "\$71,849" and insert "\$200,000".

Page 150, line 21, strike "\$71,849" and insert "\$200,000".

Explanation:

(This amendment increases general fund support for the Van Gogh Outreach Program by \$128,151 in the second year, for a total of \$200,000 in fiscal year 2024. The program is offered through the William King Museum of Art and the Southwest Virginia Education Consortium and additional funds would be used to expand programming to second through fifth grades in twelve Southwest Virginia school divisions.)

Item 136 #11h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$500,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,416,982".

Page 150, after line 12, insert:

"Suffolk Foundation \$0 \$500,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$500,000 the second year from the general fund is provided to the Suffolk Foundation to support food literacy and health education in disadvantaged

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communities."

Explanation:

(This amendment is self-explanatory.)

	Item 136 #12h	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$3,000,000 GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$143,916,982".

Page 150, after line 12, insert:

"Temporary Additional Instructional Assistants \$0 \$3,000,000".

Page 162, after line 21, insert:

"FFF. Temporary Additional Instructional Assistants

a. Out of this appropriation, \$3,000,000 the second year from the general fund is provided as temporary funding for instructional assistants in underperforming schools to (i) help teachers provide small group and individualized instruction, (ii) help teachers manage challenging student behaviors within classrooms, and (iii) reduce teacher workloads. From this amount, the Department shall provide the state share of one instructional assistant per 20 students in fall membership for schools that did not meet performance benchmarks for five or more school quality indicators based on the Board of Education's most recent accreditation calculations.

b. School divisions shall apply for these funds and collaborate with the Department of Education to determine how best to deploy these positions to provide differentiated instruction and improve student outcomes. The Department of Education shall provide a report detailing how these funds were deployed and measurable outcomes to the chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2023.

c. The Department of Education shall develop guidelines for the selection of schools that will utilize these grant funds. Such guidelines shall provide that the positions funded through this program shall not include any instructional assistants funded through the Standards of Quality and shall not be used to supplant local funding for existing positions.

d. This funding is intended to be temporary and shall cease at the end of fiscal year 2026."

Explanation:

(This amendment provides \$3.0 million the second year from the general fund for additional, temporary funding to hire instructional assistants at a ratio of one assistant per 20 students in selected schools that do not meet five or more of the Board of Education's performance benchmarks for school accreditation. These positions are intended to (i) help teachers provide small group and individualized instruction necessitated by widening academic needs within

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classrooms, (ii) help teachers manage challenging student behaviors within classrooms, and (iii) reduce teacher workloads. This is a recommendation from JLARC's 2022 study: "Pandemic Impact on Public K-12 Education.")

Item 136 #13h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,000,000	NGF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,916,982".

Page 150, after line 12, insert:

"Tuition Assistance for Provisionally Licensed Teachers \$0 \$1,000,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$1,000,000 the second year from the federal Governor's Emergency Education Relief fund is provided to support tuition assistance for provisionally licensed teachers to complete coursework needed become fully licensed. Provisionally licensed teachers may qualify for a grant of up to the state share of up to \$1,350. The local share may be provided by the school division or the grant recipient. The Department shall establish guidelines for administering the grants, including selection criteria that prioritizes school divisions with greater concentrations of provisionally licensed teachers and school divisions experiencing an increase in the number of provisionally licensed teachers."

Explanation:

(This amendment is self-explanatory. This is a recommendation from JLARC's report, "Pandemic Impact on Public K-12 Education".)

Item 136 #14h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,000,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$141,916,982".

Page 148, line 37, strike "\$0" and insert "\$1,000,000".

Page 160, line 34, after "year" insert:

"and \$1,000,000 the second year".

Explanation:

(This amendment provides \$1.0 million from the general fund the second year to the American

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Civil War Museum to support the advancement of experiential learning opportunities for K-12 students, including high-quality, off-site learning experiences.)

Item 136 #15h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$3,500,000	NGF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$144,416,982".

Page 150, after line 12, insert:

"Attendance Recovery Programs \$0 \$3,500,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$3,500,000 the second year from the federal Governor's Emergency Education Relief fund is provided for a contract to assist public school divisions with outreach and support for disengaged, chronically absent, or struggling students in response to the COVID-19 pandemic. The statewide program shall be contracted with a provider that has experience in providing state-wide attendance recovery to at-risk students and can scale to provide multi-modal outreach and academic coaching support to over 30,000 students by the end of calendar year 2024. The Department of Education shall provide a report detailing the activities conducted under the contract and measurable outcomes to the chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2023."

Explanation:

(This amendment provides \$3.5 million the second year from remaining balances of Governor's Emergency Education Relief federal pandemic relief funds to assist school divisions with outreach and support for disengaged, chronically absent, or struggling students in response to the COVID-19 pandemic. In fiscal year 2023, \$3.5 million in ARPA State and Local Relief Funds were provided for this initiative.)

Item 136 #16h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,500,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$142,416,982".

Page 150, after line 12, insert:

"Security Renovations - Newport News \$0 \$1,500,000".

Page 162, after line 21, insert:

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"FFF. Out of this appropriation, \$1,500,000 is provided to Newport News Public Schools to support security renovations at Richneck and Dutrow Elementary Schools."

Explanation:

(This amendment provides \$1.5 million the second year from the general fund to support security renovations at Richneck and Dutrow Elementary Schools in Newport News. These two schools have open classroom design concepts that do not meet current school security needs.)

	Item 136 #17h	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$15,000,000 GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$155,916,982".

Page 150. after line 12, insert:

"School-Based Mental Health Programs \$0 \$15,000,000".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$15,000,000 the second year from the general fund is provided for (i) the Department of Education and partners, such as the Department of Behavioral Health and Developmental Services to provide technical assistance to school divisions seeking guidance on integrating mental health services; and (ii) grants to provide school-based mental health services. School divisions are encouraged to collaborate with public community-based providers or private community-based providers to contract for the provision of school-based mental health services. The Department of Education shall (i) determine success metrics for the programs, (ii) report on outcomes of such metrics and the activities completed using these funds, and (iii) identify funding recommendations and resources needed to continue these efforts. The Department shall report such information annually to the Behavioral Health Commission by September 1."

Explanation:

(This amendment moves the \$15.0 million proposed in the introduced budget for school-based mental health services from the Department of Behavioral Health and Developmental Services to the Department of Education. There is a corresponding amendment in Item 311.)

	Item 137 #1h	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$1,692,990	\$0 NGF

Language:

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Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,940,325,478".

Page 204, line 4, strike "\$130,129,570", and insert "\$131,822,560".

Page 204, after line 21, insert:

"c. Out of this appropriation, \$1,692,990 the first year from Governor's Emergency Education Relief federal pandemic relief funds is provided for a one-time pandemic bonus payment of \$1,000 on May 1, 2023, per instructional and support position at certain regional programs. Programs eligible for this funding are regional programs operated pursuant to an agreement between two or more and shall include regional special education programs, regional career and technical centers, and CodeRVA. Sufficient funding is provided for the entire cost of an average \$1,000 bonus per instructional and support position based on fiscal year 2021 full-time equivalent position counts, as reported to the Department of Education for those programs. Programs shall have discretion to determine the amount of bonuses per employee to maximize the use of these funds to promote retention among instructional and support positions in this act. The funds for which a division is eligible to receive shall require no match by the local government. Programs are encouraged to use additional available funds to provide pandemic bonuses to other eligible instructional and support positions."

Explanation:

(This amendment provides \$1.7 million the first year from Governor's Emergency Education Relief federal pandemic relief funds for the distribution of a \$1,000 bonus per position to staff of regional special education programs, regional career and technical centers, and CodeRVA. Staff of these programs were not included in the ARPA-funded bonus that was provided for other K-12 employees during 2022 Special Session I.)

Item 137 #2h

Education

Direct Aid to Public Education

Language

Language:

Page 202, line 26, strike "most recent".

Page 202, line 32, after "stress", insert:

"in any of the three previous years".

Page 202, line 35, after "stress", insert:

"in any of the three previous years".

Page 203, after line 18, insert:

"7. Procedures addressing joint grant applications from two or more school divisions for a regional building project."

Page 203, line 20, strike "and".

Page 203, line 21, after "construction," insert:

"and the principal portion of debt service payments on projects that have not yet been

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completed,"

Page 203, after line 27, insert:

"e. Projects that began construction on or after July 1, 2022 may qualify for these funds."

Explanation:

(This amendment changes several provisions of the School Construction Assistance Program, including (i) adding the principal portion of debt service payments on projects that have not yet been completed an eligible use, (ii) clarifying that any project that began construction after July 1, 2022 may qualify for grant funds, (iii) allowing the most favorable year among three years of fiscal stress index data to be used to determine the grant award amounts instead of only the current years' data, and (iv) requiring the program guidelines to address joint grant applications for regional school construction projects. These provisions are recommendations of the School Construction and Modernization Commission.)

Item 137 #3h

Education	FY22-23	FY23-24
Direct Aid to Public Education	(\$31,953,674)	\$0 GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,906,678,814".

Page 163, line 52, strike "\$115,656,522" and insert "\$83,702,848".

Page 186, line 9, strike "\$115,656,522" and insert "\$83,702,848".

Explanation:

(This amendment captures \$31.6 million the first year from the general fund from the undistributed balance in the Virginia Preschool Initiative program after updating final participation.)

Item 137 #4h

Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$64,481,406 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,500,150,434".

Page 163, line 32, strike "\$530,315,277" and insert "\$639,948,945".

Page 164, strike line 15.

Page 179, line 15, strike "\$1,648,374" and insert \$2,307,724.

Page 179, line 17, strike "5.0" and insert "7.0".

Page 179, strike lines 30 through 33.

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Page 195, line 45, strike "\$2,379,076" and insert "3,330,706".

Page 195, line 48, strike "5.0" and insert "7.0".

Page 196, strike lines 4 through 6.

Page 200, line 22, strike "\$530,315,277" and insert "\$639,948,945".

Page 200, line 33, strike "5.0" and insert "7.0".

Page 200, line 35, strike "5.0" and insert "7.0".

Page 200, line 40, strike "5.0" and insert "7.0".

Page 200, line 46, strike "Out of this appropriation," and insert:
"Of this amount".

Page 200, line 46, strike "\$2,379,076" and insert "3,330,706".

Page 200, line 49, strike "\$1,648,374" and insert "2,307,724".

Page 200, line 54, strike "5.0" and insert "7.0".

Page 200, line 54, strike "10.25" and insert "12.35".

Page 201, after line 8, insert:

"f. The Department of Education shall convene a work group no later than August 15, 2023, consisting of school board representatives, division superintendents, public elementary and secondary school teachers, parents of public elementary and secondary school students, representatives of major associations representing public elementary and secondary school staff, and such other stakeholders as the Department deems appropriate to consider and make recommendations in the form of a publicly available report posted on the Department website and addressed and sent to the chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2023, on the appropriateness, feasibility, potential fiscal impact, and potential unintended consequences of (i) preserving the definition of the term "competitive" contained in § 22.1-289.1 of the Code of Virginia, as applied to the compensation of public elementary and secondary school teachers; (ii) amending such definition to incorporate an alternative metric, including the median annual salary of a Virginia worker who is 25 years of age or older and has a bachelor's degree; and (iii) requiring the Department or another entity to conduct an annual calculation to determine public school teacher compensation and the commensurate flat percentage increase to the state share of salary funding for Standards of Quality-supported positions that is necessary to make such compensation competitive under any such definition."

Page 204, strike lines 46 through 54.

Page 205, strike lines 1 through 10.

Explanation:

(This amendment provides \$109.6 million the second year from the general fund to provide a 7.0 percent salary increase, effective July 1, 2023. This is a 2.0 percent increase from the 5.0 percent increase provided in the adopted budget. This amendment redirects \$45.2 million the second year toward the salary increase, by eliminating the proposed teacher performance bonus. Additionally, the amendment directs a workgroup to determine appropriate metrics for the Commonwealth's teacher compensation goals.)

Education

Direct Aid to Public Education

Language

Language:

Page 164, line 12, strike "College Partnership Lab Schools" and insert:
"Laboratory Schools and Innovation".

Page 203, strike lines 28 through 52.

Page 204, strike lines 1 through 3, and insert:

"44. Laboratory Schools Fund

a. Out of this appropriation, \$150,000,000 the first year from the general fund shall be deposited to the Laboratory Schools Fund established pursuant to House Bill 2490. Any remaining amounts in the College Partnership Laboratory School at the end of the first year shall be transferred to the Laboratory Schools Fund the second year.

b. The Board of Education is authorized to award up to \$5,000,000 from the Laboratory Schools Fund for planning grants to entities pursuing the creation of new college partnership laboratory schools.

c. The Board of Education is authorized to award up to \$20,000,000 from the Laboratory Schools Fund to approved college partnership laboratory schools to assist with initial startup costs.

d. The Board of Education is authorized to award up to \$50,000,000 from the Laboratory Schools Fund to support Division Laboratory Schools. Prior to the award of funds for this purpose, the Board of Education shall establish guidelines for the award of these funds and submit such guidelines to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023. Such guidelines may reserve a portion of the funds available for planning, startup, per-pupil operating costs. Such guidelines shall provide that per-pupil operating cost grants are limited to the state share of the cost of operating the Division Laboratory School less the state and local shares of funds provided in this item.

e. The Board of Education is authorized to provide up to \$7,000,000 from the Laboratory Schools Fund for the Middle School Mathematics Innovation Zone Program established pursuant to House Bill 2495.

f. The Board of Education is authorized to distribute remaining amounts from the Laboratory Schools Fund to support per-pupil costs for approved college partnership laboratory schools.

g. Prior to the disbursement of funds from the Laboratory Schools Fund, the Board of Education shall establish guidelines for the distribution and award of these funds. Such guidelines shall consider and be consistent with the distribution of state funds for Standards of Quality, Categorical, Incentive and Lottery program per-pupil costs.

h. Notwithstanding the provisions of subsection A of § 22.1-349.1, Code of Virginia, for the

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purpose of this Item, a "college partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a baccalaureate public institution of higher education."

Explanation:

(This amendment revises several provisions related laboratory school funding, including: (i) authorizing \$50 million to be awarded for Division Laboratory School planning, startup, and operation, (ii) authorizing \$7.0 million to be used to implement the Mathematics Innovation Zone Program, and (iii) eliminating language proposed in the introduced budget that would have permitted the Department of Education to retain a portion of amounts in the fund to support program administration.)

Item 137 #6h

Education	FY22-23	FY23-24
Direct Aid to Public Education	\$4,857,413	\$0 GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,943,489,901".

Page 164, after line 15, insert:

"Per Pupil Hold Harmless Payment for Calculation Error \$4,857,413 \$0".

Page 205, after line 10, insert:

48. Per Pupil Hold Harmless Payment for Calculation Error.

Out of this appropriation, \$4,857,413 the first year from the general fund is provided to ensure that the sum of basic aid payments and sales tax payments distributed to a school division divided by average daily membership is at least sum of basic aid payments and sales tax payments distributed to a school division divided by average daily membership as was communicated through Superintendents Memo #133-22."

Explanation:

(This amendment provides \$4.9 million the first year from the general fund to ensure that the per-pupil amount of basic aid and sales tax payments a school division receives in fiscal year 2023 is greater than the per-pupil amount of basic aid and sales tax payments for fiscal year 2023 that was communicated through the Department of Education's calculation tool in June 2022. The tool overestimated the amount of funding school divisions should receive by \$58.1 million in fiscal year 2023, an amount that was offset for most school divisions by the net impact of the sales tax reforecast by \$84.8 million.)

Item 137 #7h

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Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,020,019	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,436,689,047".

Page 165, line 8, strike "\$1,202,480" and insert "\$2,222,499."

Explanation:

(This amendment provides \$1.0 million the second year from the general fund to implement House Bill 1443. The proposed bill would remove the cap on supplemental basic aid payments provided to Rappahannock County for entering into cost savings agreements with neighboring school divisions. Existing law caps the sum of basic aid and supplemental payments provided to Rappahannock in any year to the total amount of basic aid that Rappahannock received in fiscal year 2007.)

Item 137 #8h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,750,005	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,437,419,033".

Page 165, line 9, strike "\$0" and insert "\$1,750,005".

Page 202, after "year" insert:

"and \$1,750,005 the second year".

Explanation:

(This amendment provides \$1.8 million from the Lottery Proceeds Fund the second year to provide support to Accomack and Northampton school divisions for recruitment and retention efforts.)

Item 137 #9h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$13,927,130	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,449,596,158".

Page 1701, line 7, strike "and".

Page 170, line 8, after "five" insert:

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"and a reading specialist for each 1,100 students in grades 6 through 8".

Page 170, line 9, strike "other staff such as reading coaches or".

Page 170, line 12, after "year.", strike the remainder of the line.

Page 170, strike line 13.

Explanation:

(This amendment provides \$13.9 million the second year from the general fund to provide one reading specialist per 1,100 students in grades six through eight. The adopted budget funds one reading specialist per 550 students in kindergarten through third grade, and the introduced budget would fund reading specialists at the 1:550 ratio in fourth and fifth grade. Existing language provides flexibility to permit school divisions to meet the ratio using other staff who are working toward meeting the training and licensure requirements for reading specialists that become effective for the 2024-2025 school year.)

Item 137 #10h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$1,248,540	\$2,559,501	GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,939,881,028".

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,438,228,529".

Page 164, line 27, strike "\$38,917,404" and "\$39,161,334", and insert: "\$40,165,944" and "\$41,720,835".

Explanation:

(This amendment provides \$1.2 million the first year and \$2.6 million the second year to recognize the two five percent salary increases provided in Chapter 2 for state operated program (SOP) staff. SOPs are staffed by local school divisions under contract with the Department of Education to provide education services in residential facilities including juvenile detention centers, hospitals and mental health facilities.)

Item 137 #11h

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$12,000,000	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,447,669,028".

Page 165, after line 10, insert:

"School Security Supplemental Grants \$0 \$12,000,000".

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Page 186, after line 6, insert:

"10.) Out of this appropriation, \$12,000,000 the second year from the Lottery Proceeds Fund shall be disbursed to school divisions to provide additional school security grants. The Department shall develop guidelines for the administration of these competitive grant funds. These funds may be used for any school security activity or school security equipment purchase."

Explanation:

(This amendment provides \$12.0 million the second year from the Lottery Proceeds Fund for competitive school security grants. There is an existing \$12.0 million School Security Equipment Grant Program that can only be used for capital related security needs due to the funding source of the program, tax exempt bonds. These additional funds could be used to fund grants for any school security need, including leases, subscriptions to software services, and human resources.)

Item 142 #1h

Education: Higher Education

State Council of Higher Education for Virginia

Language

Language:

Page 208, line 28, strike "\$5,000" and insert "\$5,250".

Page 208, line 29, strike "\$5,000" and insert "\$5,250".

Page 209, line 21, strike "\$3,750" and insert "\$2,625".

Page 209, line 30, after "level", strike:

"in the first year and 75 percent of the undergraduate residential level in" and insert "."

Page 209, strike line 31.

Explanation:

(This amendment increases the maximum award for the Tuition Assistance Grant (VTAG) program in the second year and makes technical changes.)

Item 142 #2h

Education: Higher Education

State Council of Higher Education for Virginia

Language

Language:

Page 211, strike lines 13 through 15.

Explanation:

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(This amendment eliminates proposed language which is no longer necessary based on House Bill 2194.)

Item 142 #3h

Education: Higher Education

FY22-23

FY23-24

State Council of Higher Education for Virginia

\$0

(\$500,000) GF

Language:

Page 207, line 43, strike "\$160,378,512" and insert "\$159,878,512".

Page 211, line 16, strike "and \$500,000 the second year".

Explanation:

(This amendment eliminates second year funding for an underutilized program.)

Item 144 #1h

Education: Higher Education

FY22-23

FY23-24

State Council of Higher Education for Virginia

\$0

(\$500,000) GF

Language:

Page 213, line 8, strike "\$32,405,355" and insert "\$31,905,355".

Page 216, line 9, after "first year", strike:

"and \$500,000 the second year".

Explanation:

(This amendment eliminates second year funding for a mental health pilot program. Funding for student mental health services is provided in this item.)

Item 144 #2h

Education: Higher Education

State Council of Higher Education for Virginia

Language

Language:

Page 216, strike lines 30 through 39 and insert:

"W. Out of this appropriation, \$9,000,000 the second year from the general fund is designated

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to support student mental health services in institutions of higher education. The State Council of Higher Education for Virginia, in consultation with the Secretary of Education, shall coordinate efforts to pursue a common vendor and statewide contract, if appropriate, to provide mental health services to students at institutions of higher education. Such services may include virtual care. Any balances remaining from this appropriation shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support student mental health services in the subsequent fiscal year."

Explanation:

(This amendment makes technical changes to proposed language that provides for higher education specific solutions as opposed to combined higher education and K-12 solutions. Funding for K-12 mental health services is provided in the Virginia Department of Education under a separate item.)

Item 148 #1h

Education: Higher Education

FY22-23

FY23-24

Christopher Newport University

\$0

\$3,759,000

GF

Language:

Page 217, line 33, strike "\$94,853,864" and insert "\$98,612,864".

Page 218, after line 28, insert:

"E. Out of this appropriation, \$3,759,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 152 #1h

Education: Higher Education

FY22-23

FY23-24

The College of William and Mary in Virginia

\$0

\$2,317,000

GF

Language:

Page 219, line 26, strike "\$248,055,399" and insert "\$250,372,399".

Page 221, after line 11, insert:

"L. Out of this appropriation, \$2,317,000 the second year from the general fund is designated to

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support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 156 #1h

Education: Higher Education

FY22-23

FY23-24

Richard Bland College

\$0

\$2,500,000 GF

Language:

Page 222, line 21, strike "\$19,089,919" and insert "\$21,589,919".

Page 223, after line 52, insert:

"H. Out of this appropriation, \$2,500,000 the second year from the general fund is designated to expand the Middle College program."

Explanation:

(This amendment transfers funding proposed in the Department of Housing and Community Development under the GO Virginia program for Richard Bland College.)

Item 156 #2h

Education: Higher Education

Richard Bland College

Language

Language:

Page 223, after line 52, insert:

"H. 1. In order to advance the goals of preparing students for academic and career success and collaboration and innovation in higher education, Richard Bland College may develop and deliver new collaborative educational pathways and innovative educational models, including distance learning, technology-based instruction, prior learning assessments, experiential and work-based learning, stackable credentials and competency-based programs that lead to STEM-H and other high-demand credentials and careers, with such funds as are appropriated or made available for this purpose. Richard Bland shall strengthen educational pathways for traditional and non-traditional students, including veterans and military personnel, through the continued establishment and strengthening of cross-institutional and cross-sector partnerships, including the use of innovative educational approaches to promote entry into high-demand fields and industries critical to the economic development of Virginia. Richard Bland College may:

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- i. Broker agreements between and among educational, industry, and non-profit partners and establish collaborative, innovative partnership agreements with school districts, public and private colleges and universities, economic development agencies, employers, philanthropic organizations, veterans organizations, public agencies, and other partners as necessary to strengthen and streamline educational pathways from high school, to work-based learning, to postsecondary degrees and credentials that prepare individuals, including nontraditional students and veterans, for entry into STEM-H and other high-demand careers in the Commonwealth;
 - ii. Serve as a clearinghouse of educational and career pathway information and as a resource and referral agency for traditional and non-traditional students, including veterans;
 - iii. Serve as an educational innovation resource center, referral agency and hub for collaboration, innovation, and information-sharing among educational and industry partners to facilitate the vetting, piloting, and effective implementation of innovative, evidence-based educational resources, including open educational resources (OERs) and self-paced, competency-based tools designed to maximize limited resources, improve educational outcomes, or accelerate time to credential completion;
 - iv. Pilot and implement innovative educational approaches and technologies, and promote the development, delivery, and ongoing assessment of innovative, cost-effective degree programs and stackable credentials, including industry-recognized, competency-based credentials that are aligned with and responsive to the educational and workforce development needs of traditional and non-traditional students, including veterans and military personnel, to address the economic development needs of employers and industries throughout the Commonwealth;
 - v. Identify and implement new strategies to support economic and community development in Virginia and to expand opportunities for traditional and non-traditional students, including veterans, to prepare for high-demand fields;
 - vi. Identify opportunities for resource sharing and new operational efficiencies in the delivery of postsecondary education, and pursue additional funding by federal, state, corporate, and private philanthropic sources to support collaborative, innovative approaches to education that improve educational access and outcomes; strengthen the alignment between postsecondary education and high-demand career pathways in Virginia; and support improved educational attainment, economic opportunity, and economic development for Virginians; and
 - vii. Explore shared services, joint admission, and other creative options for increased collaboration with other Virginia public and private four-year institutions.
2. a. The Secretary of Education, the Secretary of Finance, the director of the Department of Planning and Budget, the director of the State Council of Higher Education for Virginia, the staff directors of the House Appropriations and Senate Finance and Appropriations Committees, the president of the Virginia Economic Development Partnership Authority, the mayor of the City of Petersburg, and county administrators for Dinwiddie and Prince George Counties shall collaborate with Richard Bland College in a workgroup to evaluate the creation of a regional

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partnership to foster improved educational attainment, alternative education delivery methods, enhanced efficiencies, and economic and community development for the region. Richard Bland College may request the inclusion of Virginia public four-year institutions to participate in this workgroup.

b. The Secretary of Education shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees the recommendations of the workgroup, potentially including a new governance structure for Richard Bland College no later than November 1, 2023."

Explanation:

(This amendment is self-explanatory.)

Item 156 #3h

Education: Higher Education	FY22-23	FY23-24	
Richard Bland College	\$0	\$575,000	GF

Language:

Page 222, line 21, strike "\$19,089,919" and insert "\$19,664,919".

Page 223, after line 52, insert:

"H. Out of this appropriation, \$575,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 160 #1h

Education: Higher Education	FY22-23	FY23-24	
Virginia Institute of Marine Science	\$0	\$100,000	GF
	0.00	1.00	FTE

Language:

Page 224, line 36, strike "\$29,969,531" and insert "\$30,069,531".

Explanation:

(This amendment provides for a new position at the Wachapreague Eastern Shore Laboratory to

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support the shellfish breeding program.)

Item 163 #1h

Education: Higher Education

FY22-23

FY23-24

George Mason University

\$0

\$6,014,000

GF

Language:

Page 227, line 10, strike "\$681,147,793" and insert "\$687,161,793".

Page 229, after line 2, insert:

"L. Out of this appropriation, \$6,014,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 167 #1h

Education: Higher Education

FY22-23

FY23-24

James Madison University

\$0

\$1,250,000

GF

0.00

11.97

FTE

Language:

Page 230, line 21, strike "\$383,262,632" and insert "\$384,512,632".

Explanation:

(This amendment provides additional funding to expand its current Doctor of Nursing Practice program to (1) graduate more Nurse Practitioners and (2) prepare more qualified future nursing faculty. Doctoral-level education is now required for Nurse Practitioners and masters-level education is required for nursing faculty. This program produces graduates with the option to either go into practice or teach nursing, or both. The three-year program would launch in Spring 2023 and graduate 24 students per year.)

