

Amendments to SB 800 (as Introduced)

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 1, line 7, after "§§", strike.

Page 1, strike line 8 and insert:

"58.1-602, 58.1-605, 58.1-605.1, and 58.1-606.1 of the Code of Virginia."

Page 1, strike lines 35 through 47.

Page 2 strike lines 1 through 17 and insert:

	First Year	Second Year	Total
Unreserved Beginning Balance	\$4,733,050,478	\$0	\$4,733,050,478
	\$11,733,144,497	\$0	\$11,733,144,497
Additions to Balance	\$1,440,246,365	(\$500,000)	\$1,439,746,365
	(\$3,820,489,883)	\$536,481,737	(\$3,284,008,146)
Official Revenue Estimate	\$24,871,345,500	\$27,263,014,900	\$52,134,360,400
	\$26,471,654,986	\$27,791,525,006	\$54,263,179,992
Transfer	\$714,716,804	\$733,205,420	\$1,447,922,224
	\$752,675,766	\$793,204,987	\$1,545,880,753
Total General Fund	\$31,759,359,147	\$27,995,720,320	\$59,755,079,467
Resources Available for Appropriation	\$35,136,985,366	\$29,121,211,730	\$64,258,197,096

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	Second Year	Total
Balance, June 30, 2022	\$8,383,240,878	\$0	\$8,383,240,878
	\$10,137,924,294	\$0	\$10,137,924,294

Amendments to SB 800 (as Introduced)

Official Revenue Estimates	\$45,429,302,663	\$45,043,705,919	\$90,473,008,582
	\$48,415,655,980	\$48,736,285,042	\$97,151,941,022
Lottery Proceeds Fund	\$784,671,715	\$764,671,715	\$1,549,343,430
	\$775,172,253	\$769,009,545	\$1,544,181,798
Internal Service Fund	\$2,404,388,342	\$2,413,968,065	\$4,818,356,407
	\$2,404,388,342	\$2,402,874,762	\$4,807,263,104
Bond Proceeds	\$157,296,000	\$0	\$157,296,000
	\$202,096,000	\$53,620,000	\$255,716,000
Total Nongeneral Fund	\$57,158,899,598	\$48,222,345,699	\$105,381,245,297
Revenues Available for Appropriation	\$61,935,236,869	\$51,961,789,349	\$113,897,026,218
TOTAL PROJECTED REVENUES	\$88,918,258,745	\$76,218,066,019	\$165,136,324,764
	\$97,072,222,235	\$81,083,001,079	\$178,155,223,314

Explanation:

(This amendment modifies the front page to reflect changes to resources as adopted by the Senate Finance and Appropriations Committee.)

Item 1 #1s

Legislative Department	FY22-23	FY23-24	
General Assembly of Virginia	\$0	\$650,000	GF
	0.00	3.00	FTE

Language:

Page 4, line 5, strike "\$59,437,146" and insert "\$60,087,146".

Explanation:

(This amendment provides \$650,000 GF the second year to address inflationary costs and operational support.)

Item 1 #2s

Legislative Department	FY22-23	FY23-24	
General Assembly of Virginia	\$0	(\$10,011)	GF

Language:

Page 4, line 5, strike "\$59,437,146" and insert "\$59,427,135".

Page 11, strike lines 35-36.

Explanation:

(This amendment moves the Commission on Electric Utility Regulation back under the Division of Legislative Services and provides six full-time staff members to support the Commission for the meetings required under SB 1166 as introduced during the 2023 Session. These positions will include an executive director, an attorney, and policy staff.)

Item 1 #3s

Legislative Department

General Assembly of Virginia

Language

Language:

Page 12, after line 34, insert:

"T.1. The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and enrollment management and to make recommendations to their respective committees. The objective of the review is to develop policies and formulas to provide the public institutions of higher education with an equitable funding methodology that: (a) recognizes differences in institutional mission; (b) provides incentives for achievement and productivity; (c) recognizes enrollment management; and (d) establishes funding objectives in areas such as operations, financial aid, and the appropriate share of educational and general costs that should be borne by resident students. In addition, the review shall include the development of comparable cost data concerning the delivery of higher education through an analysis of the relationship of each public institution to its various national peers. The public institutions of higher education and the staff of the State Council of Higher Education for Virginia are directed to provide technical assistance, as required, to the joint subcommittee.

2. The Joint Subcommittee on Higher Education Funding Policies shall conduct an assessment of the adequacy of the current educational and general funding levels for Virginia's public institutions of higher education. The assessment shall be used to develop guidelines against which to measure funding requests for higher education. The assessment shall include, but not be limited to, the following components:

- a) Updated cost models based on current practice or industry norms.
- b) Consideration of support staff and the types of students served.
- c) Costs of instruction, such as equipment, utilities, facilities maintenance, and other nonpersonal services expenses.
- d) Recognition of the individual mission of the institution, student characteristics, location, or

Amendments to SB 800 (as Introduced)

other factors that may influence the costs of instruction.

e) Benchmarking of the funding guidelines against a groups of peer institutions, or other appropriate comparator group, to assess the validity of the guidelines.

f) Means by which measures of institutional performance can be assessed and incorporated into funding and policy guidelines for higher education.

3. The Joint Subcommittee on Higher Education Funding Policies shall develop a more precise methodology for determining funding needs at Virginia's public institutions of higher education related to enrollment management.

4. The Joint Subcommittee may seek support from the staff of the Senate Finance and House Appropriations Committees, the public institutions of higher education, or other higher education or state agency representatives, as requested by the Joint Subcommittee. At its discretion, the Joint Subcommittee may contract for consulting services.

5. The Joint Subcommittee is hereby continued to provide direction and oversight of higher education funding policies. The Joint Subcommittee shall review and articulate policies and funding methodologies on: (a) the appropriate share of educational and general costs that should be borne by students; (b) student financial aid; (c) undergraduate and graduate education funding; (d) first professional programs; (e) the mix of in-state and out-of-state students as it relates to tuition policy; (f) dual enrollment; and (g) and the viability of statewide articulation agreements between four-year and two-year public institutions.

6. a. It is the objective of the General Assembly that funding for Virginia's public colleges and universities shall be based on the framework and principles provided in the 2022 State Council of Higher report on Costs and Funding Needs and the funding guidelines outlined in the November 2001 report of the Joint Subcommittee on Higher Education Funding Policies.

b. The Joint Subcommittee shall coordinate with the State Council of Higher Education, the Secretary of Education, and the Department of Planning and Budget in incorporating the higher education funding guidelines into the development of budget recommendations. The Commission shall issue an interim report on October 15, 2023, and final report.

c. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly.

U.1. The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a joint subcommittee to provide on-going direction and oversight of Standards of Quality funding cost policies and to make recommendations to their respective committees.

2. The Joint Subcommittee on Elementary and Secondary Education Funding shall: a) study the Commonwealth's use of the prevailing salary and cost approaches to funding the Standards of Quality, as compared with alternative approaches, such as a fixed point in time salary base that is increased annually by some minimum percentage or funding the national average teacher salary; and b) review the "federal revenue deduct" methodology, including the current use of a cap on the deduction; and c) review the methodology for establishing a consistent funding cap

Amendments to SB 800 (as Introduced)

process for all state funded instructional and certain support positions.

3. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee.

V.1.a. The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a Joint Subcommittee on the Future Competitiveness of Virginia Higher Education to (a) review ways to maintain and improve the quality of higher education, while providing for broad access and affordability; (b) examine the impact of financial, demographic, and competitive changes on the sustainability of individual institutions and the system as a whole; (c) identify best practices to make the system more efficient, including shared services, institutional flexibility, and easily accessible academic pathways; (d) evaluate the use of distance education and online instruction across the Commonwealth and appropriate business models for such programs; (e) review current need-based financial aid programs and alternative models to best provide for student affordability and completion; (f) review the recommendations of the Joint Legislative Audit and Review Commission on the study of the cost efficiency of higher education institutions and make recommendations to their respective committees on the implementation of those recommendations; (g) study the effectiveness and value of transfer students; (h) evaluate the effectiveness of dual enrollment in reducing the cost of higher education; and (i) study the effectiveness of preparing teachers to enter the K-12 system.

b. The Subcommittee will also conduct a focused review of access, affordability, quality, and autonomy issues related to Virginia's public higher education system. As part of that review the Subcommittee will explore ways to (a) improve the quality of higher education; (b) review the autonomy and flexibility granted to Virginia's public higher education institutions, including the history of restructuring and the expansion of autonomy; (c) examine access and affordability in higher education, including the cost of education and need-based financial aid programs; (d) review the impact of financial, demographic, and competitive changes on the sustainability of Virginia's public higher education system; and (e) identify any practices that would result in more efficient outcomes regarding cost and completion, including dual enrollment and online programs.

2. As the Joint Subcommittee conducts its analysis, it shall consider the mission, vision, goals and strategies outlined in the statewide strategic plan for higher education developed and approved by the State Council of Higher Education for Virginia, and endorsed by the General Assembly in House Joint Resolution 555 of the 2015 Session of the General Assembly.

3. As part of its deliberations, the Joint Subcommittee shall review alternative tuition and fee structures and programs that could result in lower costs to in-state undergraduate students.

4. The Joint Subcommittee may seek support and technical assistance from the staff of the House Appropriations and Senate Finance and Appropriations Committees, the public institutions of higher education, the staff of the Joint Legislative Audit and Review Commission, and the staff of the State Council of Higher Education for Virginia. Other state agency or higher education representatives shall provide support upon request. At its discretion,

Amendments to SB 800 (as Introduced)

the Joint Subcommittee may contract for consulting services.

5. The members of the Joint Subcommittee shall provide a final report to their respective committees at the conclusion of the review."

Explanation:

(This amendment restores language that was inadvertently removed as part of the introduced budget in the 2022 Session.)

Item 1 #4s

Legislative Department

General Assembly of Virginia

Language

Language:

Page 12, after line 34, insert:

"T. 1. The Chairs of the Senate Finance and Appropriations Committee, Senate General Laws and Technology Committee, House Appropriations Committee and House General Laws shall appoint two members from their respective committees to a Joint Subcommittee on Gaming. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee shall include (i) evaluating the consolidation of gaming regulation and oversight in the Commonwealth; (ii) ways to effectively prioritize problem gambling prevention and treatment efforts; and (iii) provide a detailed transition plan from affected agencies if the Joint Subcommittee recommends to consolidate regulations and oversight of gaming. The recommendations of the Joint Subcommittee shall be reported by the first day of the 2024 Session.

3. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth, including (i) the Virginia Lottery, (ii) the Department of Agriculture and Consumer Services, and (iii) the Virginia Racing Commission, shall provide assistance to the joint subcommittee for this study, upon request."

Explanation:

(This amendment establishes a Joint Subcommittee on Gaming to evaluate the consolidation of gaming regulations and oversight in the Commonwealth and directs the Joint Subcommittee to develop a transition plan if such consolidation is to be recommended to the General Assembly.)

Item 2 #1s

Legislative Department

Auditor of Public Accounts

Language

Language:

Page 13, after line 40, insert:

“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 amendment provides language related to specifications of audits of localities and other entities in regards to guidelines, procedures, and criteria set forth by the Opioid Abatement Authority related to opioid abatement funds.)

Item 4 #1s

Legislative Department

Division of Capitol Police

Language

Language:

Page 14, line 22, prior to "Out", insert "A."

Page 14, after line 24, insert:

"B. Out of available balances, the Division of Capitol Police may use up to \$250,000 in either fiscal year for specialized equipment as part of the move to Old City Hall."

Explanation:

(This amendment provides that the Division of Capitol Police may use up to \$250,000 of available balances for specialized equipment as part of the move to Old City Hall.)

Item 5 #1s

Legislative Department

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

Division of Legislative Automated Systems \$1,500,000 \$0 GF

Language:

Page 14, line 31, strike "\$8,328,169" and insert "\$9,828,169".

Explanation:

(This amendment provides \$1.5 million GF the first year to support the integration of operational systems with the Legislative Information System.)