Item 167 #2h

Education: Higher Education

FY22-23

FY23-24

James Madison University

\$0

\$4,492,000

GF

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Language:

Page 230, line 21, strike "\$383,262,632" and insert "\$387,754,632".

Page 231, after line 35, insert:

"G. Out of this appropriation, \$4,492,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 168 #1h

Education: Higher Education

James Madison University

Language

Language:

Page 232, after line 29, insert:

"A. That for the purposes of Virginia Code § 23.1-1309, James Madison University (University) shall be considered a Football Championship Subdivision (Division I-AA) institution until July 1, 2029, and if the University continues to operate a Football Bowl Subdivision (Division I-A) intercollegiate football program on July 1, 2029, the University shall subsequently be considered a Division I-A institution. If the University is awarded a waiver by the NCAA for a shortened 1-year transition period this date will be July 1, 2028."

Explanation:

(This amendment implements the recommendations of the Intercollegiate Athletics Review Commission meeting of November 2021.)

Item 171 #1h

Education: Higher Education

Longwood University

FY22-23

\$0

FY23-24

\$10,000 GF

Language:

Page 232, line 38, strike "\$84,079,735" and insert "\$84,089,735".

Explanation:

(This amendment requests \$10,000 from the general fund to support the Lake Country Distance

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Education Center. Longwood's Institute for Teaching Through Technology and Innovative Practice (ITTIP) provides technology and administrative support for the Center, furthering its mission to provide STEM outreach to teachers, students and the community, with a focus on the 25 counties that are part of the Southside Virginia Regional Technology Consortium.)

Item 171 #2h

Education: Higher Education

FY22-23

FY23-24

Longwood University

\$0

\$3,517,000 GF

Language:

Page 232, line 38, strike "\$84,079,735" and insert "\$87,596,735".

Page 233, after line 35, insert:

"E. Out of this appropriation, \$3,517,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 175 #1h

Education: Higher Education

FY22-23

FY23-24

Norfolk State University

\$0

\$2,096,000 GF

Language:

Page 234, line 31, strike "\$123,004,353" and insert "\$125,100,353".

Page 236, after line 8, insert:

"I. Out of this appropriation, \$2,096,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 179 #1h

Committee Approved Amendments to House Bill 1400, as Introduced

Education: Higher Education	FY22-23	FY23-24	
Old Dominion University	\$0	\$6,893,000	GF

Language:

Page 237, line 19, strike "\$358,774,129" and insert "\$365,667,129".

Page 239, after line 16, insert:

"M. Out of this appropriation, \$6,893,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 181 #1h

Education: Higher Education	FY22-23	FY23-24	
Old Dominion University	\$0	(\$4,000,000)	GF

Language:

Page 239, line 31, strike "\$24,911,599" and insert "\$20,911,599".

Page 240, line 9, strike "and \$4,000,000 the second year".

Explanation:

(This amendment transfers research funding related to the Hampton Roads Biomedical Research Consortium to the Eastern Virginia Health Sciences Center under House Bill 1840.)

Item 182.50 #1h

Education: Higher Education	FY22-23	FY23-24	
Eastern Virginia Health Sciences Center	\$0	\$79,835,995	GF

Language:

Page 240, after line 50, insert:

"EDUCATION: HIGHER EDUCATION

§ 1-56.50 Eastern Virginia Health Sciences Center (XXX)

182.50 Eastern Virginia Health Sciences Center	\$0	\$79,835,995	
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Fund Sources: General \$0 \$79,835,995 "

Page 240, after line 50, insert:

"§ 1-56.50 Eastern Virginia Health Sciences Center (XXX)

<i>Financial Assistance For Educational and General Services (11000)</i>	\$79,835,995
<i>Sponsored Programs (11004)</i>	\$4,595,612
<i>Medical Education (11005)</i>	\$75,240,383
<i>Fund Sources:</i>	
<i>General</i>	\$79,835,995

Authority: Title 23.1, Chapter 30 and Chapter 87, Acts of Assembly 2002

A. Out of this appropriation, \$595,612 the second year from the general fund is designated to build research capacity in medical modeling and simulation.

B. Out of this appropriation, \$6,158,108 the second year from the general fund is designated for treatment, care and maintenance of indigent Virginia patients through the medical school. The aid is to be apportioned on the basis of a plan to be approved, at the beginning of each biennium, by the Director, Department of Medical Assistance Services.

C. Out of this appropriation, \$1,225,700 the second year from the general fund is designated to support financial aid for in-state medical and health professions students.

D. Out of this appropriation, \$658,597 the second year from the general fund is designated for the operation of the Family Practice Residency program and Family Practice Medical Student programs.

E. Out of this appropriation, \$60,620 the second year from the general fund is designated to support the Eastern Virginia Area Health Education Center.

F. Eastern Virginia Health Sciences Center shall transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to physicians affiliated with Eastern Virginia Health Sciences Center for Medicaid supplemental capitation payments to managed care organizations for the purpose of securing access to Medicaid physician's services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.

G. Eastern Virginia Health Sciences Center is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the primary teaching hospitals affiliated with Eastern Virginia Health Sciences Center. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to hospital services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.

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H. 1. Out of this appropriation, \$1,250,000 the second year from the general fund is designated to support accreditation requirements at the Eastern Virginia Health Sciences Center.

2. Out of this appropriation, \$1,250,000 the second year from the general fund is designated to support community health programs in partnership with Sentara Healthcare.

I. 1. Out of this appropriation, \$10,000,000 the second year from the general fund is appropriated to support the one-time costs associated with planning and initial integration activities necessary to ensure a successful launch of the Eastern Virginia Health Sciences Center at Old Dominion University.

2. No later than August 31, 2023, Old Dominion University and Eastern Virginia Medical School shall provide the following deliverables to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees: a) a five-year integrated strategic and financial plan that defines how the initial and ongoing operations, strategic investments and capital requirements will properly fund the Eastern Virginia Health Sciences Center at Old Dominion University; b) metrics tied to the strategic plan that will measure the improved healthcare and community outcomes in the surrounding region resulting from the creation of the Eastern Virginia Health Sciences Center at Old Dominion University; c) a comprehensive funding plan that supports the execution of such strategic plan and includes the financial participation of the primary teaching hospital affiliated with Eastern Virginia Medical School at a level reasonably commensurate with other medical schools in Virginia who are affiliated with Type One Hospitals, and the inclusion of all additional parties necessary to ensure a successful outcome; d) a time and effort matrix that distributes positions and costs by appropriate fund sources that includes, but is not limited to, educational and general programs, grants and contracts, practice plan clinical activity and hospital activity; and e) a governance model that aligns all parties necessary to ensure a successful outcome.

3. Upon written approval of these deliverables by the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Old Dominion University and Eastern Virginia Medical School shall complete a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University at the earliest date possible, but no later than July 1, 2024.

J. Out of this appropriation, \$4,000,000 the second year from the general fund is provided for the Hampton Roads Biomedical Research Consortium.

K. Out of this appropriation, \$30,000,000 the second year from the general fund is designated for ongoing integration costs associated with the creation of the Eastern Virginia Health Sciences Center at Old Dominion University to include employee fringe benefits, faculty recruitment and retention, preceptors and general operating support.

L. Notwithstanding any other provision of law, the authority contained in Title 23.1, Chapter 30 and Chapter 87, Acts of Assembly 2002, shall remain in effect until the requirements of paragraph I of this item are completed."

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Explanation:

(This amendment transfers funds to the Eastern Virginia Health Science Center at Old Dominion University as part of House Bill 1840.)

Item 183 #1h

Education: Higher Education

FY22-23

FY23-24

Radford University

\$0

\$3,922,000 GF

Language:

Page 241, line 7, strike "\$137,831,383" and insert "\$141,753,383".

Page 242, after line 19, insert:

"E. Out of this appropriation, \$3,922,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 188 #1h

Education: Higher Education

FY22-23

FY23-24

University of Mary Washington

\$0

\$3,530,000 GF

Language:

Page 243, line 23, strike "\$92,481,147" and insert "\$96,011,147".

Page 244, after line 32, insert:

"H. Out of this appropriation, \$3,530,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 195 #1h

Committee Approved Amendments to House Bill 1400, as Introduced

Education: Higher Education

FY22-23

FY23-24

University of Virginia

\$0

\$2,432,000 GF

Language:

Page 246, line 8, strike "\$832,311,999" and insert "\$834,743,999".

Page 248, after line 28, insert:

"P. Out of this appropriation, \$2,432,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 202 #1h

Education: Higher Education

FY22-23

FY23-24

University of Virginia's College at
Wise

\$0

\$622,000 GF

Language:

Page 251, line 15, strike "\$40,849,150" and insert "\$41,471,150".

Page 252, line 11, strike "*feasibility*" and insert "*implementation*".

Page 252, after line 14, insert:

"I. Out of this appropriation, \$622,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 206 #1h

Education: Higher Education

FY22-23

FY23-24

Virginia Commonwealth University

\$0

\$10,634,000 GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 253, line 21, strike "\$718,071,872" and insert "\$728,705,872".

Page 256, after line 22, insert:

"S. Out of this appropriation, \$10,634,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 212 #1h

Education: Higher Education

Virginia Community College System

Language

Language:

Page 260, line 27, strike "\$7,824" and insert ""9,780".

Page 260, line 28, strike "\$7,824" and insert ""9,780".

Page 260, line 29, after "Hill", strike the rest of the line and insert ".".

Page 260, strike line 30.

Explanation:

(This amendment splits funding provided to Southside Virginia Community College between the Estes Center (Chase City Campus) and the Advanced Knowledge Center (South Hill Campus).)

Item 212 #2h

Education: Higher Education

FY22-23

FY23-24

Virginia Community College System

\$0

(\$3,000,000) GF

Language:

Page 258, line 44, strike "\$1,037,522,208" and insert "\$1,034,522,208".

Page 261, line 25, strike "\$7,000,000" and unstrike "\$4,000,000".

Page 261, line 27, after "Item 213", strike "and Fast Forward program".

Page 261, strike line 28.

Explanation:

(This amendment defers the expansion of marketing funding proposed in the introduced

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budget.)

		Item 212 #3h	
Education: Higher Education	FY22-23	FY23-24	
Virginia Community College System	\$0	(\$3,000,000)	GF

Language:

Page 258, line 44, strike "\$1,037,522,208" and insert "\$1,034,522,208".
Page 262, strike lines 4 through 5.

Explanation:

(This amendment defers new initiative in the introduced budget.)

		Item 212 #4h	
Education: Higher Education	FY22-23	FY23-24	
Virginia Community College System	\$0	\$14,522,000	GF

Language:

Page 258, line 44, strike "\$1,037,522,208" and insert "\$1,052,044,208".
Page 262, after line 5, insert:

"EE. Out of this appropriation, \$14,522,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

		Item 215 #1h	
Education: Higher Education	FY22-23	FY23-24	
Virginia Community College System	\$0	(\$5,000,000)	GF

Language:

Page 267, line 31, strike "\$143,352,970" and insert "\$138,352,970".
Page 269, strike lines 48 through 54 and insert:

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"P. 1. Out of this appropriation, \$10,000,000 the second year from the general fund is designated to increase the availability and attainment of industry-recognized certifications or credentials for high school students. The Virginia Community College System, in consultation with the Secretary of Education and the Secretary of Labor, shall establish and implement pilot programs that partner community colleges with local school divisions to teach courses that lead to attainment of industry-recognized certifications or credentials that are in demand by regional employers. Identification of regional in-demand credentials shall be performed in collaboration with the Virginia Office of Education Economics.

2. The Virginia Community College System shall report to the Secretary of Education, the Secretary of Labor, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on program metrics including, but not limited to, student enrollment, certifications or credentials earned, and employment.

3. Out of the amounts in paragraph P. 1. of this item, \$3,400,000 the second year shall be dedicated to programs training high school students for aviation maintenance certifications and credentials. This includes \$1,900,000 for the Virginia Space Grants Consortium to provide scholarships for high school students to participate in immersive ground and flight training through the solo experience, obtainment of a private pilot certification, and for subsequent instrument, commercial and certified flight *instructor certifications critical to the commercial pilot workforce pathway.*"

Explanation:

(This amendment provides funding for workforce credential pathways for high school students to address in-demand fields including aviation maintenance and commercial pilot certifications.)

Item 215 #2h

Education: Higher Education

FY22-23

FY23-24

Virginia Community College System

\$0

\$250,000 GF

Language:

Page 267, line 31, strike "\$143,352,970" and insert "\$143,602,970".

Page 270, after line 7, insert:

"Q. Out of this appropriation, \$250,000 the second year from the general fund is designated for Northern Virginia Community College to provide technical instruction for an automotive apprenticeship program coordinated by the Prince William County Department of Facilities and Fleet Management, to address workforce shortages."

Explanation:

(This amendment requests funding for Northern Virginia Community College to provide

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technical instruction for automotive apprenticeships with the Prince William County Department of Facilities and Fleet Management.)

Item 218 #1h

Education: Higher Education

FY22-23

FY23-24

Virginia Military Institute

\$0

\$1,167,000 GF

Language:

Page 270, line 45, strike "\$56,725,605" and insert "\$57,892,605".

Page 272, after line 10, insert:

"H. Out of this appropriation, \$1,167,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

Item 223 #1h

Education: Higher Education

FY22-23

FY23-24

Virginia Polytechnic Institute and State University

\$0

\$7,137,000 GF

Language:

Page 273, line 13, strike "\$920,791,024" and insert "\$927,928,024".

Page 275, after line 5, insert:

"L. Out of this appropriation, \$7,137,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

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Education: Higher Education

FY22-23

FY23-24

Virginia Polytechnic Institute and
State University

\$0

\$1,000,000 GF

Language:

Page 275, line 34, strike "\$401,944,109" and insert "\$402,944,109".

Page 276, line 16, after "C.", insert "1."

Page 276, line 16, strike the second "\$3,000,000" and insert "\$4,000,000".

Page 276, after line 17, insert:

"2. Out of this appropriation, \$1,000,000 the second year from the general fund is designated for the Fralin Biomedical Research Institute to research the efficacy of making electroencephalogram combined transcranial magnetic stimulation available for veterans, first responders, and law-enforcement officers."

Explanation:

(This amendment provides funding to research the efficacy of establishing sites to provide treatment using a transcranial magnetic stimulation (TMS) machines and encephalogram (EEG) machines to diagnose brain disorders.)

Item 228 #1h

Education: Higher Education

FY22-23

FY23-24

Virginia Cooperative Extension and
Agricultural Experiment Station

\$0

\$500,000 GF

Language:

Page 277, line 12, strike "\$101,050,286" and insert "\$101,550,286".

Explanation:

(This amendment provides additional funding for the third installment to complete the Building Resilience in Virginia Communities initiative. The funding will support extension programs and complete phase-in of additional extension agents and specialists.)

Item 229 #1h

Education: Higher Education

FY22-23

FY23-24

Virginia State University

\$0

\$1,971,000 GF

Language:

Page 278, line 15, strike "\$103,542,356" and insert "\$105,513,356".

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Page 280, after line 1, insert:

"L. Out of this appropriation, \$1,971,000 the second year from the general fund is designated to support affordable access for in-state undergraduate students. The funding provides the institution with the ability to limit in-state undergraduate tuition increase to no more than one percent in fiscal year 2024."

Explanation:

(This amendment provides funding to maintain affordable access for in-state undergraduate students.)

	Item 240 #1h	
Education: Other Education	FY22-23	FY23-24
The Library Of Virginia	\$0	\$2,000,000 GF

Language:

Page 285, line 39, strike "\$20,733,584" and insert "\$22,733,584".

Explanation:

(This amendment provides \$2.0 million the second year from the general fund for state aid to local libraries. With this amendment, the fiscal year 2024 total will be \$4.5 million in an effort to works towards fully funding public libraries.)

	Item 241 #1h	
Education: Other Education	FY22-23	FY23-24
The Library Of Virginia	\$0	\$1,436,000 GF

Language:

Page 286, line 10, strike "\$10,710,640" and insert "\$12,146,640".

Page 286, line 18, before "In" insert "A."

Page 286, after line 20, insert:

"B. Out of this appropriation, \$1,436,000 the second year from the general fund is provided to support the cost of fees incurred from necessary information technology services that are out of scope of the Virginia Information and Technologies Agency."

Explanation:

(This amendment provides \$1.4 million the second year from the general fund to support a variety of electronic systems the Library of Virginia uses to store, retrieve, and manage

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Virginia's data and records. This amendment funds a variety of ongoing technological needs that are not supported by the Virginia Information and Technologies Agency but require security, licensing, and maintenance on an annual basis.)

Item 244 #1h

Education: Other Education

FY22-23

FY23-24

Virginia Commission for the Arts

\$0

\$920,500 GF

Language:

Page 287, line 31, strike "\$5,236,912" and insert "\$6,157,412".

Page 287, after line 43, insert:

"C. Out of this appropriation, \$920,500 the second year from the general fund is designated for the renovation of the State Theatre of Virginia."

Explanation:

(This amendment provides \$920,500 the second year from the general fund to provide upgrades to the main stage facilities at the State Theatre of Virginia.)

Item 247 #1h

Education: Higher Education

FY22-23

FY23-24

Eastern Virginia Medical School

\$0

(\$45,835,995) GF

Language:

Page 289, line 3, strike "\$45,835,995" and insert "\$0".

Page 289, line 10, strike "and \$595,612 the second year".

Page 289, line 13, strike "and \$6,158,108 the second year".

Page 289, line 18, strike "and \$1,225,700 the second year".

Page 289, line 21, strike "and \$658,597 the second year".

Page 289, line 24, strike "and \$60,620 the second year".

Page 289, line 38, strike "and \$1,250,000 the second year".

Page 289, line 41, strike "and \$1,250,000 the second year".

Page 289, strike lines 44 through 52.

Page 290, strike lines 1 through 14.

Explanation:

(This amendment is part of the merger of Old Dominion University and Eastern Virginia Medical School proposed in House Bill 1840. A companion amendment under Old Dominion University provides for the funding under the newly merged entity.)

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Item 252 #1h

Education: Higher Education	FY22-23	FY23-24	
Southern Virginia Higher Education Center	\$0 0.00	\$205,000 3.00	GF FTE

Language:

Page 291, line 24, strike "\$8,923,342" and insert "\$9,128,342".

Explanation:

(This amendment requests funding for workforce development to support one new full-time welding trainer for NCCER level 4 training as requested by local employers and two full time IT technicians to support increased demand for operational security, classroom connectivity and student IT services.)

Item 252 #2h

Education: Higher Education	FY22-23	FY23-24	
Southern Virginia Higher Education Center	\$0	\$668,000	GF

Language:

Page 291, line 24, strike "\$8,923,342" and insert "\$9,591,342".

Explanation:

(This amendment requests funding for additional operating support for lease payments for the Innovation Center, which supports high demand workforce training programs, including welding, information technology, HVAC and industrial maintenance and energy.)

Item 272 #1h

Finance

Department of Planning and Budget

Language

Language:

Page 307, after line 27, insert:

"F. The Department of Planning and Budget shall provide a time and date stamp on all fiscal impact statements on bills to be considered by the General Assembly and posted on the Legislative Information System. Each fiscal impact statement shall include a descriptive total of the general fund and nongeneral fund amounts of all paragraphs contained in the fiscal impact statement which describe how the costs were calculated. This descriptive total may be included

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in a final paragraph or table labeled with the discrete cost items by fund source and totaled."

Explanation:

(This amendment adds language requiring the Department of Planning and Budget to make modifications to fiscal impact statements to improve transparency in the process for reviewing bills considered by the General Assembly during legislative sessions.)

	Item 273 #1h	
Finance	FY22-23	FY23-24
Department of Taxation	(\$250,000)	\$250,000 GF

Language:

Page 307, line 38, strike "\$4,367,772" and insert "\$4,117,772".

Page 307, line 37, strike "\$4,117,772" and insert "\$4,367,772".

Explanation:

(This amendment enacts a net-zero transfer of general fund appropriation for workgroup expenses to assess modernization of the Department's Integrated Revenue Management System, IRMS.)

	Item 274 #1h	
Finance	FY22-23	FY23-24
Department of Taxation	\$5,280	\$939,886 GF

Language:

Page 308, line 43, strike "\$64,669,857" and insert "\$64,675,137".

Page 308, line 44, strike "\$63,935,357" and insert "\$64,875,243".

Explanation:

(This amendment provides general fund in both years and two positions in the second year for department costs associated with the implementation and administration of House Bills 1438, 1456, and 2387.)

	Item 277 #1h	
Finance	FY22-23	FY23-24
Department of the Treasury	\$1,589,272	\$0 GF

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 315, line 17, strike "\$54,851,592" and insert "\$56,440,864".

Page 316, line 17, after "subsection", strike "C." and insert "D."

Page 316, line 21, after "subsection", strike "C." and insert "D."

Page 316, line 29, after "subsection", strike "C." and insert "D."

Page 316, line 34, after "subsection", strike "C." and insert "D."

Page 316, line 39, after "subsection", strike "C." and insert "D."

Page 316, after line 41, insert:

"O. Out of the amounts for this item shall be paid \$1,530,653 the first year from the general fund as a lump sum for the relief of Mr. Michael Haas pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection D. of § 8.01-195.11 of the Code of Virginia.

P. Out of the amounts for this item shall be paid \$58,942 the first year from the general fund for the relief of Mr. David Wayne Kingrea pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection D. of § 8.01-195.11 of the Code of Virginia."

Explanation:

(This amendment provides general fund in the first year for payments to Mr. Michael Hass and Mr. David Wayne Kingrea as provided in House Bills 1463 and 1582, respectively. This amendment also makes technical corrections to existing legal references.)

	Item 283 #1h	
Health and Human Resources	FY22-23	FY23-24
Secretary of Health and Human Resources	\$2,500,000	\$2,500,000 GF

Language:

Page 325, line 3, strike "\$1,653,270" and insert "\$4,153,270".

Page 325, line 4, strike "\$7,153,270" and insert "\$9,653,270".

Page 328, after line 22, insert:

"M. Out of this appropriation \$2,500,000 the first year and \$2,500,000 the second year from the general fund to be provided to state agencies to facilitate and improve language access."

Explanation:

(This amendment transfers funding and language contained in Central Appropriations to the Office of the Secretary of Health and Human Resources related to efforts to facilitate and improve language access. A companion amendment eliminates the funding and language in Central Appropriations.)

Item 283 #2h

Health and Human Resources

FY22-23

FY23-24

Secretary of Health and Human
Resources

\$0

(\$5,000,000) NGF

Language:

Page 325, line 4, strike "\$7,153,270" and insert "\$2,153,270".

Page 328, strike lines 18 through 22.

Explanation:

(This amendment transfers the \$5.0 million the second year from the nongeneral fund and the language describing the fentanyl public awareness campaign from the Secretary's Office to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

Item 285 #1h

Health and Human Resources

Children's Services Act

Language

Language:

Page 332, line 35, after "B.", strike the remainder of the line.

Page 332, strike lines 36 through 41 and insert:

"Out of this appropriation, up to \$100,000 from the general fund the second year shall be provided for the Office of Children's Services (OCS) to provide technical assistance for localities with private day placements above the statewide average. OCS shall work with the Virginia Department of Education's Office of Special Education Services to conduct a review of private day placement decisions in those localities with higher than average placements and make recommendations to the local education agency. OCS shall report their progress to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2023 and June 30, 2024."

Explanation:

(This amendment removes the requirement that the Office of Children's Services implement statewide rates for special education private day services effective July 1, 2023 and redirects the existing second year funding for the Office of Children's Services to provide technical assistance to localities with private day placements above the statewide average.)

Committee Approved Amendments to House Bill 1400, as Introduced

Item 287 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	(\$5,418,976)	GF

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$49,941,024".
 Page 336, line 6, after "program", insert:
 and for contracting with private institutions".
 Page 336, line 7, after "Grants", insert "and contracts".

Explanation:

(This amendment reduces by \$5.4 million from the general fund the second year for the Earn to Learn Nursing Education Acceleration program, leaving almost \$25 million for the implementation of this new health care workforce program. The amendment also adds language to allow for the program to be implemented through contracts with private higher education institutions, as well as public ones. The program will offer competitive grants to colleges and universities that partner with health systems to offer nursing students the opportunity to earn a competitive wage while also earning credit for clinical hours toward degree requirements. The goal of the program is to address the health care workforce shortage by expanding the number of trained nurses in Virginia.)

Item 287 #2h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$418,976	GF
	0.00	4.00	FTE

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$55,778,976".

Explanation:

(This amendment adds \$418,976 the second year from the general fund and four positions in the Virginia Department of Health (VDH) to manage all of the state-funded Healthcare Incentive Workforce programs administered by VDH. These four additional positions will ensure that the Health Workforce Unit has the staff to successfully launch and administer both existing and new programs geared towards addressing the healthcare workforce shortage and providing increased access to primary care, dental, and mental health services throughout the Commonwealth.)

Item 289 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$1,492,846	GF

Language:

Page 337, line 30, strike "\$19,246,111" and insert "\$20,738,957".

Page 337, after line 33, insert:

"Out of the amounts included in this appropriation, \$2,984,796 from the general fund in the second year is provided for salary adjustments within the Office of the Chief Medical Examiner to address retention and recruitment issues."

Explanation:

(This amendment adds \$1.5 million the second year from the general fund to fully fund salary adjustments in the Office of the Chief Medical Examiner. The introduced budget provided about one-half of the need in fiscal year 2024. This would bring the funding up to almost \$3.0 million. Currently, the office is experiencing a high level of vacancy and turnover due to the competitive salaries offered by other states for these positions.)

Item 289 #2h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$277,930	GF

Language:

Page 337, line 30, strike "\$19,246,111" and insert "\$19,524,041".

Explanation:

(This amendment provides \$277,930 the second year from the general fund for the fiscal impact of House Bill 1827, which requires autopsies of decedents in the custody of the Department of Corrections.)

Item 291 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	(\$7,000,000)	NGF

Language:

Page 338, line 10, strike "\$403,807,156" and insert "\$396,807,156".

Committee Approved Amendments to House Bill 1400, as Introduced

Page 340, strike lines 10 through 13.

Explanation:

(This amendment transfers \$7.0 million the second year from the nongeneral fund and the language describing the statewide fentanyl response strategy from the Department of Health to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

	Item 292 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$124,337 GF
	0.00	1.00 FTE

Language:

Page 340, line 16, strike "\$23,166,547" and insert "\$23,290,884".

Explanation:

(This amendment provides \$476,661 from the general fund the second year and three positions at the Virginia Department of Health (VHD) for the fiscal impact of House Bill 2435, which provides VDH with the authority to impose a plan of correction on hospitals that fail to comply with hospital price transparency requirements.)

	Item 293 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$42,173 GF

Language:

Page 341, line 36, strike "\$164,139,331" and insert "\$164,181,504".

Explanation:

(This amendment adds \$42,173 the second year from the general fund for the fiscal impact of House Bill 2086 which establishes the Advisory Council on Sickle Cell Disease in the Virginia Department of Health.)

	Item 293 #2h	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$1,300,000 GF

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 341, line 36, strike "\$164,139,331" and insert "\$165,439,331".

Page 342, after line 31, insert:

"H. Out of this appropriation, \$1,300,000 the second year from the general fund shall be provided to establish a cardiovascular disease and hypertension intervention program to be piloted in the School-Based Health Center at Hopewell High School in partnership with Virginia Commonwealth University Health System's Pauley Heart Center."

Explanation:

(This amendment provides \$1.3 million the second year from the general fund for a cardiovascular disease and hypertension intervention program to be piloted in the School-Based Health Center at Hopewell High School. The program shall include education and awareness for students and families about hypertension and blood pressure screening, diagnostic equipment to identify high-risk patients, and case management and community outreach. This will be a partnership with Virginia Commonwealth University Health System's Pauley Heart Center.)

Item 295 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0

\$250,000 GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,265,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$200,000 from the general fund the second year shall be provided to the Amyotrophic Lateral Schlerosis (ALS) Association for services to individuals living with ALS and their families."

Explanation:

(This amendment adds \$200,000 from the general fund the second year for the ALS Association for services to individuals with amyotrophic lateral sclerosis (ALS) and their families. ALS is a fatal, progressive, neurodegenerative disease with no known cure or effective treatment options.)

Item 295 #2h

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0

\$250,000 GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 345, line 41, strike "\$25,015,423" and insert "\$25,265,423".

Page 347, after line 34, insert:

"4. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to the Virginia Department of Health to contract with the Virginia Association of Free and Charitable Clinics (VAFCC) and the Virginia Telehealth Network (VTN) for a pilot program to (i) support the integration of behavioral health safety planning and intervention into all clinical services to address the patient's sub-acute behavioral health needs, (ii) train free clinic volunteer and paid staff, and (iii) assist with community mapping and the establishment of referral agreements to enhance connections with local and regional resources for crisis intervention and telehealth services. The contract shall require the VAFCC and VTN to report on the number of design and results of the pilot program to the department and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee annually by December 1."

Explanation:

(This amendment provides \$250,000 from the general fund the second year for a pilot program between the Association of Free and Charitable Clinics and the Virginia Telehealth Network to support the integration of behavioral health safety planning and intervention into clinical health services. Language requires an annual report to the Chairs of the money committees and the Virginia Department of Health.)

	Item 295 #3h	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$500,000 GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,515,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$500,000 from the general fund the second year shall be provided to Samaritan House to support services to victims of violence and homeless families in the Hampton Roads region."

Explanation:

(This amendment provides \$500,000 from the general fund the second year for Samaritan House to support emergency and permanent housing, support services and community outreach to victims of violence and homeless families in the Hampton Roads region.)

	Item 295 #4h	
Health and Human Resources	FY22-23	FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Department of Health \$0 \$250,000 GF

Language:

Page 345, line 40, strike "\$25,015,423" and insert "\$25,265,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to Capital Care Health to continue providing inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia."

Explanation:

(This amendment provides \$250,000 the second year from the general fund for Capital Care Health to continue providing inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia)

Item 295 #5h

Health and Human Resources

FY22-23

FY23-24

Department of Health \$0 \$1,500,000 GF

Language:

Page 345, line 40, strike "\$25,015,423" and insert "\$26,515,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$1,500,000 the second year from the general fund shall be provided to the Virginia Hospital Research and Education Foundation (VHREF) to establish the Virginia First-Year Nurse Residency Collaborative to support health care providers in increasing the retention of first-year registered nurses. The VHREF shall provide health systems with an evidence-based program to support first-year nurses in their transition-to-practice. VHREF shall provide a data-driven curriculum to help hospitals establish or maintain first-year nurse residency programs. This program will include expert technical assistance, evaluation measures, and collaborative learning modules for hospital programs. The Virginia Department of Health may establish further guidelines as needed."

Explanation:

(This amendment provides \$1.5 million the second year from the general fund to the Virginia Department of Health (VDH) to establish the Virginia First-Year Nurse Residency Collaborative to support health care providers in increasing the retention of first-year registered nurses. VDH would partner with the Virginia Hospital Research and Education Foundation (VHREF) to provide health systems with an evidence-based program to support first-year nurses in their transition-to-practice. VHREF will provide a data-driven curriculum to help hospitals establish or maintain first-year nurse residency programs. This program will include expert technical assistance, evaluation measures, and collaborative learning modules for hospital programs. The Department may establish further guidelines as needed.)

Item 299 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	(\$200,000)	(\$200,000)	NGF

Language:

Page 351, line 37, strike "\$31,595,283" and insert "\$31,395,283".

Page 351, line 38, strike "\$29,259,201" and insert "\$29,059,201".

Page 352, strikes lines 46 through 48.

Explanation:

(This amendment removes \$200,000 both the first and the second year from the nongeneral fund and removes the Department of Health Central Office's responsibility to perform administrative functions for the Opioid Abatement Authority (OAA). The OAA is setting up a Memorandum of Understanding with the Department of Behavioral Health and Developmental Services (DBHDS) for DBHDS to perform these functions instead.)

Item 304 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$242,813	GF
	\$0	\$353,575	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,775,374".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, The Department of Medical Assistance Services shall have the authority to update the rates for services based on the most recent rebasing estimates as follows: (i) Consumer Directed (CD) Management Training shall be increase to \$78.55 per hour in Northern Virginia and \$70.51 per hour in the rest of the state; (ii) CD initial Comprehensive Visit shall be increased to \$314.20 per visit in Northern Virginia and \$282.04 in the rest of the state; (iii) CD routine visit shall be increased to \$98.19 per visit in Northern Virginia and \$88.14 per visit in the rest of the state; CD Reassessment Visit shall be increased to \$157.10 per visit in Northern Virginia and \$141.02 per visit in the rest of the state; and (iv) CD Employee Management Training/Consumer Training shall be maintained at \$260.63 per visit in Northern Virginia and \$200.49 per visit in the rest of the state. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such change."

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment adds \$242,813 from the general fund and \$353,575 from nongeneral funds the second year to increase rates for Medicaid consumer directed service facilitation training and visits to reflect recommendations contained in the most recent report on rebasing of developmental disability Medicaid waiver services. While most of the rates were updated as of July 1, 2022, rates for service facilitation did not get updated. A service facilitator is a Medicaid-enrolled provider who is responsible for supporting the individual enrolled in Medicaid waivers and the family/caregiver by ensuring the development and monitoring of the Consumer-Directed Services Individual Service Plan, providing employee management training, and completing ongoing review activities as required by DMAS for consumer-directed companion, personal assistance, and respite services.)

Item 304 #2h

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

\$0
\$0

\$11,654,251 GF
(\$12,481,025) NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,918,352,212".

Page 384, after line 31, insert:

"YYYY. The Department of Medicaid Assistance Services shall have the authority to draw down federal funds to cover unreimbursed Medicaid costs for inpatient services provided by nonstate government-owned nursing facilities as certified by the provider through cost reports not to exceed three percent of the net supplemental Medicaid payment each nursing home is entitled. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change. To the extent federal approval requires alternative approaches to achieve the same general results, the department shall have the authority to follow the federal guidance effecting this change."

Explanation:

(This amendment adds \$11.7 million from the general fund and reduces \$12.5 million in nongeneral funds by capping the funds that the Department of Medical Assistance Services (DMAS) retains related to the intergovernmental transfer of funds by which Medicaid provides supplemental payments for five local government owned and operated nursing facilities. DMAS uses a formula to calculate the retained funds that has resulted in decreases in the amount of the supplemental payments received by the nursing homes. Any funds in excess of the costs to administer the program are deposited into the Virginia Health Care Fund and used to defray the general fund cost to operate the Medicaid program. Capping the amount that DMAS may retain from these intergovernmental transfers will allow DMAS to continue to receive the \$400,000 in costs it needs to operate the program, but will allow the nursing homes to receive the benefit of the supplemental payments.)

Item 304 #3h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$31,148,676	GF
Services	\$0	\$31,148,676	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,981,476,338".

Page 379, line 19 insert:

"d. Out of this appropriation, \$31,148,676 from the general fund and \$31,148,676 from nongeneral funds the second year shall be provided to increase nursing facility value-based payments pursuant to paragraph OOO.2.b. in this item."

Explanation:

(This amendment increases funding for nursing homes through the Nursing Facility Value Based Program by \$31.1 million from the general fund and \$31.1 million from matching federal Medicaid funds funding in fiscal year 2024. The program provides enhanced funding for facilities that meet or exceed performance and/or improvement thresholds such as adequate staffing and avoidance of negative care events.)

Item 304 #4h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$292,064	GF
Services	\$0	\$315,445	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,786,495".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall amend the Developmental Disability waivers for the Community Living, the Family and Individual Support, and the Building Independence DD waivers to allow for the Ticket to Work and Work Incentives Improvement Act as an allowable category for the waivers and to amend the Medicaid Works program to expand the initial enrollment from the current 138 percent of the poverty level to 200 percent of the poverty level."

Explanation:

(This amendment adds \$454,326 from the general fund and \$493,717 from nongeneral funds the second year to amend the Medicaid Developmental Disability Community Living, the Family and Individual Support, and the Building Independence waivers to allow for the Ticket to Work

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and Work Incentives Improvement Act as an allowable category for the waivers and to amend the Medicaid Works program to expand the initial enrollment from the current 138 percent of the federal poverty level to 200 percent. This will enable individuals on the waiver to work without being at risk of losing Medicaid benefits.)

Item 304 #5h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$437,836	GF
Services	\$0	\$1,348,655	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,965,477".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall increase the rates for mental health partial hospitalization from a per diem rate of \$250.62 to \$500.00 and shall increase the rate for mental health intensive outpatient programs from a per diem of \$159.20 to \$250.00. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment adds \$437,836 from the general fund and \$1.3 million in the nongeneral fund and language directing the Department of Medical Assistance Services to establish reimbursement parity between certain substance use disorder and mental health services.)

Item 304 #6h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$178,771	GF
Services	\$0	\$211,421	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,569,178".

Page 384, after line 31, insert:

"YYYY. Effective, July 1, 2023, the Department of Medical Assistance Services shall increase reimbursement rates for adult day health services provided through Medicaid home- and community-based waiver programs by 24 percent. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

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(This amendment adds \$178,771 from the general fund and \$211,421 from the nongeneral fund to increase adult day health care rates by 24 percent bringing the rate from \$64.17 to \$78.977 per day for the rest of the state and \$69.30 to \$85.93 in Northern Virginia. This would help address increases in minimum wages, shortage of caregivers, and inflationary increases in operational costs. Adult day health care is much less expensive than alternative care in a nursing facility for which these clients qualify.)

Item 304 #7h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$1,272,060	GF
Services	\$0	\$1,335,690	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,921,786,736".

Explanation:

(This amendment provides \$1.3 million from the general fund and \$1.3 million in the nongeneral fund the second year for the fiscal impact of House Bill 1512, which provides for the initial purchase or replacement of Complex Rehabilitative Technology manual and power wheelchair bases and related accessories for Medicaid patients residing in nursing facilities.)

Item 304 #8h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	0.00	3.00	FTE
Services			

Language:

Page 369, after line 39, insert:

"c. The department shall have the authority to implement these reimbursement changes effective July 1, 2023, and consistent with the effective date in the State Plan amendment or the managed care contracts approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this item to attest to compliance with applicable CMS criteria. Upon notification by the Department of any deferral or disallowance issued by CMS regarding the supplemental payment

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arrangement, the hospital provider will return the entire balance of the supplemental payment to the Department within 30 days of notification. If the hospital does not return the entire balance of the supplemental payment to the Department within the specified timeframe, a judgement rate of interest set forth in Title 6.2-302 will be applied to the entire balance, regardless of whatever portion has been repaid. In addition, the non-federal share of the agency's administrative costs directly related to administration of the programs authorized in this paragraph, including staff and contractors, shall be funded by participating public entities.

d. The purposes to which the additional payments authorized via this item shall be applied include: (i) sustaining and enhancing access to outpatient care for Medicaid recipients; (ii) stabilizing and supporting critical healthcare workforce needs; and (iii) advancing the department's overall quality improvement goals. The department, with the assistance of the participating organizations, shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the impact of this initiative."

Explanation:

(This amendment directs the Department of Medical Assistance Services to implement a Private Hospital Medicaid Supplemental Payment Program on July 1, 2023. It also provides three positions at the agency for administration of the program.)

	Item 304 #9h		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$5,153,878	GF
	\$0	\$5,896,122	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,930,228,986".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall implement managed care directed payments for physician services for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid utilization in fiscal year 2009 for \$11,000,000 million annually but not to exceed the average commercial rate. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such changes. The agency shall implement this by determining at the beginning of each year the percent of Medicaid that will result in estimated payments of \$11,000,000 annually."

Explanation:

(This amendment provides \$5.2 million from the general fund and \$5.9 million nongeneral fund the second year to authorize the Department of Medical Assistance Services to make physician

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supplemental payments for managed care patients of Children’s Hospital of The King’s Daughters (CHKD). These payments help cover the cost of caring for thousands of children facing life-threatening illnesses, traumatic injuries and chronic conditions as well as those who need access to routine well-child care regardless of their families' ability to pay for services. Additionally, physician supplemental payments would help CHKD address critical workforce development needs as the region's only teaching hospital for pediatrics. These payments would also support operational expenses incurred by CHKD associated with their pediatric mental health expansion.)

Item 304 #10h

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

\$0
\$0

\$43,177 GF
\$383,834 NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,605,997".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act to provide reimbursement for the provision of behavioral health services that are classified by a Current Procedural Terminology code as collaborative care management services."

Explanation:

(This amendment provides \$43,177 from the general fund and \$383,834 from nongeneral funds the second year to provide Medicaid reimbursement for collaborative care services to treat mental health conditions and substance use disorders.)

Item 304 #11h

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

(\$10,000,000)
\$10,000,000

\$0 GF
\$0 NGF

Language:

Explanation:

(This amendment reflects additional revenue to the Virginia Health Care Fund of \$10.0 million the first year from managed care organization (MCO) repayments resulting from not meeting the medical loss ratio (MLR) requirement that applies to Medicaid MCOs. The impact of the COVID-19 pandemic on health care utilization has resulted in increased profits and difficulty in meeting the MLR requirement for MCOs and therefore results in repayments to the

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Commonwealth. These repayments are deposited in the Health Care Fund, which is used as state match for Medicaid. Therefore, the increase in revenue results in a corresponding reduction in general fund appropriation for Medicaid.)

Item 304 #12h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$12,100,000	GF
Services	\$0	(\$12,100,000)	NGF

Language:

Explanation:

(This amendment reflects a reduction in revenue to the Virginia Health Care Fund of \$12.1 million the second year from the fiscal impact of House Bill 1417, which modifies the statutory tax rate imposed on certain tobacco products. These taxes are deposited in the Health Care Fund, which is used as state match for Medicaid. Therefore, a decrease in revenue results in a corresponding increase in general fund appropriation for Medicaid.)

Item 304 #13h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$549,756	GF
Services	\$0	\$597,222	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,325,964".

Explanation:

(This amendment adds \$549,756 from the general fund and \$597,222 in matching federal Medicaid funding the second year for the fiscal impact of House Bill 1693, which combines the maximum annual allowable amount for assistive technology and electronic home-based support services for an individual receiving Medicaid Developmental Disability waiver services to provide for greater flexibility to provide a total of \$10,000 available to an eligible individual for assistive technology and electronic home-based support services each year.)

Item 304 #14h

Health and Human Resources	FY22-23	FY23-24	
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Committee Approved Amendments to House Bill 1400, as Introduced

Department of Medical Assistance	\$0	\$2,487,240	GF
Services	\$0	\$2,552,760	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,924,218,986".

Explanation:

(This amendment adds \$2.5 million from the general fund and \$2.5 million from matching federal Medicaid funds the second year for the Medicaid impact of providing an increase in the Auxiliary Grant rate for low-income individuals residing in assisted living facilities. Recipients of an Auxiliary Grant are automatically eligible for Medicaid coverage. A companion amendment increases the Auxiliary Grant rate in Item 344 by \$100 per month, resulting in an expected increase in the number of individuals that may become eligible for an Auxiliary Grant.)

Item 304 #15h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$30,808,394	(\$129,975,273)	GF
Services	(\$31,889,475)	(\$523,443,091)	NGF

Language:

Page 355, line 40, strike "\$20,956,823,768" and insert "\$20,955,742,687".

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,265,760,622".

Explanation:

(This amendment adds \$30.8 million from the general fund the first year and reduces \$31.9 million from the nongeneral fund the first year and reduces \$130.0 million from the general fund and \$523.4 million from nongeneral funds the second year to reflect changes in the federal match rate due to provisions in the federal Consolidated Appropriations Act of 2023 which decouples the Medicaid continuous enrollment provision from the federal Public Health Emergency (PHE) and terminates this provision on March 31, 2023. Starting April 1, 2023, states can resume Medicaid disenrollments and will be eligible for phase-down of the enhanced FMAP (6.2 percentage points through March 2023; 5 percentage points through June 2023; 2.5 percentage points through September 2023 and 1.5 percentage points through December 2023) if they comply with certain rules. States cannot restrict eligibility standards, methodologies, and procedures and states cannot increase premiums as required in FFCRA. Further, states must also comply with federal rules about conducting renewals. Lastly, states are required to maintain up to date contact information, and attempt to contact enrollees prior to disenrollment.)

Item 304 #16h

Committee Approved Amendments to House Bill 1400, as Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	(\$7,577,559)	GF
Services	\$0	(\$7,577,559)	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,904,023,868".

Explanation:

(This amendment reduces \$7.6 million the second year from the general fund and a like amount of federal matching Medicaid funds to account for implementation delays in utilization of Medicaid services.)

Item 304 #17h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$3,324,031	GF
Services	\$0	\$12,495,412	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,934,998,429".

Explanation:

(This amendment adds \$3.3 million the second year from the general fund and \$12.5 million in nongeneral funds to support associated costs with a contract to support local agencies during the unwinding of Medicaid continuous coverage requirements.)

Item 304 #18h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$180,000	GF
Services	\$0	\$180,000	NGF
	0.00	2.00	FTE

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,538,986".

Explanation:

(This amendment transfers \$180,000 the second year from the general fund to be matched by \$180,000 in federal Medicaid funds and two positions from the Department of Behavioral Health and Developmental Services for administration of the Developmental Disability Waiver programs at the Department of Medical Assistance Services.)

Item 304 #19h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 384, after line 31, insert:

"YYYY. Effective October 1, 2023 and notwithstanding laws and regulations related thereto, the Department of Medical Assistance Services (DMAS), after consultation with relevant stakeholders, shall have authority to modify procedures related to Medicaid nursing facility reimbursement under the Resource Utilization Group (RUG) methodology to account for changes specifically necessitated by the Centers for Medicare and Medicaid Services (CMS) termination of support for RUGs-based systems, whenever, and to the extent, that occurs. Any modified procedures shall be implemented under the principle of individual facility budget neutrality as compared to current policy, and shall be temporary as DMAS works on a long-term plan to either maintain the RUG-based system or adopt a methodology based on the CMS Patient Driven Payment Model (PDPM). DMAS shall develop the long-term plan in consultation with relevant stakeholders and submit that plan, to include timelines and authorizing language, on or before December 1, 2023, to the Governor, and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee for consideration during the 2024 Regular Session. DMAS shall have authority to implement any temporary changes necessary under this item in anticipation of federal approval and prior to the completion of the regulatory process."

Explanation:

(This amendment adds language authorizing the Department of Medical Assistance Services to make needed changes to the reimbursement methodology for nursing facilities on a temporary basis in anticipation of the Centers for Medicare and Medicaid discontinued use of Resource Utilization Groups as a system for grouping nursing home residents according to their clinical and functional status. The RUG-based system is used in determining payments to nursing facilities based on patient care and resource needs as identified in a facility's minimum data set published by the U.S. Department of Health and Human Services. The Centers for Medicare and Medicaid are replacing the RUG system with the Patient Driven Payment Model, which is more reflective of clinically relevant factors affecting a patient's care rather than volume based services as used under the RUG system. Language requires any temporary changes to be budget neutral and directs the agency to develop a long-term plan by December 1, 2023 for consideration during the 2024 Regular Session of the General Assembly.)

Item 304 #20h

Committee Approved Amendments to House Bill 1400, as Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$6,903	GF
Services	\$0	\$10,053	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,195,942".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall increase the rates for peer mentoring consistent with the more recent rate study by Burns and Associates. This reimbursement change shall be effective July 1, 2023."

Explanation:

(This amendment provides \$6,903 from the general fund and \$10,053 from nongeneral funds the second year to increase the rate for Peer Mentoring waiver services in fiscal year 2024, in accordance with the 2021 Burns & Associates rate report. The amendment assumes a growth in the number of individuals served.)

Item 304 #21h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$200,661	\$200,661	GF
Services	\$218,058	\$218,058	NGF

Language:

Page 355, line 40, strike "\$20,956,823,768" and insert "\$20,957,242,487".

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,597,705".

Page 383, line 44, after "change.", insert:

"The department shall include any and all Early Periodic Screening Diagnosis and Treatment (EPSDT) Therapeutic Group Homes in such rate increase effective July 1, 2022, regardless of the number of providers and whether or not such facilities were previously included in the list of eligible procedure and revenue codes provided in the Medicaid Bulletin to Providers of Home and Community Based Services Waivers (HCBS) and EPSDT services participating in Virginia Medical Assistance Programs and Medicaid Managed Care Organizations (MCOs) dated October 16, 2021. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment provides \$200,661 from the general fund and \$218,085 from nongeneral funds each year to increase reimbursement for Early Periodic Screening Diagnosis and Treatment (EPSDT) therapeutic Group Homes that were excluded from the 12.5 percent rate increase, despite qualifying for such increase in 2021 and 2022. EPSDT therapeutic group

homes provide services for 70 children in Virginia.)

Item 308 #1h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 392, strike lines 54 and 55.

Page 393, strike lines 1 through 9 and insert:

"EE. The Department of Medical Assistance Services (DMAS) shall convene a workgroup to examine the impact of including all children's residential services, such as psychiatric residential treatment services and children's group home services in the Medicaid managed care program. This workgroup shall examine potential cost, program, and system of care impacts, including how local funding and the federally required independent assessment process for these services must be accounted for in managed care. This workgroup shall be comprised of relevant stakeholders including representatives from the public and private provider community, the Office of Children's Services, Department of Social Services, Department of Behavioral Health and Developmental Services, Department of Planning and Budget, and staff of the House Appropriations and Senate Finance and Appropriations Committees. DMAS shall report on workgroup activities to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment modifies language in the introduced budget which establishes a workgroup to examine the impact of including certain children's psychiatric residential treatment services in the Medicaid managed care program. It adds children's residential services and children's group home services as additional services to be examined for including in the Medicaid managed care program. Language also is modified to include representatives of the public and private provider community as members of the workgroup.)

Item 308 #2h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 393, after line 33, insert:

"II. The Department of Medical Assistance Services shall review the potential cost savings of equalizing nursing home and community based care spenddown rules and submit the findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by

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December 1, 2023.”

Explanation:

(This amendment directs the Department of Medical Assistance Services to review the potential cost savings related to equalizing nursing home and community based care Medicaid spenddown amounts and report its findings by December 1, 2023.)

	Item 311 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Behavioral Health and Developmental Services	\$0 0.00	\$181,250 1.00
		GF FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$163,231,074".

Page 401, after line 1, insert:

"NN. Out of this appropriation, \$181,250 the second year from the general fund is provided to create a social media campaign for suicide prevention directed at teens."

Explanation:

(This amendment provides \$181,250 the second year from the general fund to create a social media campaign for suicide prevention targeting teens and one position to manage the campaign. With teen consult, the campaign will message mental health and emotional intelligence directly to teenagers.)

	Item 311 #2h
Health and Human Resources	
Department of Behavioral Health and Developmental Services	Language

Language:

Page 401, after line 1, insert:

"NN. The Department of Behavioral Health and Developmental Services (DBHDS) shall (i) identify all current DBHDS requirements related to documentation and reporting of community service boards (CSB) behavioral health services, (ii) identify which of these requirements currently apply to work by CSB direct care staff, (iii) identify any DBHDS requirements of direct care staff that are duplicative of or conflict with other DBHDS requirements, (iv) eliminate any requirements that are not essential to ensuring consumers receive effective and timely services, and (v) report to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on progress made toward eliminating

administrative requirements that are not essential, duplicative, or are conflicting."

Explanation:

(This amendment is self-explanatory.)

Item 311 #3h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert:

"NN. The Department of Behavioral Health and Developmental Services shall report annually on (i) Community Service Boards (CSB) performance in improving the functioning levels of its consumers based on composite and individual item scores from the DLA-20 assessment, or result from another comparable assessment, by CSB, (ii) changes in CSB performance in improving consumer functioning levels over time, by CSB, and (iii) the use of functional assessment data by the Department of Behavioral Health and Developmental Services to improve CSB performance to the State Board of Behavioral Health and Developmental Services and the Behavioral Commission."

Explanation:

(This amendment requires the Department of Behavioral Health and Developmental Services to report annually on CSB performance to ensure the Department is monitoring performance and consumer outcomes and appropriately intervening if needed.)

Item 311 #4h

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

(\$15,000,000) GF

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$148,049,824".

Page 400, strike lines 4 through 15.

Page 400, after line 3, insert:

"HH. Out of this appropriation, \$2,500,000 the first year from the general fund is provided for (i) the Department of Behavioral Health and Developmental Services and partners to provide technical assistance to school divisions seeking guidance on integrating mental health services; and (ii) grants to school divisions to contract for community-based mental health services for students from public or private community-based providers. The department shall require the

Committee Approved Amendments to House Bill 1400, as Introduced

programs to report back to the department on the success factors for integrating behavioral health in education settings and identify funding recommendations and resources needed to continue these efforts. The department shall report such information annually to the Behavioral Health Commission by September 1."

Explanation:

(This amendment transfers \$15.0 million the second year from the general fund designated for school-based mental health programs from the Department of Behavioral Health and Developmental Services to the Department of Education (DOE). The amendment retains funding and language for the original pilot projects. There is a corresponding amendment in DOE to receive the \$15.0 million to provide technical assistance and grants to school divisions integrating mental health services.)

Item 311 #5h

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0 0.00	(\$180,000) -2.00	GF FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$162,869,824".

Explanation:

(This amendment transfers \$180,000 the second year from the general fund and two positions from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services (DMAS) to support the workload associated with the transfer of financial management and oversight of the Developmental Disability waivers, as required by Chapter 2, 2021 Special Session I. A companion amendment in Item 308 provides the funding and positions for this activity.)

Item 311 #6h

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0	\$250,000	GF

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$163,299,824".

Page 400, line 51, after "MM." insert "1."