Item 6 #1s

Legislative Department

Division of Legislative Services

Language

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, provide an interim report by December 1, 2023, and provide a final report by September 1, 2024. Any remaining appropriation at year end shall be carried forward to the subsequent fiscal year to support the Joint Subcommittee."

Explanation:

(This amendment extends the Joint Subcommittee to Examine the Commonwealth's Pandemic Response for an additional year and allows the funding to be carried forward to the subsequent fiscal year.)

Item 6 #2s

Legislative Department

FY22-23

FY23-24

Division of Legislative Services

\$0

\$327,152 NGF

Language:

Page 15, line 17, strike "\$8,738,378" and insert "\$9,065,530".

Page 15, after line 45, insert:

"F. Included in this item is \$327,152 in the second year from dedicated special revenue to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment includes funding to appropriate special revenue funds from the sale of Chesapeake Bay license plates to implement the recommendations of the Chesapeake Bay Restoration Advisory Committee.)

		Item 6 #3s	
Legislative Department	FY22-23	FY23-24	
Division of Legislative Services	\$0 0.00	\$671,028 4.00	GF FTE

Language:

Page 15, line 17, strike "\$8,738,378" and insert "\$9,409,406".

Page 18 set out Item 20 and insert:

Commission on Electric Utility Regulation

Resource Management Research, Planning, and Coordination (50700)	\$0	\$671,028
Resource Management Policy and Program Development (50701)	\$0	\$671,028
Fund Sources:		
General	\$0	\$671,028

Authority: Title 30, Chapter 31, Code of Virginia.

Explanation:

(This amendment moves the Commission on Electric Utility Regulation back under the Division of Legislative Services and provides four full-time staff members to support the Commission for the meetings required under SB 1166 as introduced during the 2023 Session. These positions will include an executive director, an attorney, and policy staff.)

		Item 16 #1s	
Legislative Department	FY22-23	FY23-24	

Amendments to SB 800 (as Introduced)

Virginia Housing Commission	\$0	(\$423,874)	GF
	0.00	-3.00	FTE

Language:

Page 17, line 32, strike "\$423,874" and insert "\$0".

Explanation:

(This amendment moves the Virginia Housing Commission from within the Division of Legislative Services. A companion amendment establishes the Commission under a new item. It is the intent upon enrolling the bill that the Commission be moved to a new Item effective July 1, 2023.)

Item 24 #1s

Legislative Department	FY22-23	FY23-24	
Virginia Conflict of Interest and Ethics Advisory Council	\$0	\$107,203	GF
	0.00	1.00	FTE

Language:

Page 18, line 15, strike "\$635,143" and insert "\$742,346".

Explanation:

(This amendment provides \$107,203 GF the second year and would authorize one additional GF position for the Conflict of Interest and Ethics Advisory Council. The new position would include one attorney.)

Item 30.5 #1s

Legislative Department	FY22-23	FY23-24	
Jamestown-Yorktown Commemorations	\$7,000,000	\$0	GF

Language:

Page 20, after line 27, insert:

"American Revolution 250 Commission (400)

Amendments to SB 800 (as Introduced)

30.5 American Revolution 250 Commission	\$7,000,000	\$0
Fund Sources: General	\$7,000,000	\$0 "

Historic and Commemorative Attraction Management (50200) \$7,000,000 \$0

Revolutionary War Commemoration (50210)	\$7,000,000	\$0
Fund Sources: General	\$7,000,000	\$0

A. All agencies and institutions of the Commonwealth shall, upon request, designate liaisons and provide assistance and advice to the American Revolution 250 Commission and the Virginia Commemorations, Inc. 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.

C. The American Revolution 250 Commission and the Virginia Commemorations, Inc. 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 American Revolution 250 Commission for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of the 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 appropriation act, despite any potential suspension from hiring that may be mandated for 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. The American Revolution 250 Commission and the Virginia Commemorations, Inc. 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 can be realized by the Commission and such agreements 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

Amendments to SB 800 (as Introduced)

commemoration. However, the provisions of this paragraph shall not be effective until such time as the American Revolution 250 Commission has adopted guidelines generally applicable to the procurement of goods and services by the Commonwealth. The guidelines shall implement a system of competitive negotiation for goods and services that: (i) 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; (ii) 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; (iii) may implement a prequalification procedure for contractors or products; (iv) may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law.

F. The Board of Trustees of the American Revolution 250 Commission 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 American Revolution 250 Commission 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 American Revolution 250 Commission.

G. All general funds received by the American Revolution 250 Commission 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 to the Division of Legislative Services.)

Item 32 #1s

Legislative Department

Joint Commission on Health Care

Language

Language:

Page 21, after line 1,

"1. The General Assembly hereby designates the Joint Commission on Health Care (JCHC) to conduct a review and evaluation of health care workforce development programs on a continuing basis.

2. The focus of review and evaluation activities by the JCHC shall include, but are not limited to, the following: (i) quantifying the scope, funding, and oversight of health care workforce development programs in Virginia; and (ii) analyzing the efficiency and effectiveness of health care workforce development programs as needed.

Amendments to SB 800 (as Introduced)

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, the JCHC shall have the legal authority to access the information, records, facilities, and employees of all state agencies and institutions that manage, fund, or provide oversight to health workforce development initiatives and programs.
4. The Chair of the JCHC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.
5. The JCHC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.
6. All agencies of the Commonwealth shall cooperate as requested by the JCHC in the performance of its duties under this authority, including the Department of Health Professions, the Virginia Healthcare Workforce Development Authority, and the Virginia Community College System."

Explanation:

(This amendment directs the Joint Commission on Health Care (JCHC) to incorporate an ongoing focus on the health care workforce into the JCHC's annual work plan. The goal is to ensure the General Assembly is aware of current health care workforce needs, understand the litany of programs or initiatives the state is running to address those needs, and help coordinate those efforts. The amendment directs the appropriate state agencies to provide assistance.)

	Item 35 #1s	
Legislative Department	FY22-23	FY23-24
Virginia State Crime Commission	\$0	\$150,000 GF

Language:

Page 21, line 46, strike "\$1,379,453" and insert "\$1,529,453".

Explanation:

(This amendment provides \$150,000 GF the second year to support staffing and professional development at the Virginia State Crime Commission.)

	Item 35.50 #1s	
Legislative Department	FY22-23	FY23-24
Virginia Housing Commission	\$0	\$423,874 GF

Language:

Page 27, after line 14, insert:

"VIRGINIA HOUSING COMMISSION (840)

Amendments to SB 800 (as Introduced)

35.50 Virginia Housing Commission	\$0	\$423,874
Fund Sources: General	\$0	\$423,874 "

Housing Assistance Services (45800)	\$0	\$423,874
Housing Research and Planning (45803)	\$0	\$423,874
Fund Sources: General	\$0	\$423,874

Authority: § 30-257, Code of Virginia

General Fund Positions	0.00	3.00
Position Level	0.00	3.00
Fund Sources: General	\$0	\$423,874

Explanation:

(This amendment moves the Virginia Housing Commission under a new item.)

Item 36 #1s

Legislative Department

Joint Legislative Audit and Review Commission

Language

Language:

Page 25, strike lines 18-53.

Page 26, strike lines 1-2.

Explanation:

(This language amendment removes oversight responsibility for the Commonwealth's enterprise resource planning and related financial, payroll, personnel management, and benefit eligibility system from the Joint Legislative Audit and Review Commission.)

Item 42 #3s

Amendments to SB 800 (as Introduced)

Judicial Department	FY22-23	FY23-24	
Supreme Court	\$0	\$1,009,326	GF

Language:

Page 28, line 46, strike "\$50,681,477" and insert "\$51,690,803".

Explanation:

(This amendment provides \$1.0 million GF the second year to increase the substitute judge per diem payment to \$400, the same level provided for retired recalled judges in the introduced budget.)

Item 42 #4s

Judicial Department	FY22-23	FY23-24	
Supreme Court	\$0	\$296,400	GF

Language:

Page 28, line 46, strike "\$50,681,477" and insert "\$50,977,877".

Explanation:

(This amendment provides \$296,400 GF the second year for enhancements to the court system's financial management system to implement the provisions of SB 1159, which extends the time period that collection activity for unsatisfied court costs may commence after adjudication or incarceration.)

Item 44 #1s

Judicial Department	FY22-23	FY23-24	
Circuit Courts	\$0	\$5,340,201	GF

Language:

Page 32, line 31, strike "\$114,999,326" and insert "\$120,339,527".

Explanation:

(This amendment provides \$5.3 million GF to increase the jury duty allowance from \$30 to \$100 per day, pursuant to Senate Bill 789.)

Item 45 #1s

Amendments to SB 800 (as Introduced)

Judicial Department	FY22-23	FY23-24	
General District Courts	\$0	\$290,149	GF
	0.00	1.00	FTE

Language:

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

Explanation:

(This amendment provides \$290,149 GF the second year for the fiscal impact of Senate Bill 816, which increases from two to three the maximum number of authorized general district court judges in the 22nd Judicial District. This bill is a recommendation of the Committee on District Courts.)

Item 45 #2s

Judicial Department	FY22-23	FY23-24	
General District Courts	\$0	\$2,048,081	GF

Language:

Page 34, line 11, strike "\$144,414,536" and insert "\$146,462,617".

Page 34, line 50, after "H." insert "1".

Page 35, after line 3, insert:

"2. In addition to the amounts in the preceding paragraph, included within the appropriation for this item is \$2,048,081 the second year from the general fund to increase the salaries of all district court clerks by two percent, effective July 1, 2024."

Explanation:

(This amendment provides \$2.0 million GF the second year for a two percent salary increase for district court clerks, in addition to the statewide salary increases.)

Item 55 #1s

Executive Offices	FY22-23	FY23-24	
Office of the Governor	\$35,000	\$0	GF

Language:

Page 41, line 4, strike "\$7,280,020" and insert "\$7,315,020".

Page 41, line 19, after "D.", insert "1".

Page 41, line 19, strike the first instance of "\$479,500" and insert "\$514,500".

Page 41, after line 20, insert:

Amendments to SB 800 (as Introduced)

"2. Out of this appropriation, \$35,000 the first year from the general fund is provided to convene a work group to study: (i) the establishment of a Parents Advocacy Commission to provide training, qualification and oversight for court-appointed counsel who represent parents in child dependency cases; and (ii) the development of local or regional offices for a Parents Advocacy Commission. The work group shall report such recommendations to the Chairs of the Senate Committee on the Judiciary and the House Committee for Courts of Justice by November 1, 2023."

Explanation:

(This amendment provides \$35,000 GF the first year for the Office of the Children's Ombudsman to support a feasibility study regarding the establishment of a Parents Advocacy Commission, consistent with the provisions of Senate Bill 1443 of the 2023 General Assembly Session.)

	Item 55 #2s	
Executive Offices	FY22-23	FY23-24
Office of the Governor	\$0	\$106,600 GF

Language:

Page 41, line 4, strike "\$7,000,864" and insert "\$7,107,464".

Explanation:

(This amendment provides \$106,600 GF the second year to cover administering the costs of convening the Social Work Advisory Board, consistent with the provisions of SB 1503 of the General Assembly Session.)

	Item 55 #3s
Executive Offices	
Office of the Governor	Language

Language:

Page 41, after line 37, insert:

"F. It is the intent of the General Assembly that the Office of the Children's Ombudsman continue its study of legal representation in child dependency and direct the Child Dependency Legal Representation Workgroup to continue its work regarding the implementation of the recommendations published in its November 1, 2022 report."

Explanation:

(This amendment directs the Office of the Children's Ombudsman to continue its work with the

Amendments to SB 800 (as Introduced)

work group established by Chapter 305, 2022 Acts of Assembly, consistent with the provisions of Senate Joint Resolution 241 of the 2023 General Assembly Session.)

	Item 60 #1s	
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:

(This amendment redirects \$500,000 GF the second year to accommodate priorities of the Committee.)

	Item 60 #2s	
Executive Offices	FY22-23	FY23-24
Lieutenant Governor	\$0	(\$229,570) GF
	0.00	-2.00 FTE

Language:

Page 42, line 36, strike "\$1,138,496" and insert "\$908,926".