Page 400, line 51, strike "\$20,000,000" and insert "\$20,250,000".

Page 401, line 1, after "Virginia." insert:

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"The Department of Behavioral Health and Developmental Services shall report quarterly on projects awarded with details on each project and its projected impact on the state behavioral health hospital census. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than 30 days after each quarter ends.

2. Out of the amount in MM.1., \$250,000 the second year is provided to the Carilion comprehensive psychiatric emergency program to provide technical assistance to the new psychiatric emergency programs, including assisting in coordination with regional community service boards.

3. While considering project proposals for the comprehensive psychiatric emergency programs or similar models of psychiatric care in emergency departments, the Department of Behavioral Health and Developmental Services shall consider the placement of the program and if it would serve a priority area in Virginia where (i) the population has a large percentage of emergency custody orders and temporary detention orders, (ii) the area is not within an hour's drive from the closest crisis receiving center or crisis stabilization unit, and (iii) the area is underserved in regards to mental health treatment."

Explanation:

(This amendment adds \$250,000 the second year from the general fund to the Carilion comprehensive psychiatric emergency program to provide technical assistance to the new psychiatric emergency programs across the state. This amendment also directs the Department of Behavioral Health and Developmental Services to report on the projects and their impact on the state behavioral health hospital census and to consider the location of the proposed psychiatric emergency programs so they serve priority areas in the state.)

Item 311 #7h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 399, line 32, after "counseling" insert:

", including licensed clinical social workers, licensed professional counselors, and licensed marriage and family therapists. Any funds not used in the first year shall be carryforward in the second year to use for the same purpose".

Explanation:

(This amendment allows licensed marriage and family therapists to partake in the Boost 200 pilot program and receive payment of supervisory hours along with licensed clinical social workers and licensed professional counselors. This amendment also allows the Virginia Health Care Fund to use any carryforward money in the second year to continue funding the Boost 200

pilot program.)

Item 312 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

\$25,000,000 GF

Language:

Page 401, line 4, strike "\$167,062,449" and insert "\$192,062,449".

Page 404, line 39, strike "57,500,000" and insert "82,500,000".

Page 404, after line 38, insert:

"3. Of the amounts in W.1, \$25,000,000 the second year is designated to create additional crisis stabilization units in addition to the new units proposed in the Right Help, Right Now plan.

4. The Department of Behavioral Health and Developmental Services shall determine the placement of new crisis receiving centers and crisis stabilization units based on priority areas in Virginia where (i) the population has a large percentage of emergency custody orders and temporary detention orders, (ii) the area is not within an hour's drive from the closest crisis receiving center or crisis stabilization unit, and (iii) the area is underserved in regards to mental health treatment."

Explanation:

(This amendment provides \$25.0 million the second year from the general fund to create additional crisis stabilization units in addition to those proposed in the Right Help, Right Now plan. This amendment also directs the Department of Behavioral Health and Developmental Services to place the new crisis stabilization units in priority areas in the state.)

Item 312 #2h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 404, line 45, after "Virginia." insert:

"The Department shall report quarterly on projects awarded with details on each project and its projected impact on the state's extraordinary barriers list. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than 30 days after each quarter ends."

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment adds a requirement that the Department of Behavioral Health and Developmental Services report on the projects for supervised residential care funded through Item 312 to the Chairs of House Appropriations and Senate Finance and Appropriations Committees.)

Item 312 #3h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, strike lines 52 through 55.

Page 402, strike lines 1 through 11.

Page 401, after line 51, insert:

"D.1. Out of this appropriation, \$6,429,216 the first year and \$7,429,216 the second year from the general fund shall be provided to the Department of Behavioral and Developmental Services to provide alternative transportation for adults and children under a temporary detention order. The department shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program funding by October 1 each year."

Page 402, after line 22, insert:

"F. Out of this appropriation, \$2,000,000 the first year and \$3,359,416 the second year from the general fund is provided for a program of alternative custody for individuals under a temporary detention order who are awaiting transport to an inpatient bed. The Department of Behavioral Health and Developmental Services, in consultation with local law enforcement, community services boards, and other stakeholders as appropriate, shall implement a plan to provide alternative custody options for individuals under temporary detention orders to reduce the length of time law enforcement resources are involved and improve patient outcomes."

Explanation:

(This amendment delineates the funding for alternative transportation and alternative custody. The introduced budget combined the funding for alternative transportation and alternative custody, providing less transparency on the use of this funding.)

Item 312 #4h

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

\$6,000,000 GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 401, line 4, strike "\$167,062,449" and insert "\$173,062,449".

Page 404, line 16, after "U.", insert "1."

Page 404, after line 27, insert:

"2. Out of this appropriation, \$6,000,000 the second year from the general fund shall be provided to Chesapeake Regional Hospital for psychiatric inpatient services and a psychiatric emergency care program. Of this amount, \$3,000,000 is designated for psychiatric inpatient services and \$3,000,000 is designated for the development of a psychiatric emergency care program. Funding for the psychiatric emergency care program shall be contingent on matching funds from public and/or private sources."

Explanation:

(This amendment provides \$6.0 million the second year from the general fund to Chesapeake Regional Hospital to support their psychiatric inpatient services and development of a psychiatric emergency care programs, of which \$3.0 million is for support of the operation of new beds in their inpatient psychiatric unit and \$3.0 million is designated for the psychiatric emergency care program. Language requires funding for the emergency care program to be matched by public and/or private sources.)

Item 312 #5h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 402, line 18, after "D.1.", insert:

"The Department of Behavioral Health and Developmental Services shall first use available nongeneral funds to contract with local law enforcement agencies to utilize the off-duty officer program. The Department of Planning and Budget shall unallot general fund dollars provided in this paragraph when the nongeneral fund have been fully expended."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services (DBHDS) to use nongeneral fund to contract with local law enforcement agencies to utilize the off-duty officer program to provide transportation services or assume custody of an individual under a temporary detention order who is awaiting admission to a facility or for whom a bed has not yet been identified. Once DBHDS has exhausted all appropriate nongeneral fund dollars for the off-duty officer program, the Department of Planning and Budget shall unallot the general fund appropriation.)

Item 312 #6h

Committee Approved Amendments to House Bill 1400, as Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	(\$1,416,398)	(\$1,416,398)	NGF

Language:

Page 401, line 4, strike "\$84,657,829" and insert "\$83,241,431".
Page 401, line 4, strike "\$167,062,449" and insert "\$165,646,051".
Page 402, line 35, after "fund" strike the remainder of the line.
Page 402, line 36, strike "funds".
Page 402, strike lines 38 and 39.

Explanation:

(This amendment transfers \$1.4 million in both the first and second year from the nongeneral fund and the language describing the purchase of additional REVIVE kits from the Department of Behavioral Health and Developmental Services to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

Item 313 #1h

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$36,535,694	GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$692,022,381".
Page 411, after line 12, insert:
"RR. Out of this appropriation, \$36,535,694 from the general fund in the second year is provided for additional salary adjustments to all staff at the Community Service Boards."

Explanation:

(This amendment provides \$36.5 million from the general fund in fiscal year 2024 for salary adjustments for CSB staff. The funding equates to approximately five percent of total CSB payroll.)

Item 313 #2h

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$2,000,000	GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 405, line 10, strike "\$655,486,687" and insert "\$657,486,687".

Page 411, after line 12, insert:

"RR. Out of this appropriation, \$2,000,000 the second year from the general fund is designated to provide matching grants to the National Center for Healthy Veterans and Up Center in Virginia Beach to provide behavioral health care to veterans in Virginia."

Explanation:

(This amendment is self-explanatory.)

Item 313 #3h

Health and Human Resources

FY22-23

FY23-24

Grants to Localities

\$0

\$8,400,000

GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$663,886,687".

Page 407, line 18, strike the second "\$8,400,000" and insert "\$16,800,000".

Page 407, line 20, strike "response".

Page 407, line 20, strike "mental health and behavioral disorders" and insert:
"behavioral needs"

Page 407, line 22, strike "shall" and insert "may".

Page 407, line 23, strike "response".

Page 407, line 24, strike "such as general" and insert "."

Page 407, strike lines 25 and 26.

Page 407, line 27, strike "health disorders."

Page 407, line 28, strike "response".

Page 407, line 28, strike ", including mobile crisis teams" and insert "."

Page 407, strike line 29.

Page 407, strike line 30, and insert "The".

Explanation:

(This amendment adds \$8.4 million the second year from the general fund in additional support for children's behavioral health services, bringing the fiscal year 2024 total to \$16.8 million. This amendment also revises language to allow flexible uses of funds to build service capacity focused on specialized needs of children and youth.)

Item 330 #1h

Health and Human Resources

FY22-23

FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Department for Aging and Rehabilitative Services	\$0	\$570,000	GF
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Language:

Page 416, line 26, strike "\$106,052,645" and insert "\$106,622,645".
Page 418, line 4, strike the second "7,746,719" and insert "8,316,719".
Page 418, line 17, strike the second "\$720,000" and insert: "\$1,290,000".

Explanation:

(This amendment provides \$570,000 from the general fund the second year to expand community based brain injury case management services to unserved or underserved areas of Virginia.)

Item 331 #1h

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$700,000	GF

Language:

Page 418, line 51, strike "\$39,539,449" and insert "\$40,239,449".

Explanation:

(This amendment adds \$700,000 from the general fund the second year for one-time supplemental funding to offset losses to local Area Agencies on Aging (AAAs) due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding. This would ensure that 11 AAAs would not experience funding losses due to the impact of census changes on funding distribution.)

Item 331 #2h

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$380,000	GF

Language:

Page 418, line 51, strike "\$39,539,449" and insert "\$39,919,449".
Page 419, line 12, strike "\$3,785,000" and insert "\$4,035,000".
Page 419, line 15, strike "757" and insert "807".

Committee Approved Amendments to House Bill 1400, as Introduced

Explanation:

(This amendment adds \$380,000 from the general fund the second year to expand the Virginia Public Guardian and Conservator Program to serve 50 additional individuals in need of guardianship services and add one position for a policy analyst.)

		Item 340 #1h	
Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	(\$4,100,000)	\$4,100,000	GF

Language:

Page 424, line 21, strike "\$56,238,201" and insert "\$52,138,201".

Page 424, line 21, strike "\$50,458,490" and insert "\$54,558,490".

Page 426, strike lines 1 through 15 and insert:

"K. Out of this appropriation, \$2,100,000 from the general fund the second year shall be provided to support the child welfare workforce including: (i) trauma-informed training for local departments of social services and state staff; (ii) public-private partnerships to support child welfare prevention initiatives, (iii) continued efforts to improve capacity to serve children in Foster Care at risk of displacement; (iv) provision of a peer support line for local departments of social services and state staff to support retention of child welfare staff; and (v) additional infrastructure and procurement positions to support the implementation of efforts to build child welfare service capacity.

L. Out of this appropriation, \$750,000 from the general fund the second year shall be provided to support enhanced information technology to support child welfare staff in the field.

M. Out of this appropriation, \$1,250,000 from the general fund the second year shall be provided to increase and enhance support for kinship caregivers in child welfare cases."

Explanation:

(This amendment moves \$4.1 million from the general fund the first year to the second year to redirect funding that was provided in Chapter 2, 2022 Special Session 1 for child welfare improvements. This funding is not expected to be spent in fiscal year 2023 and language is modified to enhance child welfare efforts, modernize information technology for child welfare workers and increase and enhance support for kinship caregivers in child welfare cases.)

		Item 342 #1h	
Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$200,000	\$0	GF

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 428, line 28, strike "\$567,158,815" and insert "\$567,358,815".

Page 429, after line 30, insert:

"J. Out of this appropriation, \$200,000 the first year from the general fund shall be provided to the Buchanan County Department of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County, Virginia as provided for in Item 114, paragraph K."

Explanation:

(This amendment provides \$200,000 the first year from the general fund to the Buchanan County Department of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County, Virginia as provided for in Item 114, paragraph K.)

Item 342 #2h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$200,000 GF

Language:

Page 428, line 28, strike "\$574,016,277" and insert "\$574,216,277".

Page 429, after line 30, insert:

"J. Out of this appropriation, \$200,000 the second year from the general fund shall be provided to the Buchanan County and Tazewell County Departments of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County and Tazewell County, as provided for in Item 114, paragraph K and paragraph O."

Explanation:

(This amendment provides \$200,000 the first year from the general fund to the Buchanan County and Tazewell County Departments of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County and Tazewell County, as provided for in Item 114, paragraph K and paragraph O.)

Item 344 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$1,200,000 GF

Language:

Page 430, line 25, strike "\$48,227,762" and insert "\$49,427,762".

Page 430, after line 44, insert:

Committee Approved Amendments to House Bill 1400, as Introduced

"3. Effective January 1, 2023, the monthly personal care allowance for Auxiliary Grant recipients shall be \$115 per month, unless modified as indicated below. The personal care allowance for auxiliary grant recipients shall increase annually by the same percentage as the federal government cost of living increases for Supplemental Security Income."

Page 430, line 45, strike "3" and insert "4".

Explanation:

(This amendment adds \$1.2 million from the general fund the second year to increase the monthly personal care allowance for Auxiliary Grant recipients from \$82 per month to \$115 per month. The personal needs allowance has been generally flat since 2009. The recipient may use their personal needs allowance to cover medical supplies, medical co-pays, laundry services offered by their provider, and other expenses.)

		Item 344 #2h	
Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$3,679,645	GF

Language:

Page 430, line 25, strike "\$48,227,762" and insert "\$51,907,407".

Page 430, after line 41, insert:

"2. Effective July 1, 2023, the the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of \$1,832 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight."

Page 430, line 42, strike "2" and insert "3".

Page 430, line 45, strike "3" and insert "4".

Explanation:

(This amendment adds \$3.7 million from the general fund the second year to increase the Auxiliary Grant Rate for assisted living facilities by \$150 per month from \$1,682 to \$1,832 per month. The state provides 80 percent of the funding for this program while the localities provide 20 percent. The local share is estimated to be \$2.2 million per year.)

	Item 344 #3h	
Health and Human Resources		

Committee Approved Amendments to House Bill 1400, as Introduced

Department of Social Services

Language

Language:

Page 431, after line 30, insert:

"H. The Director, Department of Planning and Budget, shall, on or before June 30, 2023, unallot \$3,000,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program."

Explanation:

(This amendment captures \$3.0 million in balances from the general fund in fiscal year 2023 which reflects a projected balance in the auxiliary grants program.)

Item 345 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

(\$4,500,000)
\$4,500,000

(\$3,750,000) GF
\$3,750,000 NGF

Language:

Explanation:

(This amendment reduces general fund spending by \$4.5 million the first year and \$3.8 million the second year and adds a commensurate amount of the federal matching funds each year for adoption assistance, foster care and the KinGAP programs due to changes in the enhanced federal medical assistance percentage (FMAP) pursuant to the federal Public Health Emergency and the federal Consolidated Appropriations Act of 2023.)

Item 345 #2h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$110,537 GF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,563,211".

Explanation:

(This amendment adds \$110,537 from the general fund the second year for the fiscal impact of House Bill 1550, which would result in additional legal fees for local Departments of Social Services for circuit court appeals in certain cases of child abuse and neglect.)

Item 345 #3h

Committee Approved Amendments to House Bill 1400, as Introduced

Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$250,000 GF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,702,674".

Page 434, after line 42, insert:

"U. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Funding shall be made available to local departments of social services to reimburse foster care providers for increases to their existing motor vehicle insurance premiums that occur because a foster care youth in their care has been added to their insurance policy. The program may also reimburse foster care providers for additional coverage that provides liability protection should a foster care youth get into or cause a catastrophic accident. Additionally, funding shall be made available to foster care youth in Virginia's Fostering Futures Program to assist in covering the cost of obtaining motor vehicle insurance. The Department shall develop reimbursement policies for foster care providers and foster care youth. The Department shall coordinate and administer the driver's licensing program based on best practices from similar programs in other states, to include developing educational or training materials that educate foster parents, private providers, and foster youth about (i) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); (ii) DMV requirements to obtain a learner's permit and driver's license; (iii) what funding and resources are available to assist in this process, to include, paying school lab fees for "Behind the Wheel" or paying a private driving education company; and (iv) why getting a driver's license on time is important for normalcy and a successful transition to adulthood. The Department shall provide information on how many foster care youth were supported by this program and any recommendations to improve the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on December 1."

Explanation:

(This amendment provides \$250,000 from the general fund the second year to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Evidence indicates that youth who leave foster care without their driver's licenses are less likely to make a successful transition to adulthood.)

Item 346 #1h

Health and Human Resources

Committee Approved Amendments to House Bill 1400, as Introduced

Department of Social Services

Language

Language:

Page 435, line 1, before "Out", insert "A."

Page 435, after line 6, insert:

"B. Notwithstanding the provisions of 22VAC40-680, the Department of Social Services shall (i) expand the application period for the Low-Income Home Energy Assistances Program (LIHEAP) to allow applications to be submitted in any month during the year for grant decisions; and (ii) award grants retroactively for the 2022-2023 heating season."

Explanation:

(This amendment requires the agency to allow applications for the LIHEAP program to be submitted in any month during the year and allows for grant awards to be make retroactively for the 2022-2023 heating season.)

Item 347 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$250,000 GF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$63,150,789".

Page 439, after line 52, insert:

"DD. Out of this appropriation, \$25,000 the second year from the general fund shall be provided to the County of Northampton for the Eastern Shore Area Agency on Aging/Community Action Agency for a roof replacement for its administrative entrance and offices."

Explanation:

(This amendment adds \$250,000 from the general fund the second year to Northampton County for a roof replacement for the Eastern Shore Area Agency on Aging/Community Action Agencies.)

Item 347 #2h

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$1,200,000 NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$64,100,789".

Page 436, line 29, after "H." insert "1."

Committee Approved Amendments to House Bill 1400, as Introduced

Page 436, line 30, strike the second "\$2,136,500" and insert "\$2,586,500".

Page 436, after line 47, insert:

"2. In addition to the amounts provided in H.1., \$750,000 the second year from the TANF block grant shall be used to provide for expanded CAC capacity to offer contracted services to children and families in areas where a CAC is not currently available within an hour's drive. These funds shall be utilized to open new locations, either standalone centers or satellite locations and provide at a minimum one full-time forensic interviewer; one full-time child/family advocate; one full-time director; and one part-time administrator."

Explanation:

(This amendment adds \$450,000 from the federal Temporary Assistance to Needy Families (TANF) block grant to support existing Child Advocacy Centers (CACs), which are facing a 10 percent reduction in funding from the federal Victims of Crime Act. The amendment also adds \$750,000 from the TANF block grant the second year to establish new centers, either standalone or satellite centers to meet the needs of children not currently served. Currently CACs serve almost 6,000 children and families and cover 82 percent of the state. The new funding will assist in providing statewide coverage so that every child and family would have a CAC within a one-hour drive.)

Item 347 #3h

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$300,000	NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$63,200,789".

Page 435, line 23, strike the second "\$185,725" and insert "\$485,725".

Explanation:

(This amendment adds \$300,000 the second year from the federal Temporary Assistance to Needy Families block grant for the Virginia Community Action Partnership contract to manage the statewide "Virginia CASH Campaign," the state supported Volunteer Income Tax Assistance program providing outreach, education and tax preparation services for Virginians who may be eligible for both the federal and new state Earned Income Tax Credit (EITC). The local and regional programs are successful at coordinating volunteers to provide access to this vital service, but the current funding level has not been increased since 2010 and programs are struggling to maintain staff and provide assistance for the recently enacted state partially refundable earned income tax credit. The proposed amendment would increase annual funding \$185,725 to a total of \$485,725.)

Committee Approved Amendments to House Bill 1400, as Introduced

Item 347 #4h

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$90,000	NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$62,990,789".

Page 439, line 12, strike the second "\$100,000" and insert "\$190,000".

Explanation:

(This amendment adds \$90,000 from the federal Temporary Assistance to Needy Families (TANF) block grant the second year for the Lighthouse Community Center, which provides housing assistance or other eligible services for individuals transitioning out of the criminal justice system and domestic violence situations. This brings the total appropriation for this organization to \$190,000 the second year.)

Item 350 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	(\$6,105,940)	\$3,035,314	GF

Language:

Page 441, line 26, strike "\$140,956,364" and insert "\$134,850,424".

Page 441, line 26, strike "\$141,920,058" and insert "\$144,955,372".

Explanation:

(This amendment eliminates \$6.1 million from the general fund the first year and adds \$3.0 million from the general fund the second year to more accurately reflect the settlement with the federal government on the repayment of an over issuance of Supplemental Nutrition Assistance Program (SNAP) payments from the fall of 2021. The introduced budget assumed repayment of \$6.1 million in fiscal year 2023. Since that time, a settlement has been reached to (i) repay a portion of the total amount owed, (ii) reinvest a portion of the amount owed in activities to strengthen the accuracy of SNAP payments, and (iii) forgive a portion of the amount owed.)

Item 362.50 #1h

Health and Human Resources	FY22-23	FY23-24	
Opioid Abatement Authority	\$1,416,398	\$13,416,398	NGF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 448, line 16, strike "\$0" and insert "\$1,416,398".

Page 448, line 16, strike "\$3,500,000" and insert "\$16,916,398".

Page 448, after line 27, insert:

"3. a. The Opioid Abatement Authority shall include as an addendum to its annual executive summary required pursuant to § 2.2-2373, Code of Virginia, an update on prior fiscal year activity related to the Commonwealth Opioid Abatement and Remediation Fund (the Fund), established in paragraph H. of Item 63 of this act. Specifically, the addendum shall include an account of any deposits, designations, and expenditures made, along with corresponding performance measures, and other applicable data and information related to the use of Fund settlement proceeds by state agencies.

b. Out of the appropriations provided in this item, \$1,416,398 the first year and \$13,416,398 the second year from nongeneral funds is for disbursement from the Commonwealth Opioid Abatement and Remediation Fund, as established in paragraph H. of Item 63 of this act for purposes identified as follows:

1) \$5,000,000 the second year to the Secretary of Health and Human Resources for use to conduct a campaign aimed at reducing the number of incidents of fentanyl poisoning among youth. Funding may also be used for a landscape analysis, surveys, research, design, and the purchase of media.

2) \$1,416,398 in the first year and \$1,416,398 in the second year to the Department of Behavioral Health and Developmental Services to increase the supply of naloxone available for distribution to community partners.

3) \$7,000,000 the second year to the Department of Health to support costs associated with a statewide fentanyl response strategy."

Explanation:

(This amendment provides nongeneral fund appropriation in each year to designate uses of monies deposited to the Commonwealth Opioid Abatement and Remediation Fund (the Fund). These monies, resulting from settlements, judgements, verdicts, and other court orders relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids are to be used for opioid abatement and remediation. Specifically, this portion of settlement monies represent those directed for state appropriation and not subject to allocation by the Opioid Abatement Authority. This amendment also directs the Authority to provide as an addendum to its requisite annual executive summary, an accounting of all activity related to monies deposited, appropriated, and expended from the Fund.)

Item 370 #1h

Labor

FY22-23

FY23-24

Virginia Employment Commission

(\$100,000,000)

\$0 GF

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 452, line 28, strike "\$812,426,719" and insert "\$712,426,719".

Page 454, strike lines 23 through 24.

Explanation:

(This amendment removes a proposed deposit to the Unemployment Insurance (UI) Trust Fund. Virginia deposited close to \$1.4 billion in federal funds to the UI Trust Fund during the COVID-19 pandemic.)

Item 374 #1h

Natural and Historic Resources

FY22-23

FY23-24

Department of Conservation and
Recreation

\$0

(\$100,000,000) GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$273,552,369".

Page 460, strike lines 45 through 52.

Page 461, line 1, strike "T.1." and insert "S.1."

Page 461, line 21, strike "U" and insert "T".

Explanation:

(This amendment removes the \$100.0 million from the general fund contingent deposit included in the introduced budget for the Resilient Virginia Revolving Loan Fund. This amendment preserves the \$100.0 million general fund deposit in the Fund included in the first year. According to the Department of Conservation and Recreation, when combined with the \$25.0 million nongeneral fund deposit included for the Fund in Chapter 2 of 2022 Special Session I, the total deposit of \$125.0 million is projected to support more than \$200.0 million in project funding provided over a 10 year period.)

Item 374 #2h

Natural and Historic Resources

FY22-23

FY23-24

Department of Conservation and
Recreation

\$0

\$250,000 GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$373,802,369".

Page 460, line 32, strike "\$732,147" and insert "\$982,147".

Page 460, after line 39, insert:

"3. Out of the appropriation in this item, \$250,000 the second year from the general fund is

Committee Approved Amendments to House Bill 1400, as Introduced

provided to the City of Colonial Heights for critical repairs to Lakeview Dam."

Explanation:

(This amendment provides \$250,000 from the general fund in fiscal year 2024 to the City of Colonial Heights to support needed repairs at Lakeview Dam.)

	Item 374 #3h	
Natural and Historic Resources	FY22-23	FY23-24
Department of Conservation and Recreation	\$0	\$1,000,000 GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$374,552,369".

Page 461, after line 25, insert:

"V. Out of the appropriation in this item, \$1,000,000 the second year from the general fund is provided to support the upgrade, development, and continued maintenance of the Conservation Application Suite."

Explanation:

(This amendment provides \$1.0 million from the general fund in fiscal year 2024 for the upgrade and development of the Conservation Application Suite (CAS). CAS is used by the Department for tracking data related to the Virginia Agricultural Cost Share Program.)

	Item 374 #4h	
Natural and Historic Resources	FY22-23	FY23-24
Department of Conservation and Recreation	\$0 0.00	\$593,352 GF 5.00 FTE

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$374,145,721".

Page 460, line 22, strike the second "\$500,000" and insert "\$1,093,352".

Explanation:

(This amendment provides an additional \$593,352 from the general fund the second year and five positions to increase support for the Department of Conservation and Recreation's Natural Heritage Program.)

Item 374 #5h

Committee Approved Amendments to House Bill 1400, as Introduced

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$1,000,000	GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$374,552,369".

Page 461, after line 25, insert:

"V. Out of the appropriation in this item, \$1,000,000 the second year from the general fund is provided to support cyanobacteria mitigation and remediation efforts at Lake Anna."

Explanation:

(This amendment provides \$1.0 million from the general fund in fiscal year 2024 to conduct cyanobacteria mitigation and remediation activities at Lake Anna.)

Item 374 #6h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0 0.00	\$350,000 2.00	GF FTE

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$373,902,369".

Page 461, after line 25, insert:

"V. Out of the appropriation in this item, \$350,000 the second year from the general fund is provided for the Department to establish (i) a position to expedite the training and certification of Soil and Water Conservation District employees to enable them to provide engineering, agronomic, and technical assistance for the preparation of all conservation practices in the Virginia Agricultural Cost share program; and, (ii) a position to expedite the provision of assistance to Soil and Water Conservation Districts with engineering designs for structural practices."