Page 42, line 47, strike "five" and unstrike "three".

Explanation:

(This amendment redirects \$229,570 GF the second year to accommodate priorities of the Committee.)

	Item 61 #1s	
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 removes \$2.5 million GF the second year under the Office of the Attorney

Amendments to SB 800 (as Introduced)

General for a new witness protection program and redirects partial funding for a pilot program at the Department of Criminal Justice Services.)

	Item 61 #2s	
Executive Offices	FY22-23	FY23-24
Attorney General and Department of Law	\$0	(\$2,600,000) GF

Language:

Page 43, line 12, strike "\$51,806,356" and insert "\$49,206,356".

Explanation:

(This amendment redirects \$2.6 million GF the second year to accommodate priorities of the Committee.)

	Item 61 #3s	
Executive Offices	FY22-23	FY23-24
Attorney General and Department of Law	\$0	(\$250,000) GF

Language:

Page 43, line 12, strike "\$51,806,356" and insert "\$51,556,356".

Explanation:

(This amendment redirects \$250,000 GF the second year to accommodate priorities of the Committee.)

	Item 63 #1s	
Executive Offices	FY22-23	FY23-24
Attorney General and Department of Law	\$0 0.00	(\$513,374) GF -5.00 FTE

Language:

Page 45, line 13, strike "\$6,425,195" and insert "\$5,911,821".

Explanation:

(This amendment redirects \$513,374 GF the second year and removes 5.0 positions to

Amendments to SB 800 (as Introduced)

accommodate priorities of the Committee.)

		Item 63 #2s	
Executive Offices	FY22-23	FY23-24	
Attorney General and Department of Law	\$0 0.00	(\$253,902) -2.00	GF FTE

Language:

Page 45, line 13, strike "\$6,425,195" and insert "\$6,171,293".

Explanation:

(This amendment redirects \$253,902 GF the second year and removes 2.0 positions to accommodate priorities of the Committee.)

		Item 67 #1s	
Executive Offices	FY22-23	FY23-24	
Secretary of the Commonwealth	\$0 0.00	\$160,250 1.00	GF FTE

Language:

Page 47, line 23, strike "\$2,823,218" and insert "\$2,983,468".

Explanation:

(This amendment provides \$160,250 GF and 1.0 position the second year for the Secretary of the Commonwealth to designate an Ombudsman for Tribal Nations, in consultation with and upon the advice of federally recognized Tribal Nations in the Commonwealth, consistent with the provisions of Senate Bill 1332 of the 2023 General Assembly.)

		Item 72 #1s	
Administration	FY22-23	FY23-24	
Compensation Board	\$0	\$1,882,746	GF

Language:

Page 51, line 10, strike "\$602,800,092" and insert "\$604,682,838".

Page 70, after line 43, insert:

"W. Notwithstanding the provisions of paragraph H. of Item 79 of this Act, included in this appropriation is \$1,882,746 the second year from the general fund to support new staffing

Amendments to SB 800 (as Introduced)

associated with an increase in the rated operating capacity resulting from former expansions at the Piedmont Regional Jail that were not previously provided base staffing and related funding by the Compensation Board."

Explanation:

(This amendment provides \$1.9 million GF the second year for an additional 44 positions for the Piedmont Regional Jail for approved increased bed capacity. A companion amendment to Item 73 reduces funding currently provided for a partial federal inmate cost recovery for which the jail will not be eligible once full staffing is established. A companion amendment to Item 79 adjusts the position count table to reflect this change.)

	Item 72 #2s	
Administration	FY22-23	FY23-24
Compensation Board	\$0	(\$4,074,631) GF

Language:

Page 51, line 10, strike "\$602,800,092" and insert "\$598,725,461".

Page 55, strike lines 6 through 47.

Explanation:

(This amendment transfers \$4.1 million GF the second year that was included in the introduced budget to help sheriffs' and jail offices with workloads related to temporary detention orders (TDO) and emergency custody orders (ECO) to the Department of Behavioral Health and Developmental Services (DBHDS). The DBHDS off-duty officer program has existing memorandums of understanding with sheriffs' offices to reimburse officers for hours spent handling TCO and ECO, and may be expanded to allow for on-duty officers and police officers.)

	Item 73 #1s	
Administration	FY22-23	FY23-24
Compensation Board	\$0	\$8,820,112 GF

Language:

Page 55, line 49, strike "\$53,637,055" and insert "\$62,457,167".

Page 56, line 33, strike "\$4" and insert "\$6".

Explanation:

(This amendment provides \$8.8 million GF the second year to increase the per diem payments to local and regional jails for housing local responsible inmates with state charges from the

Amendments to SB 800 (as Introduced)

current rate of \$4 per day to \$6 per day. This funding reflects a partial-year cost to align with Compensation Board payment schedules.)

	Item 73 #2s	
Administration	FY22-23	FY23-24
Compensation Board	\$0	(\$641,378) GF

Language:

Page 55, line 49, strike "\$53,637,055" and insert "\$52,995,677".

Explanation:

(This amendment reduces by \$641,378 GF the second year the funding for a partial exemption from the federal inmate cost recovery for the Piedmont Regional Jail once full staffing for existing jail bed capacity is provided. A companion amendment to Item 72 provides funding for the additional staffing. A companion amendment to Item 79 adjusts the position count table to reflect this change.)

	Item 75 #1s	
Administration	FY22-23	FY23-24
Compensation Board	\$0	\$1,707,386 GF

Language:

Page 59, line 35, strike "\$22,449,621" and insert "\$24,157,007".

Explanation:

(This amendment provides \$1.7 million GF the second year to fully fund the remaining unfunded positions in local offices of Commissioners of Revenue.)

	Item 76 #1s	
Administration	FY22-23	FY23-24
Compensation Board	\$0	\$4,633,412 GF

Language:

Page 60, line 32, strike "\$83,708,994" and insert "\$88,342,406".
Page 63, after line 11, insert:

Amendments to SB 800 (as Introduced)

"M. Out of the amounts appropriated in this item, \$4,633,412 the second year from the general fund is provided to increase minimum salaries of attorneys in Commonwealth's attorney's offices."

Explanation:

(This amendment provides \$4.6 million GF the second year to increase the state share of salaries in Commonwealth's attorney's offices to align with the salary levels included in the introduced budget for employees of the Indigent Defense Commission. The funding is sufficient to increase the entry-level attorney salary to \$70,000 and adjust higher classifications accordingly.)

Item 77 #1s

Administration	FY22-23	FY23-24	
Compensation Board	\$0	\$1,073,264	GF

Language:

Page 63, line 13, strike "\$64,856,238" and insert "\$65,929,502".

Page 65, after line 37, insert:

"P. Out of the appropriation for this item, \$1,073,264 the second year from the general fund is provided to increase salaries for circuit court deputy clerks."

Explanation:

(This amendment provides \$1.1 million GF the second year to increase circuit court deputy clerk salaries to align them with district court deputy clerk salaries, including the two percent salary increase provided to district court clerks in a companion amendment.)

Item 78 #1s

Administration	FY22-23	FY23-24	
Compensation Board	\$0	\$3,645,461	GF

Language:

Page 65, line 39, strike "\$20,672,500" and insert "\$24,317,961".

Explanation:

(This amendment provides \$3.6 million GF the second year to fully fund the remaining unfunded positions of local deputy treasurers.)

Item 79 #1s

Administration

Compensation Board

Language

Language:

Page 67, line 27, strike "11,716" and insert "11,772".

Page 67, line 28, strike the second instance of "935" and insert "939".

Page 67, line 38, strike "597" and insert "581".

Explanation:

(This amendment provides language that adjusts the positions count table to reflect 40 corrections officers and four medical/treatment positions in FY 2024, and the technical conversion of 16 temporary corrections officer positions to permanent for the Piedmont Regional Jail. A companion amendment to Item 72 provides funding to support the allocation of these positions. A companion amendment to Item 73 reduces funding currently provided for a partial exemption from the federal inmate cost recovery for which the Piedmont Regional Jail will no longer be eligible once full staffing for existing jail bed capacity is provided.)

Item 79 #2s

Administration

Compensation Board

Language

Language:

Page 70, after line 43, insert:

"W. The Compensation Board shall conduct a study of compensation and staffing levels of the offices of circuit court clerks and shall report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on or before December 1, 2023. In conducting the study, the Compensation Board shall consult with representatives of the Virginia Court Clerks Association. The Compensation Board shall make recommendations for appropriate (i) staffing levels for circuit court clerks, and (ii) pay bands for full-time employees that reflect their statutory duties. The recommendations for the pay bands shall reflect (i) the geographical disparity of costs of living in different areas of the Commonwealth, and (ii) the need to retain highly trained employees."

Explanation:

(This amendment provides language directing the Compensation Board to study the compensation and staffing levels of offices of circuit court clerks and report its findings to the House Appropriations and Senate Finance and Appropriations Committees on or before December 1, 2023.)

Item 79 #3s

Administration

Compensation Board

Language

Language:

Page 70, after line 43, insert:

“W. The Compensation Board shall examine the feasibility of including information in the annual jail cost report that would provide an estimate of fees charged to inmates in local jails.”

Explanation:

(This language amendment directs the Compensation Board to examine the feasibility of including information in the annual jail cost report that would provide an estimate of fees charged to local jail inmates.)

Item 79 #4s

Administration

Compensation Board

Language

Language:

Page 70, after line 43, insert:

“W. The Compensation Board shall include in the study being conducted pursuant to Senate Joint Resolution 239 an analysis of the feasibility and fiscal impact of adjusting the population-based salary table for sheriffs to incorporate sheriffs in localities of less than 40,000 into the existing population group of 40,000 – 69,999.”

Explanation:

(This language amendment directs the Compensation Board to include in the study being conducted pursuant to Senate Joint Resolution 239 an analysis of the feasibility and fiscal impact of adjusting the population-based salary table for sheriffs to incorporate sheriffs in localities of less than 40,000 into the existing population group of 40,000 – 69,999.)

Item 85 #1s

Administration

Department of General Services

FY22-23

\$0

FY23-24

(\$500,000) GF

Language:

Page 75, line 49, strike "\$6,648,833" and insert "\$6,148,833".

Amendments to SB 800 (as Introduced)

Page 76, strike lines 33-39.

Explanation:

(This amendment redirects \$500,000 GF the second year by continuing to use the current Capitol Square plan.)

Item 86 #1s

Administration

Department of Human Resource Management

Language

Language:

Page 79, after line 11, insert:

"L. Of the amounts appropriated in this Item, \$145,963 the first year and \$357,425 the second year from the general fund shall provide the Department of Human Resource Management (DHRM) with temporary support to address projected revenue shortfalls. The Department shall conduct an assessment of recent trends in the human resource needs of current and former client agencies and develop a strategic plan for the continuation of the Shared Service Center. DHRM shall prepare and deliver a report outlining such plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment directs the Department of Human Resource Management to develop a strategic plan for the Shared Services Center to address the departure of several client agencies and continue as a self-sustaining office.)

Item 88 #1s

Administration

FY22-23

FY23-24

Virginia Management Fellows
Program Administration

\$0
0.00

(\$1,513,961) GF
-18.00 FTE

Language:

Page 80, line 24, strike "\$1,513,961" and insert "\$0".

Explanation:

(This amendment transfers the Virginia Management Fellow Program's administration to the Secretary of Finance. A companion amendment reflects this transfer under the Secretary of Finance.)

Amendments to SB 800 (as Introduced)

Item 92 #1s

Administration	FY22-23	FY23-24	
Virginia Information Technologies Agency	\$0	(\$896,365)	GF

Language:

Page 84, line 31, strike "\$19,968,581" and insert "\$19,072,216".
Page 84, strike lines 49-50.

Explanation:

(This amendment redirects \$896,365 GF the second year to accommodate priorities of the Committee.)

Item 93 #2s

Administration	FY22-23	FY23-24	
Virginia Information Technologies Agency	\$0	(\$500,000)	GF

Language:

Page 84, line 52, strike "\$58,602,937" and insert "\$58,102,937".
Page 86, strike line 51 and insert: "G. The Virginia Information Technologies Agency (VITA) shall".
Page 86, after line 52, insert:
"VITA shall report the findings of such study and its recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2023."

Explanation:

(This amendment repurposes \$500,000 GF the second year and directs the Virginia Information Technologies Agency to study solutions for the creation of a central public facing portal for state government services with existing staff.)

Item 96 #1s

Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0	\$500,000	GF

Language:

Amendments to SB 800 (as Introduced)

Page 90, line 12, strike "\$6,671,909" and insert "\$7,171,909".

Page 90, line 20, after "products" insert "or wholesome foods".

Explanation:

(This amendment provides additional support for the Virginia Agriculture Food Assistance Fund. Senate Bill 1525 added "wholesome foods" to the program to provide grants to charitable food organizations to reimburse famers or food producers for costs association with harvesting, processing, packaging, or transporting agricultural products. The term "wholesome foods" allows for more products to be eligible for the program.)

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

Language:

Page 90, line 35, strike "\$25,275,307" and insert "\$26,275,307".

Page 92, line 46, after "\$1,000,000 the first year", insert "and \$1,000,000 the second year".

Explanation:

(This amendment provides \$1.0 million GF the second year and supports Senate Bill 1239 of the 2023 General Assembly which continues funding the Dairy Margin Coverage Program. The program provides reimbursement for margin coverage obtained through the Farm Service Agency to 157 dairy farms in FY 2022. The funding will continue the program to assist dairy producers in Virginia.)

	Item 98 #2s	
Agriculture and Forestry	FY22-23	FY23-24
Department of Agriculture and Consumer Services	\$0	\$2,000,000 GF

Language:

Page 90, line 35, strike "\$25,275,307" and insert "\$27,275,307".

Page 92, line 2, strike "875,000 the second year" and insert "\$2,875,000 the second year".

Explanation:

(This amendment provides \$2.0 million GF in FY 2024 to the Virginia Farmland Preservation Fund for the purchase of development rights program.)

Amendments to SB 800 (as Introduced)

Item 98 #3s

Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	10.00	10.00	FTE

Language:

Explanation:

(This amendment provides positions for Commodity Grading Services. The positions will be supported by existing program fee revenue, and will reduce the use of overtime to meet the growing demand from agricultural producers for commodity grading service for peanuts, grains, poultry, eggs, fruits, and vegetables. Commodity grading enhances the marketability of agricultural products.)

Item 99 #1s

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 93, after line 3, insert:

"E. Out of the amounts in this Item, \$2,000,000 the second year from the general fund is provided for the Catfish Processing, Flash Freezing, and Infrastructure Grant Program, consistent with the provisions of Senate Bill 897 of the 2023 General Assembly."

Explanation:

(This amendment provides \$2.0 million GF in FY 2024 to establish the Catfish Industries Development Program as proposed by Senate Bill 897. Grants will be awarded to political subdivisions to support efforts to attract value-added facilities processing blue catfish.)

Item 99 #2s

Agriculture and Forestry	FY22-23	FY23-24	
Department of Agriculture and Consumer Services	\$0	\$1,000,000	GF

Language:

Amendments to SB 800 (as Introduced)

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

Page 92, line 35, replace "\$2,500,000" with "\$3,500,000".

Page 92, line 40, after "efficiency." insert "Further, of this amount, up to \$1,000,000 shall be used for grants to increase meat processing capacity throughout the Commonwealth."

Explanation:

(This amendment provides \$1.0 million GF in FY 2024 to increase meat processing capacity in Virginia through the Governor's Agriculture and Forestry Industries Development Fund. The request is based on the 2022 General Assembly direction that the department develop a strategic plan and recommendations to increase meat processing opportunities for agricultural producers.)

	Item 100 #1s	
Agriculture and Forestry	FY22-23	FY23-24
Department of Agriculture and Consumer Services	\$0	\$200,000 GF

Language:

Page 93, line 4, strike "\$4,832,158" and insert "\$5,032,158".

Explanation:

(This amendment provides an additional \$200,000 GF in the second year to support the cooperative agreement between the US Department of Agriculture and the Department of Agriculture and Consumer Services to provide technical assistance for livestock producers dealing with wildlife depredation from coyotes, black vultures, and bears.)

	Item 100 #2s	
Agriculture and Forestry	FY22-23	FY23-24
Department of Agriculture and Consumer Services	\$0 0.00	\$485,000 GF 1.00 FTE

Language:

Page 93, line 4, strike "\$4,832,158" and insert "\$5,317,158".

Page 93, after line 29, insert:

"D. Out of the amounts appropriated in this Item, \$485,000 in the second year from the general fund is provided to the Department to support one additional staff position and related expenses for invasive species management and to take steps to eradicate or slow the spread of priority species."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment is one of a series of amendments that provides \$2.45 million GF in FY 2024 to responsibly manage invasive species to ensure the long-term viability of Virginia's native natural resources. Working with the state agencies charged with and in support of the goals outlined in the 2018 Virginia Invasive Species Management Plan, the Chesapeake Bay Commission has identified long-term goals for the management of priority invasive species. This amendment funds one position at VDACS to support this long-term approach as well as eradication efforts.)

	Item 108 #1s	
Agriculture and Forestry	FY22-23	FY23-24
Department of Forestry	\$0	\$10,000,000 GF

Language:

Page 96, line 14, strike "\$39,041,707" and insert "\$49,041,707".

Page 97, line 29, after "\$1,000,000 the first year", insert "and \$10,000,000 the second year".

Explanation:

(This amendment adds \$10.0 million GF in FY 2024 to the Forest Sustainability Fund established pursuant to § 58.1-3242.1, Code of Virginia. The fund provides allocations to localities that have adopted a use value assessment and taxation for real estate devoted for forest use.)

	Item 108 #2s	
Agriculture and Forestry	FY22-23	FY23-24
Department of Forestry	\$0	\$500,000 GF

Language:

Page 96, line 14, strike "\$39,041,707" and insert "\$39,541,707".

Page 97, following line 43, insert:

"O. Out of this appropriation, \$500,000 in the second year from the general fund is provided to the department to conduct a statewide, locality-by-locality, technical study of changes and trends in forests and tree canopy outside of forests for the purposes of (1) enhancing localities' land use planning and ability to compete for grants supporting resilient working forests and urban tree canopy through the Inflation Reduction Act of 2022 (136 Stat. 1818) and other federal grant programs; and (2) to accelerate achievement of Virginia's commitments under the Chesapeake Bay Watershed Implementation Plan and the Chesapeake Bay Watershed Agreement to expand urban tree canopy acres and riparian forest buffers. The technical study

Amendments to SB 800 (as Introduced)

shall include: (1) a statewide, locality-by-locality mapping of existing forest cover and tree canopy as well as of potential locations for afforestation and reforestation locations; (2) a locality-by-locality analysis of the health of forest lands and urban tree canopy; (3) a locality-by-locality analysis of observed changes and trends in the amount of forest cover and urban tree canopy due to development, disease, invasive species and other causes that uses the Chesapeake Bay Program Office 1M land use and land cover dataset, the USDA Forest Service Inventory and Analysis (FIA), the National Land Cover Dataset, and the Chesapeake Assessment Scenario Tool, and that takes into account state and local programs involving tree planting, reforestation, and afforestation, and the amount of forest preserved, and expected to be preserved, through federal, state, and local land conservation programs; (4) an analysis of the potential economic, water quality, habitat and other benefits of developing a program of forest mitigation banks; and (5) specific programmatic recommendations for accelerating progress in expanding healthy forest cover, urban tree canopy, and mitigation measures to maintain a diversity of native tree species. In designing and conducting the technical study, the department shall consult technical experts from Virginia's institutions of higher education, representatives from state and local governments, and other public or private sector technical experts. The department shall provide a report of its findings and recommendations to the Chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Agriculture, Chesapeake, and Natural Resources no later than December 1, 2024."

Explanation:

(This amendment directs the Department of Forestry to conduct a technical study of changes and trends in forests and the tree canopy statewide to assist localities' planning and to accelerate achievement of Virginia's Chesapeake Bay commitments.)

	Item 108 #3s		
Agriculture and Forestry	FY22-23	FY23-24	
Department of Forestry	\$0	\$940,000	GF
	0.00	2.00	FTE

Language:

Page 96, line 14, strike "\$39,041,707" and insert "\$39,981,707".

Page 97, after line 43, insert:

"O. Out of the amounts in this item, \$940,000 in the second year from the general fund is provided to support two additional staff positions and implement strategies to mitigate the impact of invasive species in support of the objectives outlined in the 2018 Virginia Invasive Species Management Plan. The Department shall take steps to eradicate or slow the spread of priority species on private and public lands; support the creation of additional Partnerships for Regional Invasive Species Management (PRISMs); and provide statewide coordination of invasive species management working with Department of Agriculture and Consumer Services, the Department of Conservation and Recreation, and the Department of Wildlife Resources in

Amendments to SB 800 (as Introduced)

collaboration with relevant stakeholders."

Explanation:

(This amendment is part of a series of amendments to provide \$2.45 million GF in FY 2024 to responsibly manage invasive species to ensure the long-term viability of Virginia's native natural resources. Working with state agencies and in support of the goals outlined in the 2018 Virginia Invasive Species Management Plan, the Chesapeake Bay Commission has identified long-terms goals for the management of priority invasive species. This amendment funds two positions at DOF to support this approach as well as provide interagency coordination responsibilities.)

Item 113 #1s

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 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 \$140.0 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 created by the qualified company in the prior calendar year, and an award of \$3,364 for each \$1.0 million of capital investment by the qualified company in the prior calendar year."

Explanation:

(This amendment authorizes payments from the Cloud Computing Cluster Infrastructure Fund, as established by SB 1522, for a project approved by the Major Employment and Investment (MEI) Commission on December 13, 2022.)

Item 113 #2s

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Amendments to SB 800 (as Introduced)

Page 102, line 52, after "50 acres" strike the rest of the line.

Page 103, strike line 1.

Explanation:

(This amendment expands eligibility for the Business Ready Sites Program Fund to include smaller sites of at least 50 acres. The amendment also makes smaller sites statewide eligible for the fund, rather than just sites in GO Virginia Regions 1 and 2.)

	Item 113 #3s	
Commerce and Trade	FY22-23	FY23-24
Economic Development Incentive Payments	\$100,000,000	\$150,000,000 GF

Language:

Page 100, line 21, strike "\$442,743,083" and insert "\$542,743,083".

Page 100, line 21, strike "\$403,577,290" and insert "\$553,577,290".

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

Page 102, line 45, strike "\$54,500,000" and insert "204,500,000".

Page 103, after line 9, insert:

"5. The Virginia Business Ready Sites Program Fund guidelines established pursuant to §2.2-2240.2:1 D.2 shall include a provision to reduce or waive the Fund matching funds requirement for political subdivisions in economically distressed localities."

Explanation:

(This amendment provides \$100.0 million (GF) in the first year and \$150.0 million (GF) in the second year for the Virginia Business Ready Sites program. The amendment increases the flexibility of the fund by allowing for the match requirement to be waived or reduced in economically distressed localities.)

	Item 113 #4s	
Commerce and Trade	FY22-23	FY23-24
Economic Development Incentive Payments	(\$200,000,000)	(\$250,000,000) GF

Amendments to SB 800 (as Introduced)

Language:

Page 100, line 21, strike "\$442,743,083" and insert "\$242,743,083".
Page 100, line 21, strike "\$403,577,290" and insert "\$153,577,290".
Page 103, strike rows 24 through 56.
Page 104, strike rows 1 through 44.

Explanation:

(This amendment removes the proposed Site Acquisition Pilot Program from the budget.)