Explanation:

(This amendment provides \$350,000 from the general fund in fiscal year 2024 and two positions to allow the Department of Conservation and Recreation to expedite assistance it provides to Soil and Water Conservation Districts.)

Item 374 #7h

Natural and Historic Resources	FY22-23	FY23-24
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Committee Approved Amendments to House Bill 1400, as Introduced

Department of Conservation and Recreation	\$0 0.00	\$200,000 1.00	GF FTE
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Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$373,752,369".

Page 461, after line 25, insert:

"V. Out of the appropriation in this item, \$200,000 the second year from the general fund is provided for the Department, in cooperation with local Soil and Water Conservation District offices, to create an anti-littering program focusing on educating elementary school children on the problem of littering."

Explanation:

(This amendment provides \$200,000 from the general fund the second year and one position for the Department of Conservation and Recreation to establish an anti-littering educational program focused on educating elementary school children.)

Item 374 #8h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 461, after line 25, insert:

"V. Notwithstanding any other provision of law, the Department shall permit the disbursement of funds allocated for the Virginia Agricultural Cost Share Program (VACS) to be committed and disbursed as cost-share funding in conjunction with the planning and construction of livestock and poultry waste facilities prior to animals being on site if such projects would be otherwise eligible for funding and the applicant has a contract for animals to be placed within the project site within six months of the project's completion."

Explanation:

(This amendment directs the Department of Conservation and Recreation to permit the allocation of VACS funds in conjunction with construction and planning activity for certain specified livestock and poultry waste facilities.)

Item 374 #9h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 461, after line 25, insert:

"V. The Department shall convene a stakeholder group to examine the necessary baselines for funding, training, marketing and resource needs, as well as explore new incentives, to ensure the Commonwealth meets its agricultural water quality obligations under Virginia's Phase III Chesapeake Bay Watershed Implementation Plan. Such review shall also consider the impact on the staffing and technical assistance needs of the Soil and Water Conservation Districts to ensure that staffing requirements do not fluctuate or exceed their annual ability to fully implement and oversee practices with the funding made available. The stakeholder group shall include, at a minimum: three members of the House of Delegates and two members of the Senate, representatives of the Virginia Farm Bureau Federation, the Virginia Association of Soil and Water Conservation Districts, the Virginia Agribusiness Council, the Chesapeake Bay Foundation, the James River Association, the Director of the Department of Conservation and Recreation or his designee, the Secretary of Natural Resources or her designee, and staff from the House Appropriations Committee, the Senate Finance and Appropriations Committee, and the Chesapeake Bay Commission. The General Assembly members shall consist of three members from the Chesapeake Bay Commission and two members from House Appropriations and Senate Finance and Appropriations Committees. The five General Assembly members shall be selected by the Joint Rules Committee. The Department shall report any recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee, the House Agriculture, Chesapeake and Natural Resources Committee and Senate Agriculture, Conservation and Natural Resources Committee no later than December 1, 2023."

Explanation:

(This amendment directs the Department of Conservation and Recreation to convene a work group to examine the necessary baseline funding and other needs for the Commonwealth to meet its agricultural water quality obligations under the Chesapeake Bay Watershed Implementation Plan. The funding need for baseline agricultural water quality programs was studied in 2017 and determined to be \$35 million per year. Since that time, given the agricultural water quality obligations under Virginia's Phase III Chesapeake Bay Watershed Implementation Plan, the program has become larger and more complex than ever, thus leading to the necessity to reinvestigate the baseline program to meet long-term needs.)

	Item 375 #1h	
Natural and Historic Resources	FY22-23	FY23-24
Department of Conservation and Recreation	\$0	\$287,500 GF

Language:

Page 461, line 27, strike "\$93,301,537" and insert "\$93,589,037".

Page 462, line 17, strike the second "\$275,000" and insert "\$562,500".

Committee Approved Amendments to House Bill 1400, as Introduced

Explanation:

(This amendment increases the support for operations and maintenance activities at Breaks Interstate Park by \$287,500 from the general fund in fiscal year 2024.)

Item 375 #2h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$111,334	GF

Language:

Page 461, line 27, strike "\$93,301,537" and insert "\$93,412,871".

Page 464, after line 8, insert:

"T. Included in the amounts for this item is \$111,334 the second year from the general fund to the County of Cumberland to support completion of the Cumberland Courthouse - Bear Creek Lake State Park Connector Trail."

Explanation:

(This amendment provides \$111,334 from the general fund the second year to Cumberland County to support construction of the Cumberland Courthouse - Bear Creek Lake State Park Connector Trail. These funds would provide matching funds for a \$218,000 grant provided by the Virginia Tobacco Region Revitalization Commission.)

Item 375 #3h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$1,000,000	GF

Language:

Page 461, line 27, strike "\$93,301,537" and insert "\$94,301,537".

Page 464, after line 8, insert:

"T. Included in the amounts for this item is \$1,000,000 the second year from the general fund to the County of Henrico to support expansion projects at Lewis Ginter Botanical Garden."

Explanation:

(This amendment provides \$1.0 million from the general fund the second year to Henrico County to support expansion efforts at Lewis Ginter Botanical Garden.)

Item 375 #4h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 464, line 8, strike "the life of its holder" and insert:
"as long as the bearer is a member of the Virginia National Guard."

Explanation:

(This amendment makes a technical change to language included in the introduced budget to reflect the provisions of House Bill 1388, which establishes the passport program in the Code of Virginia.)

Item 378 #1h

Natural and Historic Resources

FY22-23

FY23-24

Department of Environmental Quality

\$0

\$200,000

GF

Language:

Page 465, line 16, strike "\$56,851,232" and insert "\$57,051,232".

Page 467, after line 7, insert:

"M. Out of the amounts appropriated for this item, \$200,000 the second year from the general fund is provided to support a research project to assess the feasibility of capturing and temporarily storing stormwater runoff contained deicer laden water."

Explanation:

(This amendment provides \$200,000 from the general fund the second year to support a research project to field test a method to reduce the amount of salt entering Virginia's surface and groundwater resources from stormwater runoff.)

Item 378 #2h

Natural and Historic Resources

FY22-23

FY23-24

Department of Environmental Quality

\$0

\$450,000

GF

Language:

Page 465, line 16, strike "\$56,851,232" and insert "\$57,301,232".

Page 467, after line 7, insert:

"M. Out of the amounts in this item, \$450,000 the second year from the general fund is provided

Committee Approved Amendments to House Bill 1400, as Introduced

for the Wetland and Stream Replacement Fund."

Explanation:

(This amendment provides \$450,000 from the general fund the second year for the Wetland and Stream Replacement Fund to assist in the implementation and operation of the Wetland and Stream Replacement Fund, including the preparation and submittal of documentation required to obtain approval from the U.S. Army Corps of Engineers to operate the Fund. The Fund would provide an alternative method of satisfying state and federal permitting requirements for mitigating wetland and stream impacts.)

		Item 380 #1h	
Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$10,000,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$232,694,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$10,000,000 the second year from the general fund is provided to the City of Virginia Beach for the design and construction of a regional stormwater management facility."

Explanation:

(This amendment provides \$10.0 million from the general fund in fiscal year 2024 for the city of Virginia Beach to design and construct a regional stormwater management facility. The facility will provide water quality treatment and stormwater management improvements to redirect stormwater to a proposed holding pond. When completed, the project would collect stormwater currently discharged into the Lynnhaven River within the Chesapeake Bay Watershed to redirect such discharges into the Rudee Inlet Watershed, which drains directly into the Atlantic Ocean.)

		Item 380 #2h	
Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$7,000,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$229,694,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$7,000,000 the second year from the general fund is provided to the City of Virginia Beach for stormwater encroachment resilience activities and

Committee Approved Amendments to House Bill 1400, as Introduced

natural space preservation in the Southern Rivers Watershed and Chowan River Basin."

Explanation:

(This amendment provides \$7.0 million from the general fund in fiscal year 2024 to Virginia Beach for a resilience project to address unique wind tide and stormwater encroachment issues in the Southern Rivers Watershed and Chowan River Basin. The Southern Rivers Watershed has significant environmental, ecological, and economic value as it is home to distinctive rural communities, the City's agricultural industry, Back Bay National Wildlife Refuge, False Cape State Park, and two State Waterfowl Management areas.)

Item 380 #3h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$7,556,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$230,250,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$7,556,000 the second year from the general fund is provided to the Town of Chincoteague for sewer improvements."

Explanation:

(This amendment provides \$7.6 million from the general fund the second year for sewer improvements in the Town of Chincoteague.)

Item 380 #4h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$2,000,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$224,694,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$2,000,000 the second year from the general fund is provided to the Town of Middletown for sewer improvements."

Explanation:

(This amendment provides \$2.0 million from the general fund the second year to the Town of Middletown to support a sewer improvement project.)

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Item 380 #5h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$941,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$223,635,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$941,000 the second year from the general fund is provided to the Town of Wachapreague for sewer improvements."

Explanation:

(This amendment provides \$941,000 from the general fund the second year for sewer improvements in the Town of Wachapreague.)

Item 380 #6h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$0	\$10,000,000	GF

Language:

Page 468, line 12, strike "\$222,694,040" and insert "\$232,694,040".

Page 470, after line 30, insert:

"P. Out of the amounts in this item, \$10,000,000 the second year from the general fund is provided for deposit in the Stormwater Local Assistance Fund."

Explanation:

(This amendment provides for the deposit of \$10.0 million from the general fund the second year in the Stormwater Local Assistance Fund.)

Item 380 #7h

Natural and Historic Resources		
Department of Environmental Quality		Language

Language:

Page 470, line 27, after "Station" insert "Service Area".

Explanation:

(This amendment makes a technical change to language included in the introduced budget to

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direct \$5.5 million from the general fund the first year for wastewater upgrades to the Poor Creek Pump Station Service Area.)

Item 380 #8h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Environmental Quality	\$2,000,000	\$0	GF

Language:

Page 468, line 12, strike "\$177,830,033" and insert "\$179,830,033".

Page 470, line 10, strike "\$2,000,000" and insert "\$4,000,000".

Explanation:

(This amendment increases from \$2.0 million from the general fund to \$4.0 million from the general fund the first year amount provided to the Department of Environmental Quality for use in the City of Bristol to continue to address environmental issues related to its landfill.)

Item 386 #1h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$2,000,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$15,347,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in the item, \$2,000,000 the second year from the general fund is provided to the County of Nelson to support the acquisition of land for and development of the Vietnam War and Foreign Conflicts Museum, subject to the condition that an equal or greater amount of non-state matching funds be provided."

Explanation:

(This amendment provides \$2.0 million from the general fund in fiscal year 2024 to be matched by an equal or greater amount of non-state funds in order to acquire land and begin development of the Vietnam War and Foreign Conflicts Museum in Nelson County.)

Item 386 #2h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$307,985	GF

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Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,655,033".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$307,985 the second year from the general fund is provided to the County of Fluvanna for structural repair and stabilization of the historic Fluvanna County Courthouse."

Explanation:

(This amendment provides \$307,985 from the general fund in fiscal year 2024 to Fluvanna County for necessary structural repairs to stabilize the historic Fluvanna County Courthouse building, and make necessary repairs to address life-safety issues. The total estimated cost of completing necessary repairs is \$2.2 million.)

	Item 386 #3h	
Natural and Historic Resources	FY22-23	FY23-24
Department of Historic Resources	\$0	\$350,000 GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,697,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$350,000 the second year from the general fund is provided to the Town of Wytheville for structural rehabilitation of the Haller-Gibboney Rock House Museum."

Explanation:

(This amendment provides \$350,000 from the general fund in fiscal year 2024 to the Town of Wytheville for structural repairs to the Haller-Gibboney Rock House Museum.)

	Item 386 #4h	
Natural and Historic Resources	FY22-23	FY23-24
Department of Historic Resources	\$0	\$141,000 GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,488,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$141,000 the second year from the general fund is provided to the Town of Pocahontas for renovation of Pocahontas Cemetery."

Explanation:

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(This amendment provides \$141,000 the second year from the general fund to the Town of Pocahontas for renovation of Pocahontas Cemetery. The amount would support Phase I of the renovation project, which would address water and erosion control concerns.)

		Item 386 #5h	
Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$500,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,847,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$500,000 the second year from the general fund is provided to the City of Charlottesville for school-based public learning and engagement programs at the Jefferson School African American Heritage Center and the Center for Local Knowledge Programs."

Explanation:

(This amendment provides \$500,000 from the general fund in fiscal year 2024 to the City of Charlottesville for the Jefferson School African American Heritage Center in support of their school-based and public learning and engagement programs and the Center for Local Knowledge Programs.)

		Item 386 #6h	
Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$500,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,847,048".

Page 477, line 5, after "year" insert:

"and \$500,000 the second year".

Explanation:

(This amendment provides \$500,000 from the general fund the second year to the City of Roanoke for improvements at the Virginia Museum of Transportation.)

		Item 386 #7h	
Natural and Historic Resources	FY22-23	FY23-24	

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Department of Historic Resources	\$0	\$100,000	GF
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Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,447,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$100,000 the second year from the general fund to the City of Hopewell to support construction of a welcome center at Weston Manor."

Explanation:

(This amendment provides \$100,000 from the general fund in fiscal year 2024 to the City of Hopewell to support the construction of a welcome center, to include public restrooms and to accommodate events held at Weston Manor.)

Item 386 #8h

Natural and Historic Resources

FY22-23

FY23-24

Department of Historic Resources	\$0	\$200,000	GF
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Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,547,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$200,000 the second year from the general fund is provided to the County of Fairfax to support preservation efforts of the Gum Springs Museum and Cultural Center. As a condition of receiving this amount, the County must provide no less than \$100,000 in local matching funds."

Explanation:

(This amendment provides \$200,000 from the general fund in fiscal year 2024 to Fairfax County to support preservation efforts at the Gum Springs Museum and Cultural Center, contingent upon provision of \$100,000 in matching funds by the County.)

Item 386 #9h

Natural and Historic Resources

FY22-23

FY23-24

Department of Historic Resources	\$0	\$175,000	GF
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Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,522,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$175,000 the second year from the general fund is provided to the County of Greenville for preservation activities at the Greenville County

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Training School."

Explanation:

(This amendment provides \$175,000 from the general fund in fiscal year 2024 for the County of Greenville to support preservation activities undertaken at the Greenville County Training School, a historic Rosenwald school placed on the National Register of Historic Places in 2006.)

Item 386 #10h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$3,750,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$17,097,048".

Page 474, line 17, strike "\$5,250,000" and insert "\$9,000,000".

Page 474, after line 39, insert:

"4. From the amounts in this item, \$3,750,000 the second year shall be granted to the battlefield organization that manages the Shenandoah Valley Battlefields National Historic District in order that they may expeditiously acquire for permanent preservation and public enjoyment up to 75 additional acres of the New Market Battlefield; connect disadvantaged residents to the New Market Battlefield Park via the "History, Health and Wellness" greenway; and begin the documentation, restoration and interpretation of structures on the New Market Battlefield related to the Battlefield's African American history. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia."

Explanation:

(This amendment provides \$3.8 million from the general fund in fiscal year 2024 to support a grant for acquisition and preservation of up to 75 acres of the New Market Battlefield.)

Item 386 #11h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$3,000,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$16,347,048".

Page 474, line 17, strike "\$5,250,000" and insert "\$8,250,000".

Page 474, line 23, strike the second "\$1,500,000" and insert "\$4,500,000".

Explanation:

(This amendment provides an additional \$3.0 million from the general fund in fiscal year 2024

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to the Virginia Battlefield Preservation Fund to support the preservation of lands at the proposed Culpeper Battlefields State Park. The funding reflects the increased cost of preservation due to increasing land values relating to the construction of new data centers and industrial warehouses in Culpeper.)

Item 386 #12h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$150,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,497,048".

Page 474, line 17, strike "\$5,250,000" and insert "\$5,400,000".

Page 474, after line 39, insert:

"4. From the amounts in this item, \$150,000 the second year shall be granted to the battlefield organization that manages the Shenandoah Valley Battlefields National Historic District to create the plans and establish the partnerships necessary to develop, maintain, and operate the historic Augusta County courthouse in the City of Staunton as a visitor center and museum that will promote tourism and feature revolving exhibits related to all of Augusta County's rich and varied history. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia."

Explanation:

(This amendment provides \$150,000 from the general fund the second year to develop plans to operate the historic Augusta County Courthouse in the City of Staunton as a visitor center and museum.)

Item 386 #13h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$500,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,847,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$500,000 the second year from the general fund is provided to the County of Botetourt to support improvements at the Buchanan Theater."

Explanation:

(This amendment provides \$500,000 from the general fund the second year to Botetourt County to support improvements at the Buchanan Theater.)

Item 386 #14h

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$500,000	GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,847,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$500,000 the second year from the general fund is provided to assist in the preservation of archaeological evidence in the area known as Smith's Field in the area around James Fort."

Explanation:

(This amendment provides \$500,000 from the general fund in fiscal year 2024 to assist in the preservation of archaeological evidence in the area known as Smith's Field in the area around James Fort, due to the ongoing threat of tidal flooding, sea level rise, and inundation in the area. The funding would assist Preservation Virginia and Jamestown Rediscovery Foundation to conduct research, catalogue features and artifacts, and care for recovered artifacts.)

Item 388 #1h

Natural and Historic Resources	FY22-23	FY23-24	
Marine Resources Commission	\$0	(\$98,750)	GF

Language:

Page 477, line 47, strike "\$26,646,291" and insert "\$26,547,541".

Page 478, line 21, strike the second "\$148,750" and insert "\$50,000".

Explanation:

(This amendment reduces the second year appropriation for the Potomac Fisheries Commission from \$148,750 to \$50,000 from the general fund, providing the amount required pursuant to the Potomac River Compact, Article VI, § 28.1-1001, Code of Virginia.)

Item 392 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Secretary of Public Safety and Homeland Security	\$0	\$125,000	GF

Language:

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Page 481, line 4, strike "\$723,977" and insert "\$848,977".

Page 481, line 33, strike "D." and insert "C."

Page 481, after line 48, insert:

"D. Out of the amounts appropriated in this item, \$125,000 the second year is provided as a one-time appropriation to support activities required pursuant to House Bill 2175 of the 2023 Session of the General Assembly."

Explanation:

(This amendment provides \$125,000 from the general fund the second year to support the hiring of a consultant to support a review of the adequacy and sustainability of fire services funding in the Commonwealth, pursuant to House Bill 2175.)

Item 395 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Virginia Alcoholic Beverage Control Authority	\$0	\$100,000	NGF

Language:

Page 482, line 32, strike "\$26,841,337" and insert "\$26,941,337".

Page 483, after line 8, insert:

"G. Included in the appropriation for this item is \$100,000 the second year from the Enterprise Fund to support an alcohol education campaign to educate Virginians on recommended consumption rates, binge drinking, and crossover products."

Explanation:

(This amendment provides \$100,000 from the nongeneral fund the second year for ABC to implement a multifaceted alcohol education campaign to educate Virginians aged 21 years old and older on recommended consumption rates, binge drinking, and crossover products. This will include traditional and digital media campaigns as well as training for Virginia ABC licensed retailers and alcohol distributors. Virginia ABC Communications, Education & Prevention, Law Enforcement, and Marketing divisions will develop and design campaign materials and training.)

Item 396 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Virginia Alcoholic Beverage Control Authority	0.00	22.00	FTE

Language:

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Explanation:

(This amendment is technical in nature, and provides an additional 22.00 FTE to the Alcoholic Beverage Control Authority to reflect the conversion of long-term contract and part-time workers to full-time ABC employees.)

		Item 397 #1h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Virginia Cannabis Control Authority	(\$5,200,000)	(\$8,200,000)	GF

Language:

Page 483, line 46, strike "\$8,200,000" and insert "\$3,000,000".
Page 483, line 46, strike "\$11,200,000" and insert "\$3,000,000".
Page 484, line 1, strike "\$8,200,000" and insert "\$3,000,000".
Page 484, line 1, strike "\$11,200,000" and insert "\$3,000,000".
Page 484, line 3, after "Authority." strike remainder of line.
Page 484, strike lines 4 and 5.

Explanation:

(This amendment reduces the appropriation provided to the Cannabis Control Authority by \$5.2 million from the general fund the first year and \$8.2 million from the general fund the second year to reflect anticipated agency activities and expenditures in the 2022-24 Biennium.)

		Item 399 #1h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	(\$242,251)	GF

Language:

Page 484, line 22, strike "\$121,079,369" and insert "\$120,837,118".

Explanation:

(This amendment removes funding included in the introduced budget for the Department of Corrections to fund raises for positions that are currently vacant.)

	Item 400 #1h	
Public Safety and Homeland Security		
Department of Corrections		Language

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Language:

Page 486, line 15, after "5.", insert "a."

Page 486, line 17, after "August 1," strike the remainder of the line, and insert:

"all submittal elements of a Planning Study or its equivalent, and such other essential documents and forms (as may be appropriate to determine building cost summary, costs for upgrades, including, but not limited to, costs for upgrades to doors, windows, HVAC, and security systems, construction, expansion and renovation of existing jail facility; and any".

Page 486, strike lines 18 and 19.

Page 486, after line 27, insert:

"b. The State Board of Local and Regional Jails, in consultation with DGS, shall evaluate and amend, if necessary, its Standards for Planning, Design, Construction, and Reimbursement of Local Correctional Facilities, to enable the Board to collect detailed data necessary for DGS to conduct a cost review of projects approved by the Board."

Explanation:

(This language-only amendment makes technical changes to provisions added during the 2022 General Assembly that require the Department of General Services to review capital projects for local or regional jails to which the state contributes funding. Specifically, these amendments streamline the processes utilized by the Department and the State Board of Local and Regional Jails to facilitate these reviews.)

			Item 402 #1h
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	(\$8,317,554)	GF

Language:

Page 487, line 47, strike "\$886,141,761" and insert "\$877,824,207".

Explanation:

(This amendment removes funding provided in the introduced budget for the Department of Corrections to provide raises to currently vacant correctional officer positions.)

			Item 402 #2h
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	(\$2,824,270)	GF

Language:

Page 487, line 47, strike "\$886,141,761" and insert "\$883,317,491".

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Explanation:

(This amendment removes funding included in the introduced budget for the Department of Corrections to increase payments for the private operation of Lawrenceville Correctional Center.)

		Item 404 #1h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	\$16,000,531	GF

Language:

Page 490, line 55, strike "\$193,277,270" and insert "\$209,277,801".

Page 494, line 6, strike "\$550,000" and insert "\$16,550,531".

Page 494, strike lines 11 through 25.

Page 494, after line 10, insert:

- "1. House Bill 1478 -- \$437,679
2. House Bill 1523 -- \$50,000
3. House Bill 1572 -- \$50,000
4. House Bill 1636 -- \$50,000
5. House Bill 1642 -- \$255,020
6. House Bill 1673 -- \$50,000
7. House Bill 1682 -- \$50,000
8. House Bill 1699 - \$50,000
9. House Bill 1795 -- \$50,000
10. House Bill 1885 -- \$14,659,486
11. House Bill 1892 -- \$50,000
12. House Bill 1897 -- \$50,000
13. House Bill 1931 -- \$50,000
14. House Bill 1954 -- \$50,000
15. House Bill 1961 -- \$50,000
16. House Bill 1973 -- \$50,000
17. House Bill 2013 -- \$50,000
18. House Bill 2024 -- \$50,000
19. House Bill 2132 -- \$50,000
20. House Bill 2166 -- \$50,000
21. House Bill 2167 -- \$50,000
22. House Bill 2208 -- \$50,000
23. House Bill 2294 -- \$50,000
24. House Bill 2360 -- \$48,346
25. House Bill 2372 -- \$50,000
26. House Bill 2384 -- \$50,000

27. House Bill 2398 -- \$50,000"

Explanation:

(This amendment provides \$16.6 million from the general fund for the required deposit to the Corrections Special Reserve Fund, pursuant to § 30-19.1:4, Code of Virginia, to reflect the estimated bedspace impact of House Bills affecting criminal sentencing adopted during the 2023 Session of the General Assembly.)

Item 408 #1h

Public Safety and Homeland Security

Department of Criminal Justice Services

Language

Language:

Page 502, line 54, strike "but not be limited to".

Page 502, line 55, after "insurance" insert:

"and ineligible for payments from the Virginia Criminal Injuries Compensation Fund".

Page 503, line 2, after "designee." insert:

"The Department shall only expend interest earned on the deposit made pursuant to paragraph 2 of this subsection and invested pursuant to paragraph 4 of this subsection, and such revenue from interest earned shall be available to the Department for expenditure beginning one year after funds are invested. The Department shall develop processes and procedures for vetting, processing and administering claims submitted by eligible victims."

Page 503, after line 4, insert:

"3.a. For the purposes of subsection T of this item, "mass violence" is defined as an intentional violent crime that results in physical, emotional, or psychological injury to a sufficiently large number of people and significantly increases the burden of victim assistance and compensation for the responding jurisdiction, as determined by the Director of the Department of Criminal Justice Services.

b. For the purposes of subsection T of this item, "victims" are defined as grandparents, parents, split parents, guardians, siblings, spouses of the deceased, those physically injured, and those physically present and witnessing a mass violence event.

4.a. The Department shall have the full power to invest, reinvest, and manage any assets of the Mass Violence Care Fund designated by the Director for investment, reinvestment, or management. The Department shall maintain a separate accounting for the assets of the Mass Violence Care Fund. The Department shall request a distribution from the Fund no more frequently than annually, and the Department shall designate funds for investment no more frequently than annually.

b. The Department shall invest the assets of the Fund with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity

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and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. The Department shall also diversify such investments so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.

c. No person employed by the Department of Criminal Justice Services or member of any advisory committee of the Retirement System or any of its tax exempt subsidiary corporations whose actions are within the standard of care in the preceding paragraph of this subsection shall be held personally liable for losses suffered by the Retirement System on investments made under the authority of this section.

d. The provisions of §§ 51.1-124.32 through 51.1-124.35, Code of Virginia, shall apply to the Board's activities with respect to funds in the Mass Violence Care Fund.

e. The Department may recover from the annual distributions from the Fund a reasonable administrative fee for its services.

f. The Department may designate any amount from the Mass Violence Care Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System. The State Treasurer is not liable for losses suffered by the Virginia Retirement System on investments made under the authority of this section."

Explanation:

(This amendment provides language establishing additional requirements for the Virginia Mass Violence Care Fund.)

	Item 408 #2h	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$800,000 GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,413,367".

Page 503, after line 4, insert:

"U. Included in the appropriation for this item is \$800,000 the second year from the general fund to support implementation of the Wholeness Social Support Initiative."

Explanation:

(This amendment provides \$800,000 from the general fund the second year to support the Wholeness Social Support Initiative, a hospital-based violence intervention program provided by the Norfolk based non-profit The Urban Renewal Center. The Wholeness Social Support Initiative has support from Sentara Norfolk General Hospital Chief Medical Officer Michael Hooper and Trauma Program Manager, Valerie Mitchell. This initiative also has support from

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other local community stakeholders including Norfolk State University, United Way of South Hampton Roads, and Eastern Virginia Medical School.)