	Item 113 #5s	
Commerce and Trade	FY22-23	FY23-24
Economic Development Incentive Payments	\$0	\$6,000,000 GF

Language:

Page 100, line 21, strike "\$403,577,290" and insert "\$409,577,290".
Page 104, after line 44, insert:

"U. Of this appropriation, up to \$6,000,000 the second year from the general fund shall be made available as an incentive payment, if the valuation of the property is negative and the bid is negative, to the winning purchaser of the Central Virginia Training Center property in Madison Heights, Virginia. As part of the sale of the property, the Department of General Services shall inform any potential offeror of the availability of this funding for remediation efforts on the property and that any proposal must include complete remediation and removal of existing derelict buildings, excluding those that can be rehabilitated and must be brought up to building code standards and is included in the proposed development for some use, and removal of all debris from the property within 12 months after the change in ownership prior to the incentive payment being paid to the purchaser. As part of the sale of the property, the Department of General Services shall require a performance bond for the restoration and remediation of the property."

Explanation:

(This amendment provides up to \$6.0 million GF in FY 2024 as an incentive payment to the purchaser of the Central Virginia Training Center property in Madison Heights, Virginia. The incentive payment will be made following remediation and debris removal from the property.)

	Item 114 #1s	
Commerce and Trade	FY22-23	FY23-24

Amendments to SB 800 (as Introduced)

Department of Housing and Community Development	\$0	\$3,000,000	GF
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Language:

Page 105, line 9, strike "\$308,460,495" and insert "\$311,460,495".

Page 109, after line 14, insert:

"P. Out of the amounts in this Item, \$3,000,000 the second year is provided to establish a Manufactured Home Parks Affordable Housing Pilot Program. The Department shall develop the pilot program guidelines to implement the incentive grant program. The pilot program may provide incentive payment grants to entities owned by at least 25 percent of the residents of a manufactured home park or organizations exempt from taxation under § 501 (c) (3) of the Internal Revenue Code for the purchase or exchange of a manufactured home park provided that the terms of the sale or exchange require or guarantee maintenance of the property as a manufactured home park for a period of at least 30 years."

Explanation:

(This amendment provides \$3.0 million GF in the second year to establish a Manufactured Home Parks Affordable Housing Pilot Program. The Department is instructed to develop program guidelines, and the incentive grant program will encourage purchase of manufactured home parks by either entities owned by at least 25 percent of the residents or nonprofit housing organizations. Manufactured home parks are defined by the Code of Virginia as a parcel of land under a single or common ownership upon which five or more manufactured homes are located on a continual, nonrecreational basis.)

Item 114 #2s

Commerce and Trade

FY22-23

FY23-24

Department of Housing and
Community Development

\$0
0.00

\$400,000 GF
2.00 FTE

Language:

Page 105, line 9, strike "\$308,460,495" and insert "\$308,860,495".

Page 109, after line 14, insert:

"P. Included in the amount for this Item is \$400,000 and two positions the second year from the general fund to complete the assessment, planning, publication, and reporting requirements associated with Senate Bill 839 of the 2023 General Assembly."

Explanation:

(This amendment provides support to implement the provisions of SB 839. The bill requires a statewide comprehensive housing assessment once every five years, an annual housing plan and goals, and collection and publication of certain local zoning information.)

Amendments to SB 800 (as Introduced)

Item 114 #3s

Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0 0.00	\$350,000 1.00	GF FTE

Language:

Page 105, line 9, strike "\$308,460,495" and insert "\$308,810,495".

Explanation:

(This amendment provides \$350,000 GF and one position in FY 2024 to implement the provisions of SB 1114 which directs the establishment and operation of the Virginia Residential Sites and Structures Locator, a web-based platform to assist localities in marketing parcels and existing structures that the locality has deemed suitable for residential or mixed-use development or redevelopment.)

Item 115 #1s

Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$88,750	\$355,000	GF

Language:

Page 109, line 15, strike "\$176,626,786" and insert "\$176,715,536".

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

Page 110, line 41, strike the first instance of "\$95,000" and insert "183,975" and strike the second instance of "\$95,000" and insert "\$450,000".

Explanation:

(This amendment provides \$88,750 GF the first year and \$355,000 GF the second year to support the Center for Rural Virginia. The center provides rural-focused programming, including the Virginia Rural Leadership Institute.)

Item 115 #2s

Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	\$16,000,000	NGF

Language:

Amendments to SB 800 (as Introduced)

Page 109, line 16, strike "\$187,160,442" and insert "\$203,160,442".

Page 112, after line 24, insert:

"M.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, and allow for applicants to attest that their income places them within the low-to moderate income limits established by the department. 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 defined above.

2. The department shall direct, at a minimum, \$16,000,000 of funds received by Virginia from the Federal Infrastructure and Jobs act (Public Law 117-58) for broadband access to the LECAP program.

3. Any federal funds designated for this program, including the amounts the paragraph above, shall be allocated evenly between a focus on low-to-moderate income households and all households irrespective of income, unless otherwise restricted by federal law."

Page 112, line 25, strike "M" and insert "N".

Page 112, line 28, strike "N1" and insert "O.1".

Page 112, line 43, strike "N.2" and insert "O.2".

Page 112, line 43, strike "N2" and insert "O2".

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

Page 113, line 14, strike "N.2" and insert "O.2".

Page 113, line 19, strike "N.2" and insert "O.2".

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

Page 113, line 35, strike "P.1" and insert "Q.1".

Page 114, line 27, strike "P" and insert "Q.1".

Page 114, line 38, strike "Q.1" and insert "R.1".

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

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

Page 115, line 4, strike "T.1" and insert "U.1".

Page 115, line 32, strike "T.2.a" and insert "U.2.a".

Page 115, line 35 strike "T.2.a" and insert "U.2.a".

Page 115, line 42, strike "T.2.a" and insert "U.2.a."

Page 116, line 22, strike "U.1" and insert V.1".

Page 117, line 30, strike "V.1" and insert "W.1".

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

Amendments to SB 800 (as Introduced)

Page 118, line 15, strike "X.1" and insert "Y.1".
Page 580, line 44, after "Program" strike "to"
Page 580, strike line 45.

Explanation:

(This amendment reallocates funding appropriated from the American Rescue and Recovery Act for the Line Extension Customer Assistance Program (LECAP) and appropriates \$16.0 million from the Federal Infrastructure and Jobs Act (Public Law 117-78) for broadband access to the LECAP program.)

	Item 115 #3s		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	\$5,000,000	GF

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$192,160,442".
Page 118, after line 37, insert:

"Y. Out of the amounts in this Item, \$5,000,000 the second year from the general fund is provided to support the Virginia Community Development Financial Institutions Fund as established in Senate Bill 1320."

Explanation:

(This amendment provides \$5.0 million GF in the second year to support the Virginia Community Development Financial Institutions Fund and program. Senate Bill 1320 of the 2023 General Assembly codifies the Virginia Community Development Financial Institutions Fund, originally created in the 2021 Appropriation Act, and establishes the Virginia Community Development Financial Institutions Program to carry out the purposes of the fund. The program provides grants and loans to community development financial institutions and other similar entities for the purpose of providing financing to small businesses, housing development and rehabilitation projects, and community revitalization real estate projects in the Commonwealth.)

	Item 115 #4s		
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	\$1,000,000	GF

Language:

Amendments to SB 800 (as Introduced)

Page 109, line 16, strike "\$187,160,442" and insert "\$188,160,442".

Page 118, after line 37, insert:

"Y. Out of the amounts in this Item, \$1,000,000 the second year from the general fund is provided to the City of Danville for the White Mill Whitewater Channel recreation facility project."

Explanation:

(This amendment provides \$1.0 million GF to support the redevelopment project along the Dan River known as the White Mill in the City of Danville and the White Mill Whitewater Channel, a recreation facility project that will serve for first responder swift water rescue training throughout the region and in the City of Danville.)

	Item 115 #5s	
Commerce and Trade	FY22-23	FY23-24
Department of Housing and Community Development	\$0	(\$650,000) GF

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$186,510,442".

Page 118, line 7, delete "\$1,300,000" and insert "\$650,000".

Explanation:

(This amendment reduces support provided in the introduced budget bill for agriculture technology workforce development.)

	Item 115 #6s	
Commerce and Trade	FY22-23	FY23-24
Department of Housing and Community Development	\$11,000,000 (\$11,000,000)	\$0 GF \$0 NGF

Language:

Page 108, line 23, after "O.1" strike the rest of the line.

Page 108, line 24, strike the line.

Page 108, line 25, strike "Program Fund (02017)" and insert "Included in the amounts in this Item, \$11,000,000 from the general fund the first year is provided"

Page 109, after line 14, insert:

"10. Notwithstanding any other provision of this Act, funds remaining from paragraph O.1 on June 30, 2023, shall be reappropriated for the same use in fiscal year 2024."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides \$11.0 million GF in FY 2023 for flood relief.)

		Item 115 #7s	
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	(\$10,000,000)	GF

Language:

Page 109, line 16, strike "\$187,160,442" and insert "\$177,160,442".

Page 118, strike lines 15 through 37.

Explanation:

(This amendment redirects a portion of the funding provided for workforce education programs.)

		Item 117 #1s	
Commerce and Trade	FY22-23	FY23-24	
Department of Housing and Community Development	\$0	(\$10,000,000)	GF

Language:

Page 119, line 13, strike "\$13,530,133" and insert "\$3,530,133".

Page 119, strike lines 24 through 29.

Explanation:

(This amendment removes funding provided in the introduced budget.)

		Item 120 #1s	
Commerce and Trade	FY22-23	FY23-24	
Department of Energy	\$0	\$250,000	GF

Language:

Page 120, line 3, strike "\$68,427,252" and insert "\$68,677,252".

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment provides \$250,000 GF in FY 2024 to implement the study directed in Senate Joint Resolution 258: Waste Coal; Department of Energy to study environment and economic impact of eliminating piles.)

	Item 121 #1s	
Commerce and Trade	FY22-23	FY23-24
Department of Energy	\$0	\$50,000 GF

Language:

Page 120, line 45, strike "\$7,812,564" and insert "\$7,862,564".

Explanation:

(This amendment provides funding for costs associated with establishing the program as provided for in SB 1333.)

	Item 121 #2s	
Commerce and Trade	FY22-23	FY23-24
Department of Energy	\$0	\$50,000 GF

Language:

Page 120, line 45, strike "\$7,812,564" and insert "\$7,862,564".

Page 121, after line 29, insert:

"F. Out of the amounts in this Item, \$50,000 the second year from the general fund is provided to establish the Electric Vehicle Rural Infrastructure Program and Fund pursuant to legislation in the 2023 General Assembly."

Explanation:

(This amendment provides \$50,000 GF the second year to support the creation of the Electric Vehicle Rural Infrastructure Program and Fund to assist private developers in rural localities with non-utility costs associated with the installation of electric vehicle charging stations. The appropriation will support planning and investigating possible federal funding sources for the new program.)

	Item 122 #1s	
Commerce and Trade	FY22-23	FY23-24
Department of Energy	\$0	\$250,000 GF

Amendments to SB 800 (as Introduced)

Language:

Page 121, line 31, strike "\$14,847,529" and insert "\$15,097,529".

Page 122, after line 6, insert:

"B. Included in this appropriation is \$250,000 in the second year from the general fund to support the Southwest Virginia Energy Research and Development Authority. It is the intent of the General Assembly that the department shall provide technical assistance, including grant writing assistance, to the Authority to assist the authority with accessing federal funding opportunities."

Explanation:

(This amendment provides \$250,000 GF in the second year for the Southwest Virginia Energy Research and Development Authority, and requests that the department provide technical assistance, including grant writing assistance for the Authority to access federal funding opportunities.)

		Item 122 #2s	
Commerce and Trade	FY22-23	FY23-24	
Department of Energy	\$0	(\$8,000,000)	GF

Language:

Page 121, line 31, strike "\$14,847,529" and insert "\$6,847,529".

Page 121, line 39, strike "\$10,000,000" and insert "\$2,000,000".

Page 121, line 49, after "technologies" strike remainder of the line.

Page 121, strike lines 50 through 54.

Page 122, strike lines 1 through 6.

Explanation:

(This amendment reduces support provided in the introduced budget.)

		Item 124 #1s	
Commerce and Trade	FY22-23	FY23-24	
Fort Monroe Authority	\$0	(\$211,000)	GF

Language:

Page 124, line 27, strike "\$6,808,351" and insert "\$6,597,351".

Explanation:

(This amendment reduces funding provided in the introduced budget bill.)

Amendments to SB 800 (as Introduced)

	Item 124 #2s	
Commerce and Trade	FY22-23	FY23-24
Fort Monroe Authority	\$0	\$500,000 GF

Language:

Page 124, line 27, strike "\$6,808,351" and insert "\$7,308,351".

Explanation:

(This amendment provides operating support for the Fort Monroe Authority. Support may be used to meet operating demands such as marketing or security.)

	Item 125 #1s	
Commerce and Trade	FY22-23	FY23-24
Virginia Economic Development Partnership	\$0	\$200,000 GF

Language:

Page 125, line 11, strike "\$51,979,192" and insert "\$52,179,192".

Page 128, after line 3, insert:

"V. Out of the amounts in this appropriation, \$200,000 in the second year from the general fund is provided for the Authority to conduct a study to evaluate the rail-centric and major economic development opportunities in the Bedford, Campbell, and Lynchburg region of central Virginia. The Authority shall submit the results of the study to the Governor and General Assembly on or before December 1, 2023."

Explanation:

(This amendment provides \$250,000 GF in the second year for the Virginia Economic Development Partnership to study rail-centric and major economic development opportunities in the Bedford, Campbell, and Lynchburg region of Central Virginia. Study due December 2023.)

	Item 125 #2s	
Commerce and Trade	FY22-23	FY23-24
Virginia Economic Development Partnership	\$0	(\$1,200,000) GF

Language:

Amendments to SB 800 (as Introduced)

Page 125, line 11, strike "\$51,979,192" and insert "\$50,779,192".

Page 127, strike line 56.

Page 128, strike lines 1 through 3.

Explanation:

(This amendment reduces funding provided in the introduced budget bill.)

	Item 128 #1s		
Education	FY22-23	FY23-24	
Secretary of Education	\$0	(\$438,000)	GF
	0.00	-3.00	FTE

Language:

Page 136, line 4, strike "\$1,212,902" and insert "\$774,902".

Page 136, line 6, strike "\$1,212,902" and insert "\$744,902".

Page 136, line 8, strike "\$1,212,902" and insert "\$744,902".

Page 136, line 41, strike "\$1,212,902" and insert "\$744,902".

Page 136, line 41, strike "8.0" and insert "5.0".

Page 136, line 45, strike "8.0" and insert "5.0".

Page 136, line 47, strike "\$1,212,902" and insert "\$744,902".

Explanation:

(This amendment defers funding from the introduced budget for positions at the Secretary of Education's Office to support other public education initiatives.)

	Item 128 #2s		
Education	FY22-23	FY23-24	
Secretary of Education	\$0	\$53,000	GF

Language:

Page 136, line 4, strike "\$1,212,902" and insert "\$1,265,902".

Page 136, after line 39, insert:

"D. Out of this appropriation, \$53,000 the second year from the general fund is designated to support the Commission on Early Childhood Care and Education."

Explanation:

(This amendment provides funding to the Commission on Early Childhood Care and Education.)

Education	FY22-23	FY23-24	
Department of Education, Central Office Operations	\$0	\$6,700,000	GF

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 \$5,040,000 the second year from the general 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 Senate Bill 1175 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 \$6,300,000 the second year from the general fund to support ongoing implementation of literacy instruction and 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.

b. 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 the general fund to implement the expansion of 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

Amendments to SB 800 (as Introduced)

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 #2s

Education	FY22-23	FY23-24	
Department of Education, Central Office Operations	\$0	\$1,500,000	GF

Language:

Page 136, line 50, strike "\$292,102,386" and insert "\$293,602,386".

Page 141, after line 57, insert:

"W. Out of this appropriation, \$1,500,000 the second year from the general fund is designated to support training, technical assistance, and on-site coaching to public school teachers and administrators on implementation of a positive behavioral interventions and supports program with the goal of improving school climate and reducing disruptive behavior in the classroom. Such training and other assistance may be provided as part of the Department's ongoing efforts to assist schools with implementation of a tiered system of supports that addresses both academic and behavioral needs."

Explanation:

(This amendment provides \$1.5 million GF in the second year to support the Virginia Tiered System of Support per the JLARC report on the Pandemic Impact on Public K-12 Education. This is a recommendation from the Behavioral Health Commission.)

Item 129 #3s

Education		Language
Department of Education, Central Office Operations		

Language:

Page 141, after line 57, insert:

"W. The Department of Education shall conduct a study of out-of-school time programs currently available in the Commonwealth to identify areas where there are critical gaps in access to such programs, and develop recommendations for mitigating such gaps in access in order to assist working parents and ensure the safety and supervision of students in the Commonwealth outside of school hours. In conducting its study, the Department shall identify: (i) Out-of-School Time programs that currently exist in the Commonwealth for children in

Amendments to SB 800 (as Introduced)

kindergarten through grade eight; (ii) benefits such Out-of-School Time programs confer on both children and parents in the Commonwealth; (iii) areas of the Commonwealth where there are critical gaps in access to or unmet demand for Out-of-School Time programs; (iv) funding sources used by current Out-of-School Time programs in the Commonwealth; (v) potential funding sources that are not currently used by Out-of-School Time programs in the Commonwealth; and (vi) additional strategies or methods for mitigating critical gaps in access to Out-of-School Time programs and reducing the unmet demand for such programs."

Explanation:

(This amendment directs the Department of Education to study the out-of-school time (OST) programs currently available in the Commonwealth, identify areas of the Commonwealth where there are critical gaps in access to such programs, and develop recommendations for mitigating such gaps in order to assist working parents and ensure the safety and supervision of students in the Commonwealth outside of school hours.)

	Item 135 #1s	
Education	FY22-23	FY23-24
Department of Education, Central Office Operations	\$0 0.00	\$450,000 3.00 GF FTE

Language:

Page 146, line 28, strike "\$23,008,204" and insert "\$23,458,204".

Page 148, after line 7, insert:

"K. Out of this appropriation, \$450,000 the second year from the general fund is provided to the Department of Education to support tbudget, financial data reporting, and grant administration."

Explanation:

(This amendment provides \$450,000 GF the second year for three positions in the Department of Budget and Finance at the Department of Education.)

	Item 136 #1s	
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 159, line 11, strike the second instance of "\$1,000,000" and insert "\$2,000,000".

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment provides an additional \$1.0 million GF in the second year for the YMCA Power Scholars Academies, increasing the total appropriation in the second year to \$2.0 million.)

	Item 136 #2s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$250,000 GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$141,166,982".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$250,000 the second year from the general fund is designated to establish programs that will support increased enrollment and student success in Advanced Placement computer science classes. The Department of Education shall develop a process to award these funds."

Explanation:

(This amendment provides \$250,000 GF the second year to fund Advanced Placement computer science course startup and expansion costs for public Virginia high schools. Funds also may be used to cover the cost of tests as funds are available.)

	Item 136 #3s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$90,000 GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$141,006,982".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$90,000 the second year from the general fund is provided to the City of Newport News to expand the Soundscapes program so that more students in Newport News and Hampton can develop critical skills by participating in the intensive music study and ensemble performance programs."

Explanation:

(This amendment provides \$90,000 GF the second year to the City of Newport News to expand the Soundscapes program so that more students in Newport News and Hampton can develop critical skills by participating in the intensive music study and ensemble performance programs.)

Amendments to SB 800 (as Introduced)

Item 136 #5s

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

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$143,916,982".

Page 155, line 8, strike the second instance of "\$2,250,000" and insert "\$5,250,000".

Explanation:

(This amendment provides an additional \$3.0 million GF in the second year to support teacher residency programs, including stipends for student teachers.)

Item 136 #6s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$8,945,000	GF

Language:

Page 148, line 23, strike "\$140,916,982" and insert "\$149,861,982".

Page 150, line 37, strike "classroom teachers" and insert "licensed staff".

Page 150, line 38, after "Standards" insert "and to candidates pursuing such certification."

Page 150, line 38, strike "Such" and insert "In the first year, such".

Page 150, line 39, after the second instance of "certificate.", insert:

"Beginning in the second year, such bonuses shall be \$7,500 annually for the life of the certificate. Candidates pursuing certification may apply to the Department of Education for grants from these funds (i) to cover the registration costs for candidates pursuing initial certification, with half of the registration fee reimbursable upon initial registration, and the remaining half reimbursable upon successful achievement of certification, and (ii) to cover maintenance of certification and registration costs, reimbursable upon successful completion of the certificate extension."

Page 150, line 41, strike "\$5,035,000" and insert "\$13,935,000".

Page 150, line 41, after "bonuses" insert "and grant costs"

Page 150, line 43, strike "classroom teachers" and insert "licensed staff".

Page 150, line 43, after "certification" insert:

"and notify teachers of the opportunity to apply for grants for the purpose of initial application or renewal of certification from the National Board of Professional Teaching Standards".

Explanation:

(This amendment provides \$8.9 million GF the second year to increase the National Board

Amendments to SB 800 (as Introduced)

Certification Incentive bonus to \$7,500 every year for the award to teachers. The current bonus is \$2,500. It also allows funds to be used for candidates seeking certification.)

	Item 136 #7s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$20,000,000 GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$160,916,982".

Page 155, line 40, strike "\$30,986,015" and insert "\$50,986,015".

Page 155, line 50, strike "\$9,736,015" and insert "49,736,015".

Page 156, strike lines 1-5.

Explanation:

(This amendment provides an additional \$20.0 million from the introduced budget to support early childhood mixed delivery programs and allows the funds to be used statewide. This increases the total funding in the second year by \$40.0 million.)

	Item 136 #8s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$50,000,000 GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$190,916,982".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$50,000,000 the second year from the general fund is designated to support school safety and security grants. The Department of Education shall administer the program and develop guidelines. Funds may be used to support equipment and planning to improve safety and security. In determining grant awards, prioritization shall be placed on the severity of identified deficiencies and the school division's local ability to pay as identified by its local composite index. From this appropriation, \$1,500,000 is provided to support safety and security at Richneck Elementary School in Newport News Public Schools and \$4,000,000 is provided to support safety and security at Oak Street Elementary School in Falls Church City Public Schools."

Explanation:

(This amendment provides \$50.0 million in school safety and security grants. The Department of Education is required to award grants based on developed guidelines that consider severity of identified deficiencies and a division's local ability to pay.)

Amendments to SB 800 (as Introduced)

Item 136 #9s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$400,000	GF

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$141,316,982".

Page 162, after line 21, insert:

"FFF. Out of this appropriation, \$400,000 the second year from general fund is provided to support grants to school divisions for the purchase of automated external defibrillators pursuant to §221.1-274.4 of the Code of Virginia."

Explanation:

(This amendment provides grant funding to support the purchase of AED devices.)

Item 136 #10s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$5,000,000	\$0	GF

Language:

Page 148, line 23, strike "\$76,530,982" and insert "\$81,530,982".

Page 148, line 50, strike "\$10,000,000" and insert "\$15,000,000".

Page 160, line 9, strike "\$10,000,000" and insert "\$15,000,000".

Explanation:

(This amendment provides additional support to the Community School Fund to provide funding for research- and evidence-based strategies and best practices to incorporate integrated student supports that address non-academic and out-of-school barriers to learning as a means to enhance student success.)

Item 136 #11s

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

Language:

Page 148, line 22, strike "\$140,916,982" and insert "\$90,916,982".

Amendments to SB 800 (as Introduced)

Page 149, strike line 45.

Page 161, strike lines 39-47.

Explanation:

(This amendment redirects funding in the introduced budget for performance bonuses to other public education initiatives.)

	Item 137 #1s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$270,609,395 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,706,278,423".

Page 176, line 40, strike "and 21 support positions per 1,000 ADM to funded SOQ instructional positions in the second year." and insert ". In the second year, for the purposes of funding certain support positions in Basic Aid, the prevailing ratio of support positions shall be utilized to fund such positions."

Explanation:

(This amendment provides \$270.6 million GF the second year to increase the number of support positions by removing the standard used in Chapter 2, 2022 Special Session I.)

	Item 137 #2s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$27,533,705 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,463,202,733".

Page 170, line 8, strike "five" and insert "eight".