Item 408 #3h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$1,235,422	GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,848,789".

Page 497, line 52, strike the second "\$5,692,738" and insert "\$6,928,160".

Explanation:

(This amendment provides an additional \$1.2 million from the general fund the second year for Virginia Crime-Victim Witness Fund.)

Item 408 #4h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$8,000,000	GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$221,613,367".

Page 499, line 16, strike the second "\$27,200,000" and insert "\$35,200,000".

Page 499, line 22, after "year" insert "and second year".

Explanation:

(This amendment provides an additional \$8.0 million from the general fund the second year for the School Resource Officer Incentive Grant program to support the establishment of additional school resource and school security officer positions, as well as to support the provisions of House Bill 1691, which would allow for grants to be provided to local law enforcement agencies and school divisions for the costs of training, programming, and equipment for school resource officers and school security officers.)

Item 408 #5h

Public Safety and Homeland Security	FY22-23	FY23-24	
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Department of Criminal Justice Services	\$0	\$1,001,074	GF
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Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,614,441".

Page 497, after line 51, insert:

"d. Notwithstanding B.1.c. of this item, \$1,001,074 the second year from the general fund is provided for the Regional Criminal Justice Academies."

Explanation:

(This amendment provides an additional \$1.0 million the second year from the general fund for regional criminal justice training academies.)

Item 419 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Fire Programs	\$0	\$125,000	GF
	0.00	1.00	FTE

Language:

Page 510, line 51, strike "\$10,899,622" and insert "\$11,024,622".

Explanation:

(This amendment provides \$125,000 from the general fund the second year to support the provision of House Bill 2023, which would require the Department of Fire Programs to provide a training program on the risks of electric vehicle fires.)

Item 422 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Forensic Science	\$0	\$106,638	GF
	0.00	1.00	FTE

Language:

Page 512, line 3, strike "\$58,954,884" and insert "\$59,061,522".

Explanation:

(This amendment provides \$106,638 from the general fund the second year and one position pursuant to House Bill 2384, which would authorize law enforcement officers to assist in the identification of drug impaired drivers through the use of oral fluid drug tests.)

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Item 422 #2h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Forensic Science	\$0 0.00	\$127,174 1.00	GF FTE

Language:

Page 512, line 3, strike "\$58,954,884" and insert "\$59,082,058".

Explanation:

(This amendment provides \$127,174 from the general fund the second year and one position to the Department of Forensic Science pursuant to the provisions of House Bill 2150, which would provide for the collection, retention, and storage of a trace evidence collection kit collected as part of a forensic medical examination of a victim of strangulation.)

Item 427 #1h

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Juvenile Justice	\$0	(\$2,927,069)	GF

Language:

Page 515, line 54, strike "\$65,671,931" and insert "\$62,744,862".

Page 517, line 15, after "D." insert "1."

Page 517, line 15, strike "\$3,691,908" and insert "\$764,839".

Page 517, line 16, after "Center" insert ".".

Page 517, strike line 17.

Page 517, strike line 18.

Page 517, line 19, strike "committed to the Department."

Page 517, after line 21, insert:

"2. The Department shall assess the impacts of revisions to its length of stay guidelines adopted by the Board of Juvenile Justice at its November 9, 2022 meeting. Such assessment shall identify the future bed space capacity needs of the Department, as well as related needs for additional treatment, rehabilitation, and re-entry services to be provided to juveniles committed to the Department. In its assessment, the Department shall consider various alternative approaches to meeting its anticipated operating needs, to include but not be limited to, additional staffing, construction or renovation of juvenile correctional center space, lease and operation of facilities operated as juvenile detention centers, and changes in the utilization of existing Department programs to include the Community Placement Program. The Department shall provide its assessment and recommendations to the Governor and Chairs of the House Public Safety and Appropriations Committees, and Senate Judiciary and Finance and Appropriations Committees no later than October 1, 2023."

Committee Approved Amendments to House Bill 1400, as Introduced

Explanation:

(This amendment removes \$2.9 million from the general fund the second year included in the introduced budget for the Department of Juvenile Justice to directly staff and operate 30 beds in space leased from local juvenile detention centers, and includes language requiring the Department to provide an assessment of the impacts of changes to its length of stay guidelines on its needs for treatment, program, and bed space capacity.)

		Item 429 #1h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of State Police	\$0	\$62,553	GF

Language:

Page 518, line 10, strike "\$110,659,892" and insert "\$110,722,445".

Explanation:

(This amendment provides \$62,553 from the general fund the second year for a wage position and equipment to implement the provisions of House Bill 2129, which would expand the ages at and conditions in which juveniles may provide testimony via two-way closed-circuit television.)

		Item 429 #2h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of State Police	\$0	\$166,760	GF
	0.00	2.00	FTE

Language:

Page 518, line 10, strike "\$110,659,892" and insert "\$110,826,652".

Explanation:

(This amendment provides \$167,000 from the general fund the second year and two positions pursuant to House Bill 1525.)

		Item 430 #1h	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of State Police	\$0	\$5,000,000	GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 520, line 32, strike "\$355,174,550" and insert "\$360,174,550".

Page 522, after line 48, insert:

"U. Included in this appropriation is \$5,000,000 the second year from the general fund to support operations of the Witness Protection Program, consistent with the provision of § 52-35, Code of Virginia."

Explanation:

(This amendment provides \$5.0 million from the general fund the second year for State Police to operate a Witness Protection Program.)

Item 431 #1h

Public Safety and Homeland Security

FY22-23

FY23-24

Department of State Police

\$0

\$1,891,234

GF

0.00

8.00

FTE

Language:

Page 522, line 50, strike "\$36,948,597" and insert "\$38,839,831".

Page 524, after line 5, insert:

"F. Included in the appropriation for this item is \$1,891,234 the second year from the general fund to support eight positions for the Department to provide expanded impaired driving training for state and local law enforcement officers, to include Drug Recognition Expert (DRE), Advanced Roadside Impaired Driving Enforcement (ARIDE), and Standardized Field Sobriety Test (SFST) training.)

Explanation:

(This amendment provides \$1.8 million from the general fund in fiscal year 2024 and eight positions for the Department of State Police to expand the impaired driving training it provides to state and local law enforcement agencies. This is a recommendation of the Virginia State Crime Commission.)

Item 434 #1h

Transportation

Secretary of Transportation

Language

Language:

Page 529, after line 13, insert:

"M. The Secretary of Transportation shall conduct a work group to review the laws, regulations and policies of how VDOT determines Disadvantaged Business Enterprise (DBE) usage on specific projects with the goal of increasing DBE participation state-wide. The group shall

Committee Approved Amendments to House Bill 1400, as Introduced

include: the VDOT Commissioner, VDOT Division Administrator for Civil Rights, Director Virginia Department of Small Business and Supplier Diversity, Virginia Transportation DBE Association, Virginia Transportation Construction Alliance, Old Dominion Highway Contractors, Heavy Construction Contractors Association, American Council of Engineering Companies of Virginia, the Virginia Transit Association and other industry groups and interested parties. The work group shall present legislative, regulatory or policy changes to the Governor's Office and Chairs of the House and Senate Transportation Committees by September 1, 2023."

Explanation:

(This amendment creates a workgroup to review the VDOT's contracting policies with the intent of increasing the participation of Disadvantaged Business Enterprise business' in VDOT construction and maintenance projects.)

Item 440 #1h

Transportation

Department of Motor Vehicles

Language

Language:

Page 533, line 21, after "O." insert "1."

Page 533, line 22, strike "is authorized to" and insert:

"and the staff of the House Appropriations Committee and the Senate Finance and Appropriations Committee shall".

Page 533, line 26, after "kiosks;" strike "and".

Page 533, line 26, after "(v)" insert:

"examining the ability for an umbrella of state agencies and local governments to benefit in tandem with DMV, and (vi)".

Page 533, after line 29, insert:

"P. In conjunction with the Request for Information, the Commissioner shall establish a workgroup to study how other states have improved the accessibility and online transaction rates of their digital DMV portals, and more efficiently invested or saved costs associated with in-house IT overhead. The workgroup shall determine several methods for moving more citizens to online transactions rather than in-person DMV visits, to include utilizing multi-source technology currently available from industry experts in use in other states, and to examine the ability for an umbrella of state agencies and local governments to benefit in tandem with the DMV. The workgroup shall consist of seven (7) members appointed by the Secretary of the Administration, the Secretary of Transportation, the Commissioner, the Chair of the House Transportation Committee, the Chair of the Senate Transportation Committee, the Chair of House Appropriations Committee, and the Chair of the Senate Finance and Appropriation Committee, and shall complete its work by August 20, 2023."

Committee Approved Amendments to House Bill 1400, as Introduced

Explanation:

(This amendment modifies language included in Chapter 2 to require the DMV to issue a request for information (RFI) to evaluate the ability to update their web portal and services. The current language states the issuance of the RFI is optional.)

	Item 451 #1h	
Transportation	FY22-23	FY23-24
Department of Transportation	\$0	\$50,000 GF

Language:

Page 537, line 49, strike "\$143,155,722" and insert "\$143,205,722".

Page 538, line 11, after "Investment" insert:

"and \$50,000 from the general fund the second year".

Page 538, line 12, strike "in January, 2023".

Explanation:

(This amendment provides \$50,000 from the general fund in fiscal year 2024 to support the seventh annual Mobility Talks International Conference that is being held in Washington DC on January 18 of 2024. The MTI brings together government and industry leaders to promote best practices related to autonomous vehicles.)

Item 452 #1h

Transportation

Department of Transportation

Language

Language:

Page 540, after line 44 insert:

"3. Out of the amounts appropriated for the State Trails Office included in this paragraph, and funding carried forward from the 2020-22 biennium, allocations shall be provided as follows:

a. Up to \$35 million shall be allocated to the Shenandoah Valley Rail Trail for the purposes of land acquisition, initial planning, and site development.

b. \$12.5 million shall be allocated for the Craig Valley Trail.

c. \$1.25 million shall be allocated for the Peaks to Creeks Trail.

d. \$1.25 million shall be allocated to the Tobacco Heritage Trail.

e. \$4.0 million shall be allocated to the Eastern Shore Rail Trail.

Committee Approved Amendments to House Bill 1400, as Introduced

f. Any remaining funding provided for trails shall be allocated by the Commonwealth Transportation Board to the trails listed above, as needed, the Fall Line Trail, or any other trail that has applied for funding that meets the criteria set out in subparagraph 1. above."

Explanation:

(This amendment allocates the funding that has been appropriated to for multi-use trails.)

		Item 452 #2h	
Transportation		FY22-23	FY23-24
Department of Transportation		\$0	(\$500,000) GF
		\$0	\$500,000 NGF

Language:

Page 541, line 5, strike "general fund" and insert:
"Commonwealth Transportation Funds".

Page 541, line 6, before "study" insert:
"contract with an independent vendor to".

Page 541, line 7, after "corridor." insert:
"The Department shall report the studies findings to the Governor, the Chairs of the House and Senate Committees on Transportation, the House Committee on Appropriations, and the Senate Committee on Finance and Appropriations, no later than December 15, 2023."

Explanation:

(This amendment replaces the \$500,000 from the general fund included in the introduced budget to support a study on the use of a public private partnership to advance the completion of the of I-81 corridor expansion with Commonwealth Transportation Funds.)

		Item 452 #3h	
Transportation		FY22-23	FY23-24
Department of Transportation		\$0	\$150,000,000 GF

Language:

Page 538, line 40, strike "\$4,118,888,937" and insert "\$4,268,888,937".

Page 541, after line 28, insert:

"S. Included in this item, \$150,000,000 from the general fund in the second year is provided to support the project to widen Interstate 81 between exit 143 and exit 150."

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment provides \$150.0 million from the general fund in fiscal year 2024 to support the widening of I-81 to three lanes between exit 143 and exit 150 in Roanoke and Botetourt county.)

Item 453 #1h

Transportation

Department of Transportation

Language

Language:

Page 542, after line 5, insert:

"F. The Department of Transportation (VDOT) shall conduct an independent analysis of projected travel demand impacts on the I-95/Arthur Ashe Boulevard interchange, including projected residential development at the interchange itself, nearby institutional development by Virginia Commonwealth University, and residential and commercial development served by Arthur Ashe Boulevard from Broad Street to the interchange itself. VDOT shall identify conceptual improvements necessary to maintain appropriate levels of service on the interchange itself, as well as the safe movement of pedestrians, bicyclists, and motor vehicles through the interchange area. VDOT shall provide a report to the Secretary of Transportation and the Chairs of the House and Senate Committees on Transportation no later than December 15, 2023."

Explanation:

(This amendment requires VDOT to conduct an independent analysis of projected traffic demand and the current infrastructure in and around the I-95/Arthur Ashe Boulevard interchange.)

Item 453 #2h

Transportation

Department of Transportation

Language

Language:

Page 542, after line 5, insert:

"F. The Commissioner of Highways (Commissioner) shall evaluate whether roadways operating under the Virginia Highway Corporation Act of 1988 (HCA) would serve the public interest if operated under the Public-Private Transportation Act of 1995 (PPTA). If the Commissioner determines that a roadway operating under the HCA would serve the public interest by operating under the PPTA, the Commissioner shall negotiate the key business terms of a new comprehensive agreement for operation under the PPTA and present them to the Transportation Public-Private Steering Committee. The key business terms shall provide toll rate reductions and distance-based tolling and shall not include any Commonwealth contribution or assumption

of debt by the Commonwealth. If the Commissioner, Secretary of Transportation, and the Transportation Public-Private Steering Committee each concur that it is in the public interest for a roadway operating under the HCA to operate under the PPTA in accordance with the negotiated key business terms, the Commissioner is authorized to finalize and execute a new comprehensive agreement between the roadway operator and the Department of Transportation to authorize the projects operation under the PPTA."

Explanation:

(This amendment authorizes the Commissioner to evaluate whether the contract for the Dulles Greenway should be converted to a PPTA contract.)

Item 458 #1h

Transportation

Department of Transportation

Language

Language:

Page 548, after line 19, insert:

"N. The Commissioner of Highways shall perform an evaluation and provide a report (i) assessing the condition of the existing portion of the Powhite Parkway (Route 76) located in Chesterfield County and now operated by the Commonwealth and whether tolls should be maintained after all debt undertaken for its construction is retired, in order to facilitate maintenance of the existing facility; and (ii) identifying, in consultation with Chesterfield County and the Virginia Economic Development Partnership, alternative scenarios for the future extension of the route to support economic development opportunities, taking into consideration long-term plans of the County, to include potential financing options. As part of the identification of alternative scenarios, the Commissioner, in collaboration with Chesterfield County, will identify strategies regarding the administration (including permitting and design), construction, ownership, and operations, including long-term maintenance, of the Powhite Parkway Extension project. The Commissioner shall provide the report to the Secretary of Transportation and the Chairs of the House and Senate Committees on Transportation, the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations, no later than December 15, 2023."

Explanation:

(This amendment requires the VDOT Commissioner to assess the current condition of the Powhite Parkway Extension and provide a report on it how it will be maintained after the current debt is retired and future opportunities for its expansion to enhance industrial site development in Chesterfield County.)

Item 458 #2h

Transportation

Department of Transportation

Language

Language:

Page 548, after line 19, insert:

N. Notwithstanding any other provision of law, the Virginia Department of Transportation (VDOT) is hereby authorized to convey, to the Town of Gordonsville, approximately 2.479 acres of the VDOT Gordonsville Area Headquarters, (which is more specifically described as being that property containing 16.0607 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from H. Watkins Ellerson, III, Trustee, dated October 4, 1988, recorded November 9, 1988, in the Clerk's Office of the Circuit Court of Orange County, Virginia, in Deed Book 417, page 0774), as mutually agreed to by the parties. In sole consideration for the conveyance, the Town of Gordonsville shall, within 120 days of the conveyance and at no cost to VDOT, relocate or cause to be relocated, using its own forces or a contractor, the VDOT security fence currently located on the Gordonsville Area Headquarters boundary line to the new property boundary line established pursuant to the conveyance contemplated hereunder, with said fence being owned and maintained by VDOT thereafter. The Town of Gordonsville shall ensure that all work performed and materials utilized in relocating the boundary line fence shall conform to VDOT specifications. The conveyance and all documentation pursuant thereto shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance."

Explanation:

(This amendment authorizes VDOT to convey 2.5 acres of land to the town of Gordonsville.)

Item 458 #3h

Transportation

Department of Transportation

Language

Language:

Page 548, after line 19, insert:

"N. The Department shall provide administrative and technical support as needed to support the Virginia Coalfields Expressway Authority's efforts to identify and apply for matching grants needed to fund the completion of the Coalfields Expressway."

Explanation:

(This amendment includes language requiring VDOT to provide administrative support to the Coalfields Expressway Authority in Southwest Virginia to support their efforts to apply for federal grants to aid in funding the completion of the Coalfields Expressway.)

Item 458 #4h

Transportation

Department of Transportation

Language

Language:

Page 548, after line 19, insert:

"N. The Department shall work with stakeholders in an effort to increase awareness and participation in the Integrated Directional Signing Program with regards to electric vehicle charging stations."

Explanation:

(This amendment requires VDOT to work with stakeholders to promote the usage of IDSP signs near exits to inform drivers regarding the availability and location of electric charging stations.)

Item 465 #1h

Transportation

FY22-23

FY23-24

Virginia Port Authority

\$5,000,000

\$0 GF

Language:

Page 552, line 18, strike "\$11,612,325" and insert "\$16,612,325".

Page 552, after line 51, insert:

"D. Included in this appropriation is \$5,000,000 from the general fund in the first year to fund a pilot municipal dredge program operated by the Middle Peninsula Chesapeake Bay Public Access Authority for the dredging of shovel-ready projects, to be distributed by the Virginia Port Authority upon approval of a Municipal Dredging Operating Program and a Municipal Dredging Operating Agreement. Funding for this program is designated for shovel-ready shallow-draft dredging projects in localities identified in Chapter 66 of the Code of Virginia, or through the development of operating agreements between the Middle Peninsula Chesapeake Bay Public Access Authority and the Eastern Shore Water Access Authority or the Northern Neck Public Access Authority."

Explanation:

(This amendment reflects the transfer of \$5.0 million from the general fund in one-time funding for dredging projects from the capital budget in Chapter 2, to the operating budget. A companion amendment under Item C-66.1 strikes the funding under capital.)

Item 483 #1h

Committee Approved Amendments to House Bill 1400, as Introduced

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$7,582,000	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$831,281,360".

Page 567, after line 37, insert:

"6. Out of the appropriation for this item, amounts estimated at \$7,582,000 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph."

Explanation:

(This amendment provides \$7.6 million from the general fund in fiscal year 2024 pursuant to the passage of House Bill 2314 which provides a cost of living adjustment for the monthly retiree health care credit benefit for state employees who retire with at least 30 years of service.)

Item 483 #2h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$65,525,956)	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$758,173,404".

Page 566, line 48, strike "\$13,807,183" and insert "\$15,407,183".

Page 571, line 12, strike "\$390,105,610" and insert "\$474,595,971".

Page 571, line 18, strike "five" and insert "7.0".

Page 572, line 12, strike "five" and insert "5.0".

Page 572, line 12, after "2022 and" insert "7.0 percent".

Page 572, line 30, after "additional" strike "five" and insert "7.0".

Page 572, line 40, strike "five" and insert "7.0".

Page 573, line 2, strike "\$113,435,166" and insert "\$137,965,117".

Page 573, line 4, strike "\$14,740,641" and insert "\$17,760,662".

Page 573, line 6, strike "five" and insert "7.0".

Page 573, line 9, strike "\$5,304,518" and insert "\$6,391,300".

Page 573, line 11, strike "five" and insert "7.0".

Page 574, strike lines 4 through 52 and insert:

"AA.1. In addition to the amounts provided for compensation actions authorized in this item, \$21,122,590 from the general fund in the second year shall be transferred to executive branch agencies, institutions of higher education, legislative branch agencies and judicial branch agencies based on the general fund allocations that would be provided to these agencies for an additional 0.5 percent salary increase. The funding provided in this paragraph shall be available

Committee Approved Amendments to House Bill 1400, as Introduced

at the discretion of each agency to support compensation actions for full-time salaried employees to address turnover, vacancies, and compression issues or to acknowledge exceptional work performance. These actions may include salary increases, retention or high performance bonuses and sign-on bonuses.

2. For executive branch agencies and institutions of higher education the compensation actions effectuated based on the provisions of this paragraph must be in compliance with the compensation policies set out in policy 3.05 by the Department of Human Resource Management.

3. Agencies which rely on nongeneral funds for employee compensation, including independent agencies, are authorized to provide up to 0.5 percent of their nongeneral fund salary base for the compensation actions authorized in this paragraph.

4. The salary actions authorized in this paragraph shall not be provided to any employee whose salary is expressly stated in this act.

5. Executive branch agencies shall provide a report to the Department of Human Resource Management by December 1, 2023 detailing the compensation actions effectuated based on the funding provided in this paragraph."

Explanation:

(This amendment redirects \$199.8 million included in the introduced budget for bonuses. \$113.1 million of this from general fund funding is provided to increase the fiscal year 2024 salary increase for state employees, and state supported local employees from five percent to seven percent. \$21.1 million is provided to the allocations to implement targeted pay actions as needed. The remaining \$65.2 million captured in this amendment is redirected to higher education to support the tuition moderation amendment.)

Item 483 #3h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$750,000	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$824,449,360".

Page 567, after line 37, insert:

"6. Notwithstanding the language in subparagraph 4. above, the appropriation for this item includes \$750,000 the second year, from the general fund shall be provided to support the increased costs for retiree health care credits for Constitutional Officers pursuant to the passage of House Bill 1789 of the 2023 General Assembly Session."

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment provides \$750,000 from the general fund in fiscal year 2024 pursuant to the passage of House Bill 1789 which provides a cost of living adjustment for the monthly retiree health care credit benefit for constitutional officers and their employees who retire with at least 30 years of service.)

Item 483 #4h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$20,000,000	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$843,699,360".
Page 573, line 34, strike "\$55,100,000," and insert "\$75,100,000".
Page 573, line 39, strike "\$52,800,000" and insert "\$72,700,000".
Page 573, line 41, strike "\$1,576,017" and insert "\$1,676,017".

Explanation:

(This amendment provides \$20.0 million from the general fund in fiscal year 2024 to increase the lump sum payments to the VRS for the retiree health care credit from \$55.1 million to \$75.1 million.)

Item 484 #1h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$500,000	GF

Language:

Page 574, line 55, strike "\$50,742,609" and insert "\$51,242,609".
Page 576, after line 17, insert:
"The Director, Department of Planning and Budget, is authorized to transfer from this item up to \$500,000 in the second year from the general fund, to the Office of the Lieutenant Governor for additional security needs."

Explanation:

(This amendment implements a net-zero general fund transfer in the second year of funding provided for security costs in the Office of the Lieutenant Governor. A companion amendment to Item 60 removes an equal appropriation for transfer to central accounts.)

Item 484 #2h

Committee Approved Amendments to House Bill 1400, as Introduced

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$1,568,034)	GF

Language:

Page 574, line 55, strike "\$50,742,609" and insert "\$49,174,575".
Page 575, line 21, strike "\$35,439,176", and insert "\$33,871,142".

Explanation:

(This amendment reduces general fund in the second year in support of House Bill 1591, which retains a sunset date for the Office of Data Governance and Analytics. Accordingly, this amendment eliminates the general fund share of agency fees paid for a staffing augmentation of this office, which, as provided by House Bill 1591, is set to sunset on July 1, 2024.)

Item 485 #1h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$5,000,000	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$31,448,901".
Page 577, line 7, strike "\$1,500,000 and insert "\$5,000,000.
Page 577, line 10, after "Commonwealth." strike the remainder of the line and insert:
"Such payments shall be made in accordance with guidelines established by the Department of Agriculture and Consumer Services. In developing the guidelines to allocate payments, the Commissioner of the Department of Agriculture and Consumer Services shall consult the representatives of the affected industries."
Page 577, strike lines 11 through 14.

Explanation:

(This amendment provides \$5.0 million from the general fund the second year and makes changes to the animal disease indemnification payment authorization. The language allows for indemnification payments to agricultural producers in the event of an animal disease outbreak, such as avian influenza, based on guidelines developed by VDACS in consultation with the affected industries.)

Item 485 #2h

Central Appropriations	
Central Appropriations	Language

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 579, line 30, after "T." insert "and U."

Page 579, strike lines 31 through 34.

Page 579, line 35, strike "\$300,000,000" and insert "\$148,500,000".

Page 579, strike lines 39 through 48, and insert:

"Priority	Agency	Item
1. Reduction in the top marginal individual income tax rate from 5.75% to 5.5% beginning in taxable year 2024	Department of Taxation	Enactment 22
2. Additional funding for the Virginia Business Ready Sites Acquisition Fund	Economic Development Incentive Payments	Item 113, Par. U.
3. Additional funding for the Virginia Business Ready Sites Program Fund	Economic Development Incentive Payments	Item 113, Par. T.
4. Capital Cost Overruns	Central Capital Outlay	Item C-79.50 Par. A.2.b."

Explanation:

(This amendment updates the contingent spending table in House Bill 1400 to reflect the distribution of these funds.)

	Item 485 #3h	
Central Appropriations	FY22-23	FY23-24
Central Appropriations	\$0	\$1,364,663 GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$27,813,564".

Page 579, line 11, strike "\$5,898,901" and insert "\$7,263,564".

Page 579, line 12, strike "2020" and insert "2024".

Page 579, line 13, strike "\$5,751,593" and insert "\$7,116,256".

Explanation:

(This amendment would increase the amount provided in the introduced budget for reimbursement to localities for 2024 Presidential primary expenditures. The amount in the introduced budget does not reflect increases in the number of registered voters or increases in inflation since 2020.)

Committee Approved Amendments to House Bill 1400, as Introduced

Item 485 #4h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$5,000,000	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$31,448,901".

Page 580, after line 18, insert:

"R.1. Out of this appropriation, \$5,000,000 the second year from the general fund is provided to support costs related to the creation of the Virginia Department of Workforce Development and Advancement. The Director of the Department of Planning and Budget shall release the funds provided in this paragraph to the department on a quarterly basis to cover transition related expenses. Prior to the release of these funds by the Director, the Secretary of Finance shall approve of an estimated quarterly payment schedule based on anticipated transition costs. Any funding remaining at the end of the fiscal year 2024 shall be carried forward into the next fiscal year for the purposes described in this paragraph.

2. The Director of the Department of Workforce Development and Advancement shall report quarterly to the Governor, the Secretary of Labor, the Chief Transformation Officer, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on the timeline and associated activities of the transition of workforce development programs to the department."

Explanation:

(This amendment provides \$5.0 million to cover start-up costs associated with the transition of programs into a new workforce development agency.)

Item 485 #5h

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	(\$2,500,000)	(\$2,500,000)	GF

Language:

Page 576, line 19, strike "\$15,050,000" and insert "\$12,550,000".