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 \$27.5 million the second year from general fund to provide one reading specialist per 550 students in grades six through eight. The adopted budget funds reading specialists at the same ratio in kindergarten through third grade, and the introduced budget would fund reading specialists at the same ratio in fourth and fifth grade. Existing language provides flexibility to permit school divisions to meet the ratio using other staff who

Amendments to SB 800 (as Introduced)

are working toward meeting the training and licensure requirements for reading specialists that become effective for the 2024-2025 school year.)

Item 137 #3s

Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$38,580,470 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,474,249,498".

Page 205, after line 10, insert:

"48. Temporary Instructional Assistants

a. Out of this appropriation, \$38,580,470 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 students within classrooms, and (iii) reduce teacher workloads. From this amount, the state share of one instructional assistant per 20 students in fall membership shall be provided for each school that did not meet performance benchmarks for three or more school quality indicators based on the Board of Education's most recent accreditation calculations.

b. These payments are available to any school division with a qualifying school that certifies to the Department of Education the number of eligible instructional assistants deployed in qualifying schools, not to include any instructional assistants funded through the Standards of Quality. The Department of Education shall prorate funding for school divisions that certify fewer eligible instructional assistants deployed than the number qualified for funding through this program.

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

Explanation:

(This amendment provides additional, temporary funding of \$38.6 million GF the second year for a subset of schools accredited with conditions to hire instructional assistants at a ratio of one assistant per 20 students in schools that do not meet three 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 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 137 #4s

Education	FY22-23	FY23-24
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Amendments to SB 800 (as Introduced)

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 51, strike "\$115,987,950" and insert "\$96,474,022".
 Page 163, line 51, strike "\$34,368,036" and insert "\$21,928,290".

Explanation:

(This amendment reflects a reduction in funds in the first year as a result of updated enrollment data.)

Item 137 #5s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	(\$45,152,262)	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,390,516,766".
 Page 179, strike lines 30-33.
 Page 204, strike lines 46-54.
 Page 205, strike lines 1-10.

Explanation:

(This amendment redirects funding in the introduced budget for a one percent retention bonus to support other initiatives in public education.)

Item 137 #7s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$116,819,501	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,552,488,529".
 Page 163, strike line 31 strike "\$530,315,277" and insert "\$642,282,189".
 Page 179, line 15, strike "\$1,648,374" and insert "\$1,985,865".
 Page 179, line 17, strike "5.0" and insert "7.0".
 Page 195, line 45, strike "\$2,379,076" and insert "\$2,894,792".
 Page 195, line 48, strike "5.0" and insert "7.0".
 Page 200, line 22, strike "\$530,315,277" and insert "645,546,445".
 Page 200, line 33, strike "5.0" and insert "7.0".
 Page 200, line 35, strike "5.0" and insert "7.0".

Amendments to SB 800 (as Introduced)

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

Page 200, line 46, strike "\$2,379,076" and insert "\$2,894,4792".

Page 200, line 49, strike "\$1,648,374" and insert "\$1,985,865".

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

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

Explanation:

(This amendment provides an additional \$116.8 million in the second year from the general fund to support a total salary increase of seven percent effective July 1, 2024. This is an additional 2.0 percent increase from the 5.0 increase provided in Chapter 2, Special Session 1 of the General Assembly.)

Item 137 #8s

Education

FY22-23

FY23-24

Direct Aid to Public Education

\$58,074,430

\$0 GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,996,706,918".

Page 205, after line 10, insert:

"48. Hold Harmless for the Grocery Tax Hold Harmless Error in Direct Aid Calculator

a. Out of this appropriation, \$58,074,430 the first year from the general fund is provided to local school divisions as hold harmless payments in support of the Standards of Quality for the identified error in the Direct Aid calculator for the Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene and Basic Aid offset. Local governing bodies shall appropriate these funds to school divisions in the same manner as they appropriate sales tax revenues dedicated to public education.

b. The one-time hold harmless payments represent the projected net decrease in state payments to local school divisions from the error in the Direct Aid calculator as reflected for Chapter 2 of the 2022 Special Session I."

Explanation:

(This amendment provides \$58.1 million GF the first year for a hold harmless payment to cover the identified error in the Direct Aid calculator tool from the Supplemental Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene and Basic Aid offset. These funds represent the total impact to divisions in fiscal year 2023.)

Item 137 #9s

Amendments to SB 800 (as Introduced)

Education	FY22-23	FY23-24
Direct Aid to Public Education	(\$58,074,429)	\$0 GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,880,558,059".
Page 164, line 13, strike "\$150,000,000" and insert "\$5,000,000".
Page 203, line 29, strike "150,000,000" and insert "\$5,000,000".
Page 203, strike lines 35-42.
Page 204, line 2, strike "2024" and insert "2023".

Explanation:

(This amendment redirects funding for lab schools to hold local school divisions harmless for the Grocery Sales tax error in the calculator tool in FY 2023. Adjustments made to the fund include a companion amendment to reduce funding for lab schools to \$5.0 million.)

Item 137 #10s

Education	FY22-23	FY23-24
Direct Aid to Public Education	(\$86,925,571)	\$0 GF

Language:

Page 162, line 23, strike "\$9,938,632,488" and insert "\$9,851,706,917".
Page 164, line 13, strike "\$150,000,000" and insert "\$5,000,000".
Page 203, line 29, strike "150,000,000" and insert "\$5,000,000".

Page 203, strike lines 35-42.
Page 204, line 2, strike "2024" and insert "2023".

Explanation:

(This amendment redirects funding for the lab school initiative to support other initiatives related to public education. The funding reduction to \$5.0 million reflects the reduction in a companion amendment.)

Item 137 #11s

Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$56,941,490 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,492,610,518".

Amendments to SB 800 (as Introduced)

Page 170, after line 13, insert:

"i. Notwithstanding the provisions of subsection O of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ at least four specialized student support positions per 1,000 students beginning in the 2023-2024 school year. Specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services."

Explanation:

(This amendment provides \$56.9 million GF the second year to fund the state's share of four specialized support positions per 1,000 students.)

	Item 137 #12s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$37,081,690 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,472,750,718".

Page 177, line 42, strike "\$201,503,749" and insert "\$238,585,440".

Page 177, line 50-52, after "Program.", strike through "participant" and insert:

"In the first year, based on its percentage of Free Lunch participants, each school division will receive a total between 1.0 and 36.0 percent in additional basic aid per Free Lunch participant. In the second year, based on its percentage of Free Lunch participants, each school division will receive a total between 1.0 and 40.0 percent in additional basic aid per Free Lunch participant."

Explanation:

(This amendment provides \$37.1 million the second year from the general fund to increase the At-Risk Add-On maximum from 36.0 percent to 40.0 percent in FY 2024).

	Item 137 #13s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$24,327,096 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,459,996,124".

Amendments to SB 800 (as Introduced)

Page 170, after line 13, insert:

"i. Notwithstanding the provisions of subsection F of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ, at a minimum, 24 full-time equivalent instructional positions in the 2023-2024 school year and thereafter for each 1,000 students identified as having limited English proficiency."

Page 177, line 38 after "positions" insert "the first year and 24 professional instructional positions per 1,000 in the second year".

Explanation:

(This amendment provides \$24.3 million the second year from general fund to increase the ratio of English Language Learner positions from 20 per 1,000 students to 24 per 1,000 students.)

	Item 137 #14s	
Education	FY22-23	FY23-24
Direct Aid to Public Education	\$0	\$140,439,864 GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,576,108,892".

Page 164, after line 15, insert "Bonus Payment \$0 \$140,439,864".

Page 205, after line 10, insert:

"48. Bonus Payment

a. Out of this appropriation, \$140,439,864 the second year from the general fund is provided for a one-time bonus payment of \$1,000 on December 1, 2023, per funded SOQ instructional position and support positions. Funded SOQ instructional positions shall include all teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the second year.

b. Sufficient funding is provided for the entire cost of an average \$1,000 bonus per funded SOQ instructional and support position in this act. School divisions 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. Localities are encouraged to use additional available funds to provide pandemic bonuses to other eligible instructional and support positions."

Explanation:

(This amendment provides \$140.4 million GF in FY 2024 to fund a bonus of \$1,000 to instructional and support positions. There is no required local match.)

Amendments to SB 800 (as Introduced)

Item 137 #15s

Education	FY22-23	FY23-24	
Direct Aid to Public Education	\$0	\$1,750,001	GF

Language:

Page 162, line 23, strike "\$9,435,669,028" and insert "\$9,437,419,029".

Page 165, line 9 strike "\$0" and insert "\$1,750,000"

Page 202, line 8, after "first year" insert "and second year"

Explanation:

(This amendment provides \$1.75 million the second year from the general fund to support Accomack and Northampton school divisions for teacher recruitment and retention efforts, including adjustments to salary scales to minimize the misalignment to salary scales of adjacent counties.)

Item 137 #16s

Education

Direct Aid to Public Education	Language
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Language:

Page 202, line 19, after "purpose.", insert, "Projects beginning construction on or after July 1, 2022 are eligible to apply for a grant."

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

Page 202, after line 36, insert:

"The Board of Education shall use multiple years of local composite index and local fiscal stress."

Page 203, after line 18, insert:

"7. Procedures for school divisions to jointly apply for a grant that supports construction, expansion, or modernization of public school buildings used for regional programs or joint regional schools."

Page 203, after line 22, insert:

"Grant awards may be used to cover the principal portion of debt service payments on projects that have been initiated after July 1, 2022 or projects that have been financed but not started."

Explanation:

(This amendment includes language to allow the Board of Education to use a multi-year review of local composite index and fiscal stress when determining grant award, to allow projects beginning on July 1, 2022 to be eligible for a grant, to allow the principal portion of future debt

Amendments to SB 800 (as Introduced)

service payments on projects not yet began as an eligible expense, and for procedures to address joint grant applications be adopted.)

Item 137 #17s

Education

Direct Aid to Public Education

Language

Language:

Page 201, line 51, after "activities." insert:

"School divisions may expend funds for authorized uses on any public school buildings or properties used for regional programs and joint regional schools."

Explanation:

(This amendment includes language allowing school divisions to use School Construction Grant Funds for regional programs and joint regional schools.)

Item 142 #1s

Education: Higher Education

FY22-23

FY23-24

State Council of Higher Education for
Virginia

\$0

\$25,000,000 GF

Language:

Page 207, line 43, strike "\$160,378,512" and insert "\$185,378,512".

Page 212, line 20, strike "\$25,000,000" and insert "\$50,000,000"

Page 212, lines 30-37, strike and insert:

"3. Any Virginia public institution of higher education may apply for pilot funding in the second year through a competitive grant process. Applications must demonstrate efforts to restructure outreach, recruitment, admission, and retention procedures. Funds are intended to support initiatives that attract, enroll, and retain low-income students. Institutions that request funds for need-based financial aid must specify that aid may be used to support internship opportunities.

4. Any institutional grant under this initiative shall be subject to performance outcomes established in paragraph 5. Funds shall be ongoing to ensure successful enrollment and completion for students. Pilots demonstrating successful outcomes may be prioritized in future base funding requests."

Explanation:

(This amendment increases funding for the Pell initiative, provides additional language regarding the use of financial aid for internship opportunities and states that funding will be ongoing to ensure successful outcomes for students.)

Amendments to SB 800 (as Introduced)

Item 142 #2s

Education: Higher Education

FY22-23

FY23-24

State Council of Higher Education for
Virginia

\$0

\$2,000,000 GF

Language:

Page 207, line 43, strike "\$160,378,512" and insert "\$162,378,512".

Page 211, line 3, strike the second reference to "\$13,500,000" and insert "\$15,500,000".

Explanation:

(This amendment provides \$2.0 million general fund in the second year for the New Economy Workforce Credential Grant program to support enrollment growth and the increase in the maximum reimbursement rate from \$3,000 to \$4,000 pursuant to Senate Bill 1422.)

Item 142 #3s

Education: Higher Education

State Council of Higher Education for Virginia

Language

Language:

Page 209, line 21, strike "\$3,750" and insert "\$2,500".