Page 576, line 20, strike "\$26,448,901" and insert "\$23,948,901".

Page 578, strike lines 31 through 33.

Page 578, line 37, strike "J.1." and insert "I.1."

Page 578, line 47, strike "K." and insert "J."

Page 578, line 51, strike "L." and insert "K."

Page 579, line 11, strike "M." and insert "L."

Page 579, line 16, strike "N." and insert "M."

Committee Approved Amendments to House Bill 1400, as Introduced

Page 579, line 19, strike "O." and insert "N."

Page 579, line 25, strike "P.1." and insert "O.1."

Page 579, line 51, strike "Q.1." and insert "P.1."

Explanation:

(This amendment transfers funding and language contained in Central Appropriations to the Office of the Secretary of Health and Human Resources related to efforts to facilitate and improve language access. A companion amendment provides the funding and language in Item 293, Office of the Secretary of Health and Human Resources.)

Item 485 #6h

Central Appropriations

Central Appropriations

Language

Language:

Page 579, strike lines 19 through 24, and insert:

"O. Out of this appropriation, \$500,000 the second year from the general fund is provided for the Secretary of Finance in collaboration with Secretary of Commerce and Trade to develop relevant capabilities, conduct planning, and evaluate potential economic development incentives related to the relocation of the Washington Commanders to the Commonwealth of Virginia. Any evaluation of economic development incentives shall include the components required by § 30-310, Code of Virginia with a particular focus on the return on investment to the Commonwealth of such relocation. Any proposed financing of the stadium through entitlements to sales taxes or through personal or corporate income tax incentives or modifications shall include a detailed analysis that illustrates the underlying assumptions on the taxable revenue eligible for recapture, total financing required to build the stadium and its surrounding facilities, and debt payment schedules for any debt to be issued by the Virginia Football Stadium Authority for the purposes of constructing the stadium or its surrounding facilities. Notwithstanding any other provision of law, any package of potential incentives, shall be developed in the best interest of Virginia taxpayers. The Secretary in conducting this review shall do so in cooperation with the members of the MEI Project Approval Commission."

Explanation:

(This amendment updates study language included in the introduced budget related to the relocation of the Washington Commanders to the Commonwealth of Virginia.)

Item 486 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 580, line 44, after "Program" strike remainder of the line and insert "."
Page 580, strike line 45.

Explanation:

(This amendment updates language for the Line Extension Customer Assistance Program, funded with federal funds from the American Rescue Plan Act. A companion amendment at the Department of Housing and Community Development allocates federal funds provided for this program between serving low-to-moderate income households and all households that may need assistance in extending existing broadband networks to their homes.)

Item 486 #2h

Central Appropriations

Central Appropriations

Language

Language:

Page 580, after line 45, insert:

"3) \$650,000 the second year to the Department of Housing and Community Development (165) to be used as match funding for construction of a fiber network for the entirety of an eligible locality and its school divisions in the Crater Planning District Commission or for select subsidized or affordable housing properties in that locality."

Page 581, line 2, strike "\$27,350,000" and insert "\$26,700,000".

Explanation:

(This amendment redirects \$650,000 of federal American Rescue Plan Act funds provided to the City of Petersburg for the demolition of the Ramada Inn last year to the construction of a wireless network or subsidized affordable housing.)

Item 487.50 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 592, at the end of the line, insert:

"Funds not utilized by the end of the first year may be carried forward to the second year for the same purpose."

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This amendment provides that unused funds allocated for the Skilled Trades Grant Program may be carried forward into fiscal year 2024.)

Item 498 #1h

Independent Agencies	FY22-23	FY23-24	
Virginia Retirement System	\$420,000	\$75,000	NGF

Language:

Page 598, line 32, strike "\$19,788,287" and insert "\$20,208,287".

Page 598, line 32, strike "\$19,645,202" and insert "\$19,720,202".

Explanation:

(This amendment provides \$420,000 from the nongeneral fund in fiscal year 2023 and \$75,000 from the nongeneral fund in fiscal year 2024 to fund the administrative impact of House Bill 1630, House Bill 1789, and House Bill 2314 of the 2023 General Assembly Session.)

Item C-0 #1h

General Conditions

General Conditions

Language

Language:

Page 604, strike lines 36 through 43 and insert:

"The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked. *Except for projects specifically authorized or contained in this act, or any preceding Appropriation Act, Projects new project requests submitted to the Governor, in accordance with in* this section, shall be consistent with the guidelines of the Department of General Services, ~~and~~ comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia, *and be subject to review and approval of the Treasury Board pursuant to § 2.2-2416, Code of Virginia, the responsible Cabinet Secretary, the Secretary of Finance, and the Secretary of Administration.* Furthermore, projects in this section shall be submitted for comment to the Six-Year Capital Outlay Plan Advisory Committee, established under § 2.2-1516, Code of Virginia."

Explanation:

(This language-only amendment clarifies that additional administrative authorities required for the use of alternative financing mechanisms do not apply to projects otherwise specifically authorized by the General Assembly in this, or any preceding Appropriation Act.)

Item C-2 #1h

Administration

Department of General Services

Language

Language:

Page 610, line 14, after "A." insert "1."

Page 610, line 15, after "funds", insert:

"and \$4,000,000 in the first year is designated for working drawings".

Page 610, line 18, strike:

"include space to accommodate the expanded Court of Appeals" and insert:

"a project size not to exceed 315,000 gross square feet and no less than 31 secure parking spaces to accommodate the Virginia Supreme Court and the expanded Court of Appeals.

2. Out of the amounts appropriated to this item, \$12,000,000 the first year from the general fund is provided to support costs associated with the demolition and site preparation for the project."

Page 610, strike lines 31 through 35.

Explanation:

(This language-only amendment clarifies the expanded scope authorized by the 2022 General Assembly for a capital project to construct a new Commonwealth Courts Building. The project scope was originally amended in 2022 to correspond with an expansion of the Virginia Court of Appeals; accordingly, this amendment clarifies the intended size and scope of the expansion to comply with capital outlay process requirements. This amendment also includes technical changes.)

Item C-2.50 #1h

Administration

Department of General Services

FY22-23

(\$4,100,000)

FY23-24

\$0 GF

Language:

Page 610, line 48, strike "\$4,100,000" and insert "\$0".

Page 610, strike lines 47 through 51.

Page 611, strike lines 1 through 4.

Explanation:

(This amendment removes general fund proposed in the first year to improve and convey a property in Clarke County.)

Committee Approved Amendments to House Bill 1400, as Introduced

Item C-2.60 #1h

Administration	FY22-23	FY23-24	
Department of General Services	\$0	\$14,842,275	GF

Language:

Page 611, after line 4, insert:

"C-2.60 Improvements: Catawba Hospital	\$0	\$14,842,275
Fund Sources: General	\$0	\$14,842,275 "

Page 611, after line 4, insert:

"There is hereby authorized a capital project to transform Catawba Hospital into a state-of-the-art facility at which to receive a continuum of substance abuse treatment and recovery services, which are to be provided in addition to other behavioral health services currently provided at this facility to geriatric individuals in need of mental health care. Funding allocated by this item is intended for detailed planning for the renovation of the existing Buildings 15 and 17 on the existing facility campus. Any funding provided herein that is in excess of that which is needed for detailed planning costs, shall remain dedicated to this project and shall be utilized for future project costs."

Explanation:

(This amendment provides general fund in the second year for a project to transform Catawba Hospital into a state-of-the-art substance abuse treatment facility. Specifically, this amendment authorizes planning for the renovation of two existing buildings on the Catawba campus, with the dedication of any excess funding towards future project costs. This project is authorized in accordance with House Bill 2192 and the analysis conducted by the Secretary of Health and Human Resources in cooperation with the Department of Behavioral Health and Developmental Services, related to the transformation of the Catawba Hospital campus into a state-of-the-art facility at which a continuum of substance abuse treatment and recovery services, including long-term, short-term, acute, and outpatient services, is provided in addition to the array of behavioral health and other services currently provided to geriatric individuals in need of mental health care. This transformation is to include facilities and programming fostering the growth and development of the Commonwealth's behavioral health workforce, as well as research on behavioral health and substance abuse.)

Item C-6.70 #1h

Education	FY22-23	FY23-24	
The College of William and Mary in Virginia	\$6,200,000	\$0	GF

Committee Approved Amendments to House Bill 1400, as Introduced

Language:

Page 612, line 9, strike "\$8,000,000" and insert "\$14,200,000".

Explanation:

(This amendment provides general fund appropriation in the first year to meet the full project need to renovate the Historic Campus at the College of William and Mary. Specifically, this project will support critical needs such as roof and water infiltration renovations to the university's oldest buildings: the Wren Building, the Brafferton, and the President's House. The provision of these funds in fiscal year 2023 will allow sufficient time for the work to be complete in time for the university's participation in events for the nation's 250th celebration in 2026.)

	Item C-12 #1h	
Education	FY22-23	FY23-24
James Madison University	\$13,500,000	\$0 NGF

Language:

Page 612, line 36, strike "\$66,240,000" and insert "\$79,740,000".

Explanation:

(This amendment provides nongeneral fund appropriation in the first year for James Madison University to infuse additional nongeneral fund dollars into an auxiliary housing construction project. These funds are needed as project costs have escalated from initial estimates due to market volatility, supply chain issues, and other factors.)

	Item C-24.70 #1h	
Education	FY22-23	FY23-24
Virginia Polytechnic Institute and State University	\$0	\$2,952,640 NGF

Language:

Page 615, line 15, strike "\$6,047,360" and insert "\$9,000,000".

Explanation:

(This amendment provides nongeneral fund appropriation in the second year to reflect additional higher education operating revenues going to support planning for a project to expand the Virginia-Tech Carilion School of Medicine and Fralin Biomedical Research Institute.)

Item C-39.10 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

(\$16,900,000)

\$0 GF

Language:

Page 617, line 15, strike "\$16,900,000" and insert "\$0".

Explanation:

(This amendment reflects the transfer of general fund proposed in the first year for an exterior renovation at Eastern State Hospital. A companion amendment to Item C-76 appropriates funds for this purpose and provides language authorizing expansion of the scope of an existing capital project at Eastern State to include this exterior work.)

Item C-42.10 #1h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 618, line 1, before "Out", insert "A."

Page 618, after line 4, insert:

"B. Out of this appropriation, up to \$3,000,000 the first year from the general fund shall be used to replace underground storage tanks at properties owned and operated by the Department."

Explanation:

(This amendment provides language to direct that up to \$3.0 million of existing funding for state park deferred maintenance be used to replace underground storage tanks at properties owned and operated by the Department of Conservation and Recreation. A companion amendment to Item C-48.50 strikes additional funding proposed for this purpose.)

Item C-48.50 #1h

Natural and Historic Resources

FY22-23

FY23-24

Department of Conservation and
Recreation

(\$3,000,000)

\$0 GF

Language:

Committee Approved Amendments to House Bill 1400, as Introduced

Page 618, line 32, strike "\$3,000,000" and insert "\$0".

Page 618, strike lines 31 through 33.

Explanation:

(This amendment removes general fund proposed in the first year for a project to replace underground storage tanks on property owned and operated by the Department of Conservation and Recreation. A companion amendment adds language to Item C-42.10 of this act to direct use of the \$45.0 million provided for parks' deferred maintenance, for this purpose.)

Item C-50 #1h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 618, line 41, after "Clinch River," strike the remainder of the line, and insert: "Southwest Virginia Museum, Machicomoco, Middle Peninsula, Sweet Run, Fairy Stone, False Cape, Staunton River Battlefield, James River, Hungry Mother, and properties for unnamed state parks in Highland County and Culpeper County."

Explanation:

(This language-only amendment expands a provision related to the acquisition of land for state parks to include additional state park properties.)

Item C-51 #1h

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 619, line 2, after "Pickett's Harbor", strike the remainder of the line, and insert: "Crow's Nest, Antioch Pines, Bald Knob, Folly Mills Creek Fen, Camp Branch Wetlands, Mill Creek Springs, Mutton Hunk Fen, Big Spring Bog, Cave Hill, Chub Sandhill, Dundas Granite Flatrock, Grayson Glades, Hickory Hollow, Magothy Bay, Naked Mountain, Sweet Spring Hollow, Mill Creek Springs Natural Area Preserves and new natural area preserves in Augusta, Botetourt, Greensville, Isle of Wight, James City, King and Queen, King William, Lee, Middlesex, Montgomery, Pittsylvania, Prince George, Rockbridge, Rockingham, Scott and Washington Counties."

Page 619, strike line 3.

Explanation:

Committee Approved Amendments to House Bill 1400, as Introduced

(This language-only amendment clarifies provisions by which land can be acquired for use for state-owned Natural Area Preserves.)

Item C-53 #1h

Public Safety and Homeland Security

FY22-23

FY23-24

Department of Corrections

\$0

(\$10,000,000) GF

Language:

Page 620, line 17, strike "\$10,000,000" and insert "\$0".

Page 620, line 20, before "The appropriation", insert "A."

Page 620, after line 26, insert:

"The Department of Corrections is hereby authorized to use \$10,000,000 from the balances of the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia, for costs relative to this item."

Explanation:

(This amendment transfers general fund in the second year to support costs associated with various House Bills that would likely result in measurable costs to the state jail and prison system.)

Item C-56.80 #1h

Transportation

Virginia Commercial Space Flight Authority

Language

Language:

Page 621, line 27, strike "Rocket", and insert:

"Virginia Commercial Space Flight Authority".

Page 621, line 27, strike "Lab".

Explanation:

(This language-only amendment amends the title of a land acquisition project for the Virginia Commercial Space Flight Authority.)

Item C-56.90 #1h

Transportation

FY22-23

FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Virginia Commercial Space Flight Authority	\$0	\$1,000,000	GF
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Language:

Page 621, after line 29, insert:

"C-56.90 - Accomack Regional Hanger (18504)	\$0	\$1,000,000
Fund Sources: General	\$0	\$1,000,000 "

Explanation:

(This amendment provides general fund in the second year as a supplement to a project originally funded and authorized in Item C-61.50 of Chapter 1289, 2020 Acts of Assembly. The supplement is needed to address project cost increases due to market volatility, supply chain delays, and other economic drivers of capital construction cost increases.)

Item C-66.1 #1h

Transportation	FY22-23	FY23-24	
Virginia Port Authority	(\$5,000,000)	\$0	GF

Language:

Page 622, line 40, strike "\$5,000,000" and insert "\$0".
 Page 622, strike lines 40 through 44.

Explanation:

(This amendment transfers existing general fund appropriation provided in the first year from a capital project to the operating budget for the Virginia Port Authority. A companion amendment to appropriate these funds as operating dollars can be found in Item 465 of this act).

Item C-72 #1h

Central Appropriations	FY22-23	FY23-24	
Central Capital Outlay	\$0	\$27,408,619	GF

Language:

Page 624, line 46, strike "\$193,000,000" and insert "\$220,408,619".
 Page 625, line 1, strike "\$193,000,000" and insert "\$220,408,619".
 Page 625, strike lines 4 through 54 and insert:

"Agency Name/Code	Project Code	FY 2023	FY 2024
Department of Military Affairs (123)	10893	\$2,679,641	\$3,932,205

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Department of Emergency Management (127)	15989	\$101,115	\$78,536
The Science Museum of Virginia (146)	13634	\$969,081	\$1,120,161
Department of State Police (156)	10886	\$660,197	\$659,293
Department of General Services (194)	14260	\$18,432,172	\$17,842,953
Department of General Services (194) on behalf of the Fort Monroe Authority	18644	\$4,062,709	\$3,966,260
Department of Conservation and Recreation (199)	16646	\$3,611,508	\$4,367,181
The Library of Virginia (202)	17423	\$186,236	\$172,451
Wilson Workforce and Rehabilitation Center (203)	10885	\$626,193	\$703,267
The College of William and Mary (204)	12713	\$3,707,638	\$5,206,243
University of Virginia (207)	12704	\$15,923,093	\$18,484,600
Virginia Polytechnic Institute and State University (208)	12707	\$17,462,174	\$20,675,168
Virginia Military Institute (211)	12732	\$1,819,682	\$2,038,658
Virginia State University (212)	12733	\$4,608,602	\$7,828,895
Norfolk State University (213)	12724	\$4,304,699	\$7,301,598
Longwood University (214)	12722	\$1,942,384	\$2,047,472
University of Mary Washington (215)	12723	\$2,085,758	\$2,447,837
James Madison University (216)	12718	\$5,012,314	\$5,861,859
Radford University (217)	12731	\$2,359,758	\$2,647,215
Virginia School for the Deaf and the Blind (218)	14082	\$765,047	\$882,933
Old Dominion University (221)	12710	\$4,409,529	\$7,582,731
Virginia Commonwealth University (236)	12708	\$10,983,722	\$14,006,472
Virginia Museum of Fine Arts (238)	13633	\$1,564,889	\$1,804,126
Frontier Culture Museum of Virginia (239)	15045	\$606,690	\$624,000

Committee Approved Amendments to House Bill 1400, as Introduced

Richard Bland College (241)	12716	\$547,238	\$613,062
Christopher Newport University (242)	12719	\$1,704,133	\$2,228,892
University of Virginia's College at Wise (246)	12706	\$781,393	\$3,052,994
George Mason University (247)	12712	\$5,927,380	\$6,176,718
Virginia Community College System (260)	12611	\$18,046,684	\$21,962,262
Virginia Institute of Marine Science (268)	12331	\$846,886	\$3,499,445
Eastern Virginia Medical School (274)	18190	\$2,408,013	\$1,387,149
Department of Agriculture and Consumer Services (301)	12253	\$421,967	\$441,028
Marine Resources Commission (402)	16498	\$102,603	\$85,851
Department of Energy (409)	13096	\$111,725	\$116,288
Department of Forestry (411)	13986	\$1,039,914	\$1,464,542
Gunston Hall (417)	12382	\$175,253	\$168,836
Jamestown-Yorktown Foundation (425)	13605	\$1,687,911	\$3,026,886
Department for the Blind and Vision Impaired (702)	13942	\$399,356	\$422,900
Department of Behavioral Health and Developmental Services (720)	10880	\$8,899,255	\$12,475,669
Department of Juvenile Justice (777)	15081	\$1,351,905	\$1,601,488
Department of Forensic Science (778)	16320	\$590,505	\$645,005
Department of Corrections (799)	10887	\$22,155,192	\$26,876,622
Institute for Advanced Learning and Research (885)	18044	\$335,675	\$260,719
Department of Veterans Services (912)	17073	\$101,115	\$78,536
Roanoke Higher Education Authority (935)	17916	\$406,181	\$436,369
Southern Virginia Higher Education Center (937)	18131	\$306,956	\$238,413
New College Institute (938)	18132	\$306,956	\$238,413

Committee Approved Amendments to House Bill 1400, as Introduced

Virginia Museum of Natural History (942)	14439	\$334,753	\$345,091
Southwest Virginia Higher Education Center (948)	16499	\$326,220	\$283,325
Total		\$178,200,000	\$220,408,619

Page 626, strike lines 1 through 43.

Page 627, line 29, after "H." insert, "1."

Page 627, after line 30, insert:

2. Out of the amounts provided for the Jamestown-Yorktown Foundation in the second year, up to \$1,313,419 is for one-time energy efficiency initiatives, to include upgrades to lighting, recommission controls, and building envelope improvements."

Page 628, line 1, strike "as well".

Page 628, line 2. after "buildings", insert:

"and for improvements to update lighting and repair brick walkways to enhance visitor safety."

Page 628, after line 9, insert:

"N. Out of the amounts provided to the Department of Behavioral Health and Developmental Services, \$2,000,000 the second year is for critical improvements at the Hiram W. Davis Medical Center.

O. Out of the amounts provided in the second year, \$7,500,000 is provided for one-time supplements of \$2,500,000 each to address deferred maintenance reserve backlogs at Virginia State University, Norfolk State University, and Old Dominion University."

Explanation:

(This amendment provides additional general fund to enhance maintenance reserve allocations for state agencies and institutions of higher education to address ongoing deferred maintenance needs. In addition to an infusion of general fund allocated to all entities in accordance with the existing methodology, this amendment also provides one-time allotments in the second year to enhance energy efficiency at facilities owned by the Jamestown-Yorktown Foundation, provide critical improvements at the Hiram W. Davis Medical Center, and an additional \$2.5 million each to Virginia State University, Norfolk State University, and Old Dominion University to address maintenance backlogs.)

Item C-72 #2h

Central Appropriations	FY22-23	FY23-24	
Central Capital Outlay	\$0	(\$5,000,000)	GF

Language:

Page 624, line 46, strike "\$193,000,000" and insert "\$188,000,000".

Page 626, line 27, strike "\$24,857,487" and insert "\$19,857,487".

Committee Approved Amendments to House Bill 1400, as Introduced

Page 628, after line 9, insert:

"N. The Department of Corrections is hereby authorized to use \$5,000,000 from the balances of the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia, for costs relative to this item."

Explanation:

(This amendment transfers general fund in the second year to support costs associated with various House Bills that would likely result in measurable costs to the state jail and prison system.)

		Item C-73 #1h	
Central Appropriations	FY22-23	FY23-24	
Central Capital Outlay	\$0	\$1,900,000	GF

Language:

Page 628, line 11, strike "\$0" and insert "\$1,900,000".

Page 628, after line 45, insert:

"241 Richard Bland College Construct Center for Innovation and Education Development (18337)".

Explanation:

(This amendment provides pool funding for capital equipment to support a current capital project at Richard Bland College, Construct Center for Innovation and Education Development, that is anticipated to be completed within the next 18 months).

		Item C-73.50 #1h	
Central Appropriations	FY22-23	FY23-24	
Central Capital Outlay	\$0	\$7,250,000	GF

Language:

Page 628, line 53, strike "\$0" and insert "\$7,250,000".

Page 629, line 3, strike "This".

Page 629, strike lines 4 and 5.

Page 629, line 6, strike "from the amounts in the".

Page 629, strike lines 6 and 7.

Page 629, after line 13, insert:

Committee Approved Amendments to House Bill 1400, as Introduced

		Market Battlefield State Park
212	Virginia State University	Construct BOLT Leadership Center for Social Responsibility
229	Virginia Cooperative Extension and Agricultural Experiment Station	Improve the Center Woods Complex"

Page 629, line 24, strike "from the Central Capital Planning Fund".

Page 629, strike lines 40 through 43.

Page 629, line 44, strike "I." and insert "H."

Page 630, after line 1, insert:

"J. Out of this appropriation, up to \$250,000 the second year from the general fund is provided to conduct pre-planning for a research facility on the campus of the University of Virginia's College at Wise. In addition to considering a potential facility program and scope, pre-planning efforts shall also evaluate opportunities for a public-private partnership in the development and/or operation of this facility."

Explanation:

(This amendment provides general fund in the second year to initiate planning for three projects at institutions of higher education and one at a state park. Additionally, this amendment removes direction to deposit planning funds into the Central Capital Planning Fund and instead provides for them to be appropriated directly from the planning pool established by this item.)

Item C-76 #1h

Central Appropriations

FY22-23

FY23-24

Central Capital Outlay

\$12,403,000

\$0 GF

Language:

Page 631, line 2, strike "\$165,197,000" and insert "\$177,600,000".

Page 631, line 29, after "B." strike the remainder of line and insert:

"Out of this appropriation, \$15,900,000 the first year from the general fund is provided to supplement the Department of General Services' project to renovate Eastern State Hospital. In addition to the original scope approved for this project, the scope is hereby expanded to also include the hardening of the exterior of Building 1 (Hancock Geriatric Treatment Center), and Building 2 (the Adult Mental Health Treatment Center), to include removal of the existing brick masonry and siding and its replacement with new foundation, sheathing, and exterior material, as well as replacement of patient windows. Should the total cost of this project, either due to its original and/or expanded scope, exceed available capacity of this Item, it shall be eligible for funds from the 2022 Capital Supplement Pool, as set out in Item C-69.60, Chapter 1, 2022

Committee Approved Amendments to House Bill 1400, as Introduced

Special Session 1, and continued in Item C-79.50 of this act."

Page 631, strike lines 30 through 32.

Explanation:

(This amendment provides general fund in the first year and amends the scope of an existing project at Eastern State Hospital. Specifically, it amends the project scope so that it addresses both interior and exterior work needed to ensure maximum security of the facility for patients, staff, and visitors. The funding provided in this amendment is transferred from a companion action that strikes the separate exterior capital project for Eastern State Hospital proposed in Item C-39.50 of this act. By combining the two projects, this amendment expedites the process so that the facility can attain an improved state of safety as soon as possible. This amendment also removes general fund proposed to supplement the original project scope with the understanding that this project, in its original and expanded scope, is eligible for an allocation from the 2022 Capital Supplement Pool.)

		Item C-76.50 #1h	
Central Appropriations	FY22-23	FY23-24	
Central Capital Outlay	(\$2,595,200)	\$48,316,550	GF

Language:

Page 631, line 37, strike "\$19,122,800" and insert "\$16,527,600".

Page 631, line 37, strike "\$0" and insert "\$48,316,550".

Page 631, strike lines 46 and 47.

Page 631, after line 48, insert:

"146	Science Museum of Virginia	Demolish and Repurpose Workers Compensation Building and Site
215	University of Mary Washington	Acquire and Renovate Multi-Use Building
260	Virginia Community College System	Construct a CDL Driving Range at Blue Ridge CC
360	Fort Monroe Authority	Renovate Historic Buildings
885	Institute for Advanced Learning and Research	Expand Center for Manufacturing Advancement".

Explanation:

(This amendment provides general fund in the second year for additional priority projects to be included for construction funding due to life/safety concerns, economic development

Committee Approved Amendments to House Bill 1400, as Introduced

enhancements, and other emergency needs. Additionally, this amendment reflects a transfer of funding in the first year for the replacement of the Andrews Hall Roof at the Virginia Institute of Marine Science, to an accompanying amendment to Item C-72: Maintenance Reserve).

Item C-78 #1h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 632, line 10, before "In addition", insert "A."

Page 632, after line 14, insert:

"B. The project for the Department of General Services, "Provide water infrastructure to state facilities in Nottoway County, Virginia," initially authorized by Item C-67 of Chapter 1289 via the 2020 VPBA Capital Construction Pool, shall be retitled "Provide water infrastructure for Identified State Facilities in Nottoway County, Virginia."

Explanation:

(This amendment makes a language-only correction to a project title in a capital construction pool authorized during the 2020 General Assembly.)

Item C-79.50 #1h

Central Appropriations

FY22-23

FY23-24

Central Capital Outlay

\$0

(\$151,500,000) GF

Language:

Page 632, line 22, strike "\$300,000,000" and insert "\$148,500,000".

Explanation:

(This amendment reduces general fund in the second year to reflect likely supplemental funding needs. Specifically, this amendment reallocates \$150.0 million in the second year proposed for capital supplemental funding to be available for other priority spending needs. Additionally, this amendment removes \$1.5 million in duplicate supplemental funding accounted for by VCBA and VPBA bond transfers proposed in Item C-83.50 of this act.)

Item C-81.50 #1h

Central Appropriations

FY22-23

FY23-24

Committee Approved Amendments to House Bill 1400, as Introduced

Central Capital Outlay

(\$43,305,379)

\$0 GF

Language:

Page 634, line 6, strike "\$43,305,379" and insert "\$0".

Page 634, strike lines 8 through 16, and insert:

"After the Governor has certified that the U.S. Department of Energy has approved a project to establish a high performance data facility at the Thomas Jefferson National Accelerator Facility (Jefferson Lab), the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of \$43,305,379 to the Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC., to construct the infrastructure and a building in support of said high performance data facility. The Secretary of Finance shall issue guidelines on regular reporting required for the use of these funds if the contingency is met."

Explanation:

(This amendment supplants general fund appropriation in the second year with authority for the Department of Planning and Budget to issue short-term, interest-free, treasury loan authorization. As was also required by the original language, the issuance of treasury loans for the construction of a high performance data facility is contingent upon certification that the U.S. Department of Energy has approved the project. Repayment of the treasury loan will be determined by the Governor and General Assembly at a future date when/if the loan issuance is undertaken.)

Item C-82 #1h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 634, strike lines 18 through 41, and insert:

"1. On behalf of the Department of Social Services, to address lease space needs for its headquarters in the greater Richmond area.

2. On behalf of the Department of Motor Vehicles, to address lease space needs for their customer service centers in Charlottesville, Chesapeake, Henrico, Franklin, Shenandoah, Warren, and Virginia Beach.

3. On behalf of the Department of Corrections, to address lease space needs for probation and parole offices in Abingdon, Arlington, Bedford, Bristol, Danville, Fredericksburg, Front Royal, Gloucester, Hampton, Henrico, Harrisonburg, Martinsville, Norfolk, Staunton, Suffolk, and Wytheville.

4. On behalf of the Department of Emergency Management, to address lease space needs for the

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Emergency Operation Center in the greater Richmond area.

5. On behalf of the Department of Historic Resources, to address lease space needs for additional archaeological storage space in the greater Richmond area.

6. On behalf of the Department for Aging and Rehabilitative Services, to address lease space needs for its headquarters in the greater Richmond area.

7. On behalf of the Department for Health, to address lease space needs for its Office of Vital Records in the greater Richmond area.

8. On behalf of the Virginia Department of Emergency Management, to address lease space needs for hazardous materials training classroom, storage, and administrative space in York County."

Explanation:

(This language-only amendment updates provisions related to capital leases to reflect current authorizations for long-term state agency leases administered by the Department of General Services.)

Item 3-1.01 #1h

Transfers

Interfund Transfers

Language

Language:

Page 641, line 6, strike "\$131,382,813" and insert "\$146,382,813".

Page 641, line 6, strike "\$115,960,429" and insert "\$120,660,429".

Explanation:

(This amendment increases the assumed transfer of net profits from the sales of Alcoholic Beverage Control Authority stores by \$15.0 million in fiscal year 2023 and \$4.7 million in fiscal year 2024.)

Item 3-1.01 #2h

Transfers

Interfund Transfers

Language

Language:

Page 646, after line 9, insert:

"MM. On or before June 30, 2023, the State Comptroller shall transfer to the general fund an

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amount estimated at \$1,000,000 from the Virginia Bioscience Health Research Corporation."

Explanation:

(This amendment transfers \$1.0 million in nongeneral funds from the Virginia Bioscience Health Research Corporation (VBHRC) to the general fund. Chapter 56 of the 2020 General Assembly, Special Session I provided \$5.0 million in resources to VBHRC to invest in public-private partnerships to help accelerate the research and development of therapeutic drug treatments for COVID-19. One of these projects with investment totaling \$3.4 million of these nongeneral fund resources was canceled. A companion amendment authorizes VBHRC to use the remaining \$2.4 million for additional investments in bioscience research. This general fund transfer is intended to offset spending under the Department of Agriculture and Consumer Services related to research and commercialization investments in the agricultural technology industry.)

Item 3-1.01 #3h

Transfers

Interfund Transfers

Language

Language:

Page 645, line 42, strike the first "\$500,000" and insert "\$9,999,445".

Explanation:

(This amendment transfers excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund in the first year.)

Item 3-1.01 #4h

Transfers

Interfund Transfers

Language

Language:

Page 646, after line 9, insert:

"MM. On or before June 30, 2023, the State Comptroller shall transfer to the general fund an amount estimated at \$250,000 from the Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program."

Explanation:

(This amendment directs transfer to the general fund in the first year of \$250,000 in nongeneral fund cash balances held by the Commission. These balances derive from offender fees paid for drunk driving violations.)

Item 3-1.01 #5h

Transfers

Interfund Transfers

Language

Language:

Page 646, after line 9, insert:

"MM. On or before June 30, 2023, the State Comptroller shall transfer to the general fund an estimated \$18,934 in nongeneral fund cash balances remaining for two legislative commissions that have concluded and for which remaining funds cannot be otherwise used. Specific amounts to be transferred include: (i) an amount estimated at \$18,745 in balances for defunct agency 867, Virginia Bicentennial of the American War of 1812 Commission, and (ii) an amount estimated at \$189 for defunct agency 872, Virginia World War I and World War II Commemoration Commission."

Explanation:

(This amendment directs transfer to the general fund any remaining balances of two legislative commissions that have concluded.)

Item 3-1.01 #6h

Transfers

Interfund Transfers

Language

Language:

Page 641, line 6, strike "\$115,960,429" and insert "\$115,860,429".

Explanation:

(This amendment reduces the assumed transfer of net profits from the Alcoholic Beverage Control Authority store sales by \$100,000 the second year to reflect spending by the Authority for an alcohol education campaign. A companion amendment to Item 395 appropriates the funds for this campaign.)

Item 3-2.03 #1h

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

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Page 648, line 33, after "unemployment." insert:

"For the purposes of this paragraph, significant increases in unemployment shall mean the unemployment rate is five percent or higher and is one-hundred and twenty percent of the average unemployment rate for the same 13-week period in the two previous years."

Explanation:

(This amendment adds a definition for a significant increase in unemployment to determine the standard by which the Virginia Employment Commission can access a \$30 million line of credit. This is consistent with the U.S. Department of Labor's standard for accessing extended unemployment benefits.)

Item 3-5.21 #1h

Adjustments and Modifications to Tax Collections

Cigarette Tax, Tobacco Products Tax and Tax on Liquid Nicotine

Language

Language:

Page 654, line 17, after "date." insert:

"Notwithstanding any other provision of law, beginning July 1, 2023, the rate of the tobacco products tax upon cigars shall be 10 percent of the manufacturer's sales price of such cigars or \$0.30 per cigar, whichever is less."

Explanation:

(This amendment amends language included in the introduced budget regarding the rate at which Other Tobacco Products are taxed to conform to the provisions of House Bill 1417 as it passed the House.)

Item 3-5.29 #1h

Language

Language:

Page 655, after line 32, insert:

"§ 3.5-29 REAL PROPERTY TAX

A. Virginia Code § 58.1-3295.3 requires fixtures in a data center, when classified as real estate, to be valued by a locality based on the cost approach (cost less depreciation) rather than the income generated. Fixtures in a data center, when classified as real estate, are to be assessed at one-hundred percent fair market value as determined by the cost approach and consistent with § 58.1-3201."

Explanation:

(This amendment clarifies the provisions of § 58.1-3295.3, Code of Virginia related to real property valuations for data center equipment.)

Item 4-2.01 #1h

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 665, after line 48, insert:

"e) The requirements for § 4-2.01 b.2.b), as it pertains to nonresident undergraduate students, are waived for new nonresident undergraduate students enrolled in Data Science and Technology, Science and Engineering, Healthcare, and Education programs at Norfolk State University, Virginia State University and institutions of higher education with a current proportion of nonresident undergraduate enrollment, measured in terms of full-time equivalent, of less than 20 percent."

Explanation:

This amendment provides additional flexibility for Norfolk State University, Virginia State University and institutions with low out-of-state enrollment levels to recruit new out-of-state students into Data Science and Technology, Science and Engineering, Healthcare, and Education programs.)

Item 4-2.01 #2h

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 666, after line 52, insert:

"11. The Boards of Visitors or other governing bodies of institutions of higher education shall adopt procedures requiring the transparent disclosure to each Virginia student or, if such student is a dependent, the parent of each Virginia student enrolled at such institution of what dollar amount of such student's annual tuition and other mandatory fees are used to provide financial aid, grants, or scholarships for other students at such institution. Such procedures shall include a provision allowing any Virginia student or the parent of any Virginia student to opt out of paying the portion of such student's tuition and mandatory fees that were allocated toward providing financial aid, grants, or scholarships for other students at such institution."

Explanation:

(This amendment provides language for greater transparency to in-state students on an institutions' tuition and fee charges.)

Item 4-4.01 #1h

Capital Projects

General

Language

Language:

Page 677, line 39, after "v.", strike "1."

Page 677, line 43, after "Treasury Board.", strike the rest of the line.

Page 677, strike lines 44 through 49.

Explanation:

(This amendment eliminates proposed language that is duplicative in purpose to language amendments in § 2-0.)

Item 4-5.10 #1h

Special Conditions and Restrictions on Expenditures

Surplus Property Transfers for Economic Development

Language

Language:

Page 689, line 5, strike "2.2-1156 D" and insert "2.2-1156 I".

Page 689, after line 5, insert:

"c. There is hereby created in the state treasury a special subfund of the Virginia Business Ready Sites Program fund, known as the Site Replacement Fund. The Site Replacement Fund shall be established on the books of the Comptroller. Any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Site Replacement Fund. Interest earned on moneys in the Site Replacement Fund shall remain in the Site Replacement Fund and be credited to it. In addition, notwithstanding the provisions of the preceding subsection b, for properties subject to a real estate purchase agreement pursuant to which sales proceeds in excess of fair market value, as determined in accordance with such agreements, are divided between the Commonwealth and an Industry Development Authority that is party to the agreement, the sales proceeds received by the Commonwealth in excess of the fair market value shall be deposited to the Site Replacement Fund. Moneys in the Site Replacement Fund shall be used in accordance with Section 2.2-2240.2:1, Code of Virginia and the guidelines established by the Virginia Economic Development Partnership Authority for the Virginia Business Ready Sites Fund, except that grants from the Site Replacement Fund shall be

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maintained for and made available only to an Industrial Development Authority created by the locality in which the properties subject to such agreement are located. Any grant to such Industrial Development Authority shall only be from moneys, and any interest thereon, deposited into the Site Replacement Fund for that local Industrial Development Authority, pursuant to sales of property within the locality that created such Industrial Development Authority. Moneys remaining in the Site Replacement Fund at the end of each fiscal year, including interest, shall not revert to the general fund, but shall remain in the Site Replacement Fund until the end of the fiscal year following the fifth anniversary of the deposit of such moneys."

Page 689, line 6, strike "c" and insert "d".

Page 689, line 10, strike "d" and insert "e".

Page 689, line 12, strike "e" and insert "f".

Explanation:

(The proposed language provides that funds, over and above the fair market price determined by and retained by the Commonwealth, received from the sale of state property which is subject to joint agreements between the Commonwealth and an Industrial Development Authority, shall be deposited in a new Site Replacement Fund to support additional site and infrastructure development in that locality. Moneys in the Fund would be subject to the existing requirements, including local match, of the Virginia Business Ready Sites Program. If funds were not spent by the locality within five years, the proceeds would revert to the general fund.)

Item 4-8.03 #1h

Reporting Requirements

Local Governments

Language

Language:

Page 707, line 11, strike "has not completed its audit and".

Page 707, line 15, strike "financial condition due to the delay", and insert:

"its financial condition due to the locality's delay".

Page 707, line 20, strike "delay with" and insert:

"deficiencies with timely submitting",

Page 707, line 21, strike "completing".

Explanation:

(This language-only amendment makes technical clarifications to requirements related to the audit of local annual financial reports.)

Item 4-9.05 #1h

Education: Higher Education

FY22-23

FY23-24

Student Transcripts

Language:

Page 713, after line 17, insert:

"§ 4-9.05 Student Transcripts

4-9.05 Student Transcripts

\$0

\$0

Page 713, after line 17, insert:

"a. Each public institution of higher education shall release an academic transcript directly to the employer or prospective employer of a current or former student enrolled at such institution upon request.

b. No public institution of higher education shall condition the release of an academic transcript to a current or former student enrolled at such institution on the payment of an outstanding debt:

1. if the outstanding debt is less than \$500; or
2. if the student has enrolled in a repayment plan and has made at least three consecutive monthly payments."

Explanation:

(This amendment provides for treatment of student transcript requests.)

Item 4-14 #1h

Effective Date

Language

Language:

Page 760, after line 48, insert:

"31. That the Code of Virginia is amended by adding in Title 15.2 a chapter numbered 58.1, consisting of §§ 15.2-5824 through 15.2-5827, as follows:

§ 15.2-5824. Definitions.

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

"Authority" means the Virginia Football Stadium Authority.

"Facility" means (i) a professional football stadium, (ii) practice fields or other areas where professional football teams may practice or perform, (iii) offices for the primary team, (iv) offices, restaurants, concessions, and retail and lodging facilities that are owned and operated in connection with a professional football stadium, and (v) any other directly related properties,

including onsite and offsite parking lots, garages, and other properties, all located on a site specified by the primary team and consented to by the Authority and the county or city in which the site is located.

"Primary team" means the professional football team that is or will be the principal user of the facility.

"Professional football stadium" means a football stadium capable of hosting the home games of a professional football team.

"Professional football team" means a National Football League team.

§ 15.2-5825. Creation of Authority.

There is hereby established a body corporate and politic known as the Virginia Football Stadium Authority. The Authority is a political subdivision of the Commonwealth.

§ 15.2-5826. Members of Authority; chairman; terms.

A. The Authority shall consist of nine members who shall be appointed by the Governor, including the four members appointed pursuant to subsection B. The Governor shall designate one of the members as chair, provided that no member appointed pursuant to subsection B shall be designated as chair. The members of the Authority annually shall elect a vice-chair from their membership who shall perform the duties of the chair in his absence. In making appointments to the Authority, the Governor shall ensure that the geographic areas of the Commonwealth are represented; however, in the event that the location of the facility is proposed, at least three members of the Authority, other than those members appointed pursuant to subsection B, shall be residents of the county or city in which the facility is to be located. The appointments of the members by the Governor pursuant to this section shall be confirmed in accordance with § 2.2-107.

B. In the event that the location of the facility is proposed, the Governor shall appoint four members of the Authority from a list of individuals proposed by the primary team. As the terms of such members end, or upon the resignation or removal of any of such members, the Governor shall appoint new members from a list proposed by the primary team.

C. Each member shall be a representative of the private sector and have the education, experience, and skills necessary to execute effectively the duties and responsibilities of a member of the Authority.

D. The term of a member of the Authority is five years. However, upon the initial appointment of the members of the Authority, the terms of the members shall be staggered as follows: The initial term of three of the members shall be five years; the initial term of three members shall be four years; and the initial term of the remaining three members shall be three years. The Governor shall designate the term to be served by each appointee at the time of appointment.

E. At the end of a term, a member shall continue to serve until a successor is appointed and qualifies. A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies. Upon the end of the term of a member, or upon

the resignation or removal of a member, the Governor shall appoint a member to the Authority. The Governor may remove a member for cause in accordance with § 2.2-108. The members of the Authority shall receive no compensation for their services, but a member may be reimbursed by the Authority for reasonable expenses actually incurred in the performance of the duties of that office.

§ 15.2-5827. Quorum; actions of Authority; meetings.

Five members of the Authority shall constitute a quorum for the purpose of conducting business, however, if applicable, among those five, there shall at all times be at least one member appointed pursuant to subsection B of § 15.2-5826. The decision of a majority of those members present and voting shall constitute a decision of the Authority. No vacancy on the Authority shall impair the right of a quorum to exercise all rights and perform all the duties of the Authority. The Authority shall determine the times and places of its regular meetings. Special meetings of the Authority shall be held when requested by a quorum of the members of the Authority. Any such request for a special meeting shall be in writing, and the request shall specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable effort shall be made to provide each member with notice of any special meeting. No matter not specified in the notice shall be considered at such special meeting unless all the members of the Authority are present.

32. That the provisions of the thirty-first enactment of this act shall expire if the Virginia Football Stadium Authority (the Authority) established under § 15.2-5825 of the Code of Virginia, as created by the thirty-first enactment of this act, has not (i) identified a primary team, as that term is defined in § 15.2-5824 of the Code of Virginia, as created by the thirty-first enactment of this act; (ii) been notified of the primary team's interest in the construction of a facility, as that term is defined in § 15.2-5824 of the Code of Virginia, as created by the thirty-first enactment of this act; and (iii) presented a proposal for the construction of such facility to the MEI Project Approval Commission in accordance with the provisions of the thirty-third enactment of this act before July 1, 2024.

33. That in the event that a primary team notifies the Governor, the Virginia Football Stadium Authority (the Authority) established under § 15.2-5825 of the Code of Virginia, as created by the thirty-first enactment of this act, the Secretary of Finance, and the Secretary of Commerce and Trade of its interest in constructing a facility, as that term is defined in § 15.2-5824 of the Code of Virginia, as created by the thirty-first enactment of this act, in a locality of the Commonwealth, the Authority, the Secretary of Finance, and the Secretary of Commerce and Trade shall present to the MEI Project Approval Commission (the Commission) the terms of any proposal for the construction of such facility, including (i) the proposed financing of such facility and any use of public funds through economic development incentives or the recapture of sales and use, personal income, or corporate income taxes; (ii) the estimated return on investment to the Commonwealth; and (iii) the results of the study conducted pursuant to Item 485 of the first enactment of this act for the Secretary of Finance to develop relevant capabilities, conduct planning, and evaluate potential economic development incentives related to the

relocation of a primary team to the Commonwealth. The Commission may recommend approval or denial of any such proposal to the General Assembly.

34. That the Virginia Football Stadium Authority (the Authority) established under § 15.2-5825 of the Code of Virginia, as created thirty-first enactment of this act, shall be prohibited from entering into any arrangement to construct a facility or any development agreement or lease agreement with a primary team unless (i) authorization to enter into such an arrangement or agreement is authorized by the General Assembly and (ii) the General Assembly has provided sufficient powers to the Authority to effectuate the terms of such an arrangement or agreement."

Page 760, line 49, strike "31" and insert "35".

Page 760, line 50, strike "32" and insert "36".

Page 761, line 1, strike "33" and insert "37."

Page 760, line 50, strike "and" and insert ",".

Page 760, line 50, after "second" insert:

"thirty-first, thirty-second, thirty-third, and thirty-fourth."

Explanation:

(This amendment creates the Virginia Football Stadium Authority and its governing board. It also establishes a process to review any proposed economic development incentives or financial arrangement related to the relocation of a NFL football team to the Commonwealth by the MEI Commission.)

Item 4-14 #2h

Effective Date

Language

Language:

Page 760, after line 48, insert:

"31. That the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 27.2, consisting of sections numbered 2.2-2760 through 2.2-2764, as follows:

§ 2.2-2760. Definitions.

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

"Authority" means the Virginia Economic Development Partnership Authority.

"Commission" means the MEI Project Approval Commission established by § 30-309.

"Department" means the Department of General Services.

"Development" means improvements designed to prepare a site for construction or higher use than was possible in the site's natural state or its state at the time of acquisition.

"Due diligence" means undertaking (i) necessary land title, valuation, environmental,

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engineering, or technical studies; (ii) professional or consulting services related to a site or site selection; or (iii) any other similar activities.

"Eligible acquisition site" means a site suitable to be marketed for economic development purposes. An eligible acquisition site shall meet, or be expected to meet, each of the following criteria: (i) the site is at least 250 contiguous acres and (ii) the site presents a significant opportunity for the Commonwealth to attract a large-scale economic development project. An eligible acquisition site need not be zoned for an economic development use to be considered an eligible acquisition site.

"Fund" means the Virginia Business Ready Sites Acquisition Fund established by § 2.2-2762

"Large-scale economic development project" means an economic development project that involves a capital investment of at least \$250 million and that creates at least 250 new jobs.

"Program" means the Virginia Business Ready Sites Acquisition Program established by § 2.2-2761.

"Project development agreement" means an agreement by which the Authority sells, leases, transfers, or otherwise disposes of an eligible acquisition site to a private employer for a large-scale economic development project. A project development agreement shall require that the new jobs created by the large-scale economic development project pay at least 100 percent of the prevailing wage for the region of the Commonwealth in which the project is located.

"Region" means the same as that term is defined in § 2.2-2484.

"Site acquisition activities" means the completion of due diligence activities, as well as the purchasing or optioning of an eligible acquisition site for purposes of the Program.

"Site development activities" means development of a site. Site development activities include clearing, grading, improving drainage, constructing pads, mitigating environmental concerns, providing road or rail access to the site, securing rights-of-way and easements, extending utilities to the site, and undertaking other similar activities.

§ 2.2-2761. Virginia Business Ready Sites Acquisition Program.

A. There is hereby established the Virginia Business Ready Sites Acquisition Program for the purpose of disbursing moneys from the Fund to (i) acquire or option eligible acquisition sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in all regions of the Commonwealth, (ii) conduct site development activities to improve such sites in order to increase their marketability for large-scale economic development projects, or (iii) enter into project development agreements with private employers for large-scale economic development projects. Eligible acquisition sites may be acquired from public or private owners, provided that any such acquisition shall be a bona fide arm's length transaction freely entered into by the parties. Site acquisition activities, site development activities, and project development agreements shall be conducted in accordance with the guidelines, procedures, and objective criteria established pursuant to subsection C and the objective of the Program established in § 2.2-2763.

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B. Administration of the Program shall be conducted by the Authority in cooperation with the Department in the manner provided by this subsection and subject to review by the Commission pursuant to § 2.2-2764.

1. The Authority, in cooperation with the Department, shall be responsible for identifying potential eligible acquisition sites and initiating, on behalf of the Commonwealth and in a manner that protects the Commonwealth's economic interests, the process of negotiating the purchase or optioning of a site.

2. The Department shall be responsible for completing the purchase or option of a site and holding the property or option on behalf of the Commonwealth. The Department shall be responsible for conducting all site development activities, in cooperation with the Authority.

3. The Authority shall be responsible for marketing sites to private employers to enter into project development agreements for large-scale economic development projects.

C. The Authority, in consultation with the Department, shall establish guidelines, procedures, and objective criteria for conducting the activities described in clauses (i), (ii), and (iii) of subsection A and the division of responsibilities described in subsection B. Such guidelines, procedures, and objective criteria shall be designed to meet the objective of the Program described in § 2.2-2763. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.VD. Any funds received from the sale or long-term lease of properties purchased pursuant to this chapter shall be deposited to the general fund.

E. The Authority shall report annually by November 1 on site acquisition activities, site development activities, and project development agreements. The report shall include total appropriations made or transferred to the Fund, total acquisitions made, number and performance of project development agreements, cash balances, and balances available for future commitments. The Authority shall prepare the report required by this subsection in conjunction with the reports required under § 2.2-2237.1.

F. The Auditor of Public Accounts or his authorized representative shall audit the accounts of the Fund in accordance with generally accepted auditing standards as determined necessary by the Auditor of Public Accounts. The cost of such audit services shall be borne by the Fund.

§ 2.2-2762. Virginia Business Ready Sites Acquisition Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Business Ready Sites Acquisition Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of this chapter. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the

Comptroller upon written request signed by the Director of the Department, pursuant to subdivision B 2 of § 2.2-2761 or the Authority, pursuant to subdivision B 1 or 3 of § 2.2-2761.

§ 2.2-2763. Objective of the Program.

The objective of the Program shall be to identify and fill gaps in the Commonwealth's current portfolio of industrial properties available for large-scale economic development projects in order to accelerate economic growth in all regions of the Commonwealth. In evaluating sites to acquire, option, develop, or market for purposes of the Program, the Authority shall consider (i) the potential of the site to fill a gap in the inventory of needed project-ready sites in the Commonwealth, (ii) the scope and cost of the work required to make the site project ready, (iii) the potential return on investment for the Commonwealth for the cost of acquiring and developing the site, and (iv) the type of industry or business for which the site would be suitable.

§ 2.2-2764. Review by MEI Commission.

A. 1. Before entering into an agreement to acquire or develop any site, the Authority and the Department shall jointly submit a proposal detailing their plans for acquisition and development to the Commission. The Commission shall review such proposal and determine whether the plan is consistent with the objective described in § 2.2-2763. If the Commission finds that the proposal meets such objective, the Commission shall certify the proposal. If the Commission finds that such proposal does not meet the objective of the Program, (i) the Commission shall communicate its findings to the Governor and to the General Assembly and (ii) the Authority shall not implement the proposal unless the proposal, either in its original or revised form, is authorized by the General Assembly at its next session and enacted into law.

2. Before entering into any project development agreement, the Authority shall submit a proposal detailing such agreement to the Commission. The Commission shall review such proposal and determine whether the proposal is consistent with the objective described in § 2.2-2763. If the Commission finds that the proposal meets such objective, the Commission shall certify the proposal. If the Commission finds that such proposal does not meet the objective of the Program, (i) the Commission shall communicate its findings to the Governor and to the General Assembly and (ii) the Authority shall not implement the proposal unless either (a) the Authority resubmits a revised proposal to the Commission and receives a favorable recommendation or (b) the proposal, either in its original or revised form, is authorized by the General Assembly at its next session and enacted into law.

B. The Authority shall submit the guidelines, procedures, and objective criteria required by subsection C of § 2.2-2761, and any subsequent changes to such policies, to the Commission. The Commission may provide feedback on such guidelines, procedures, and objective criteria and recommend proposed changes to the Authority.VC. Notwithstanding the provisions of subsection B of § 30-310, an affirmative vote by a simple majority of the legislative members of the Commission shall be sufficient to render a decision of the Commission for purposes of subsection A or B.VD. A project development agreement subject to review pursuant to this section shall also be subject to review pursuant to Chapter 47 (§ 30-309 et seq.) of Title 30 if the project development agreement provides incentives that exceed the review thresholds prescribed

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by that chapter. The value of any property sold, leased, transferred, or otherwise provided to a private employer at below fair market value as part of a project development agreement shall be included in calculating the amount of incentives for purposes of review under Chapter 47 (§ 30-309 et seq.) of Title 30.

E. The chair of the Commission shall report annually by the first day of each regular session of the General Assembly on all decisions made by the Commission in the previous year."

Page 760, line 49, strike "**31**" and insert "**32**".

Page 760, line 50, strike "**32**" and insert "**33**".

Page 761, line 1, strike "**33**" and insert "**34**".

Page 761, line 3, strike "**and**"

Page 761, line 3, after "**thirtieth**", insert "**and thirty-first**".

Explanation:

(This amendment creates the Virginia Business Ready Sites Acquisition Fund and program, which will allow the state to acquire land for economic development purposes.)