Explanation:

(This amendment maintains the funding amount of \$2,500 in the second year for online learning as approved in Chapter 2, 2022 Special Session 1.)

Item 144 #1s

Education: Higher Education

State Council of Higher Education for Virginia

Language

Language:

Page 216, lines 30-39 strike and insert:

"W. Out of this appropriation, \$9,000,000 the second year from the general fund is designated as a one-time appropriation 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 and define an allocation process for institutions to receive a portion of the total funding to provide mental health services to students at institutions

Amendments to SB 800 (as Introduced)

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 clarifies the use of funds to support higher education institutions and removes language related to elementary and secondary schools as a result of other initiatives provided in public education.)

	Item 160 #1s	
Education: Higher Education	FY22-23	FY23-24
Virginia Institute of Marine Science	\$0	\$280,000 GF

Language:

Page 224, line 36, strike "\$29,969,531" and insert "\$30,249,531".

Page 226, after line 27, insert:

"Q. Out of this appropriation, \$280,000 the second year from general fund is provided to study the ecology, fishery impacts, and economic importance of menhaden populations in the waters of the Commonwealth. VIMS shall, no later than December 1, 2024, provide a report on its findings to the Chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources."

Explanation:

(This amendment provides \$280,000 to support the study of the menhaden fish population pursuant to SB 1388.)

	Item 163 #1s	
Education: Higher Education	FY22-23	FY23-24
George Mason University	\$0	\$560,000 GF

Language:

Page 227, line 10, strike "\$681,147,793" and insert "\$681,707,793".

Page 229, after line 2, insert:

"L. Out of this appropriation, \$560,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

	Item 167 #1s	
Education: Higher Education	FY22-23	FY23-24
James Madison University	\$0	\$660,000 GF

Language:

Page 230, line 21, strike "\$383,262,632" and insert "\$383,922,632".

Page 231, after line 35, insert:

"G. Out of this appropriation, \$660,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

	Item 171 #1s	
Education: Higher Education	FY22-23	FY23-24
Longwood University	\$0	\$130,000 GF

Language:

Page 232, line 38, strike "\$84,079,735" and insert "\$84,209,735".

Page 233, after line 35, insert:

"E. Out of this appropriation, \$130,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Amendments to SB 800 (as Introduced)

Item 175 #1s

Education: Higher Education

FY22-23

FY23-24

Norfolk State University

\$0

\$110,000 GF

Language:

Page 234, line 31, strike "\$123,004,353" and insert "\$123,114,353".

Page 236, after line 8, insert:

"I. Out of this appropriation, \$110,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 179 #1s

Education: Higher Education

FY22-23

FY23-24

Old Dominion University

\$0

\$560,000 GF

Language:

Page 237, line 19, strike "\$358,774,129" and insert "\$359,334,129".

Page 239, after line 16, insert:

"M. Out of this appropriation, \$560,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 179 #2s

Education: Higher Education

FY22-23

FY23-24

Old Dominion University

\$0

\$10,000,000 GF

Amendments to SB 800 (as Introduced)

Language:

Page 237, line 19, strike "\$358,774,129" and insert "\$368,774,129".

Page 239, after line 16, insert:

"M. 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. Eastern Virginia Medical School and Old Dominion University shall provide the following deliverables no later than August 1, 2023, to the Governor and the Chairmen of the Senate Committee on Finance and Appropriations, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Health, Welfare and Institutions: (i) 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; (ii) metrics tied to the strategic and financial plan that will measure the improved health care and community outcomes in the surrounding region resulting from the creation of the Eastern Virginia Health Sciences Center at Old Dominion University; (iii) a comprehensive funding plan that supports the execution of such strategic and financial plan and includes all parties necessary to ensure a successful outcome; (iv) a time and effort matrix that distributes positions and costs by appropriate fund sources and that includes educational and general programs, grants and contracts, practice plan clinical activity, hospital affiliations, and other health care affiliation activity; and (iv) a governance model that aligns all parties necessary to ensure a successful outcome.

3. Upon written approval of such deliverables by the Governor and the Chairs of the Senate Committee on Finance and Appropriations, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Health, Welfare and Institutions, Old Dominion University and Eastern Virginia Medical School shall initiate the necessary next steps to move forward with a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University.

4. Funding provided for the merger shall be used once the merger approval process is complete."

Page 289, strike lines 44-62.

Page 290, strike lines 1-14.

Explanation:

(This amendment redirects funding provided in the introduced budget from Eastern Virginia

Amendments to SB 800 (as Introduced)

Medical School to Old Dominion for the establishment of the Eastern Virginia Health Sciences Center at Old Dominion University. Funds shall be used to support the expenses related to the merger upon completion of the written approval process.)

Item 183 #1s

Education: Higher Education

FY22-23

FY23-24

Radford University

\$0

\$530,000 GF

Language:

Page 241, line 7, strike "\$137,831,383" and insert "\$138,361,383".

Page 242, after line 19, insert:

"E. Out of this appropriation, \$530,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 188 #1s

Education: Higher Education

FY22-23

FY23-24

University of Mary Washington

\$0

\$130,000 GF

Language:

Page 243, line 23, strike "\$92,481,147" and insert "\$92,611,147".

Page 244, after line 32, insert:

"H. Out of this appropriation, \$130,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 195 #1s

Amendments to SB 800 (as Introduced)

Education: Higher Education	FY22-23	FY23-24
University of Virginia	\$0	\$320,000 GF

Language:

Page 246, line 8, strike "\$832,311,999" and insert "\$832,631,999".

Page 248, after line 28, insert:

"P. Out of this appropriation, \$320,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 202 #1s

Education: Higher Education	FY22-23	FY23-24
University of Virginia's College at Wise	(\$400,000)	\$0 GF

Language:

Page 251, line 15, strike "\$42,855,876" and insert "\$42,455,876".

Page 252, lines 10-14, strike and insert:

"H. Out of this appropriation, \$100,000 the first year from the general fund is designated for a study on the feasibility of becoming a research university. The University of Virginia's College at Wise shall work in collaboration with the University of Virginia, other neighboring research institutions, economic development partners and the State Council of Higher Education for Virginia. The results of the study shall be reported to the Governor and Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by June 30, 2024."

Explanation:

(This amendment redirects partial funds to assess the feasibility of becoming a research university. It also requests that University of Virginia at Wise to collaborate with partners as part of the process.)

Item 202 #2s

Education: Higher Education	FY22-23	FY23-24
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Amendments to SB 800 (as Introduced)

University of Virginia's College at Wise	\$0	\$50,000	GF
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Language:

Page 251, line 15, strike "\$40,849,150" and insert "\$40,899,150".

Page 252, after line 14, insert:

"I. Out of this appropriation, \$50,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 206 #1s

Education: Higher Education	FY22-23	FY23-24	
Virginia Commonwealth University	\$0	\$510,000	GF

Language:

Page 253, line 21, strike "\$718,071,872" and insert "\$718,581,872".

Page 256, after line 22, insert:

"S. Out of this appropriation, \$510,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 208 #1s

Education: Higher Education	FY22-23	FY23-24	
Virginia Commonwealth University	\$0	(\$5,000,000)	GF

Language:

Page 256, line 45, strike "\$331,358,802" and insert "\$326,358,802".

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment redirects funding to support other initiatives related to higher education.)

Item 209 #1s

Education: Higher Education

Virginia Commonwealth University

Language

Language:

Page 257, strike lines 27-39.

Explanation:

(This amendment removes language proposed in the introduced budget related to health system governance in Item 209 B.)

Item 212 #1s

Education: Higher Education

FY22-23

FY23-24

Virginia Community College System

\$0

\$25,000,000

GF

Language:

Page 258, line 44, strike "\$1,037,522,208" and insert "\$1,062,522,208".

Page 262, after line 5, insert:

"EE. Out of this appropriation \$24,650,000 the second year from the general fund is provided for ongoing support of programs in regions with high workforce demand and low labor supply.
a. Funds may be used for startup costs related to new program development in high demand fields. Funds provided shall include an employer match to ensure alignment to workforce needs. Funds also may be used to support new program development for career and technical dual enrollment courses.

b. Of this amount, \$2,500,000 from the general fund is provided to Blue Ridge Community College for one-time costs associated with commercial driver's licensure programming.

FF. Out of this appropriation, \$350,000 the second year from the general fund is designated to support mixed-delivery programs and classroom equipment and materials at Virginia Peninsula Community College. Of this amount, \$100,000 is provided to support early childhood instructional delivery, equipment, and program operating costs. Virginia Peninsula Community College is authorized to enter into a partnership agreement with a third-party provider to facilitate in-practice early childhood educational training."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides ongoing support for workforce initiatives at the community colleges.)

Item 212 #2s

Education: Higher Education

FY22-23

FY23-24

Virginia Community College System

\$0

\$2,160,000 GF

Language:

Page 258, line 44, strike "\$1,037,522,208" and insert "\$1,039,682,208".

Page 262, after line 5, insert:

"EE. Out of this appropriation, \$2,160,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 212 #3s

Education: Higher Education

Virginia Community College System

Language

Language:

Page 260, lines 25-30 strike and insert:

"M. Out of this appropriation, \$19,560 the first year and \$19,560 the second year from the general fund shall be provided to Southside Virginia Community College. Out of this amount, ~~\$7,824~~ \$9,780 each year from the general fund shall be provided to the Estes Community Center in Chase City, ~~\$7,824~~ \$9,780 each year from the general fund shall be provided to the Lake Country Advanced Knowledge Center in South Hill, and ~~\$3,912~~ the first year and ~~\$3,912~~ the second year from the general fund shall be provided to the Clarksville Enrichment Complex."

Explanation:

(This language removes Clarksville Enrichment Center and redistributes amounts between between Lake Country Advanced Knowledge Center in South Hill and Estes Community Center

Amendments to SB 800 (as Introduced)

in Chase City)

Item 215 #1s

Education: Higher Education

FY22-23

FY23-24

Virginia Community College System

\$0

(\$15,000,000) GF

Language:

Page 267, line 31, strike "\$143,352,970" and insert "\$128,352,970".

Explanation:

(This amendment redirects funding in the introduced budget to other higher education initiatives.)

Item 225 #1s

Education: Higher Education

Virginia Polytechnic Institute and State University

Language

Language:

Page 276, after line 28, insert:

"G. Virginia Polytechnic Institute and State University shall continue to provide support to the Virginia Management Fellows Program that includes program recruitment, marketing, the curriculum, coordination, course materials, network growth, and coordinating events consistent with the existing Memorandum of Understanding from funding appropriated under the Secretary of Finance."

Explanation:

(This amendment provides language for Virginia Tech to continue to provide support of the Virginia Management Fellows Program as part of the transfer of the program from DHRM to the Secretary of Finance.)

Item 228 #1s

Education: Higher Education

FY22-23

FY23-24

Virginia Cooperative Extension and
Agricultural Experiment Station

\$0

\$165,972 GF

Language:

Page 277, line 12, strike "\$101,050,286" and insert "\$101,216,258".

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides funding for the operation and maintenance of the Seafood Agricultural Research Center.)

Item 229 #1s

Education: Higher Education

FY22-23

FY23-24

Virginia State University

\$0

\$30,000 GF

Language:

Page 278, line 15, strike "\$103,542,356" and insert "\$103,572,356".

Page 280, after line 1, insert:

"L. Out of this appropriation, \$30,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries."

Explanation:

(This amendment is intended to address nursing shortages. Funds should prioritize support of salaries, stipends and wages and other costs that restrict nursing programs from increasing their capacity to serve more nursing students.)

Item 237 #1s

Education: Other Education

FY22-23

FY23-24

Jamestown-Yorktown
Commemorations

(\$7,000,000)

\$0 GF

Language:

Page 283, line 22, strike "\$7,000,000" and insert "\$0".

Page 283, strike lines 20 through 48, and insert "Omitted."

Page 284, strike lines 1 through 43.

Explanation:

(This amendment removes the item for the Jamestown Yorktown Commemorations for the American Revolution 250 Commission. A companion amendment establishes the Commission as a legislative branch agency.)

Item 240 #1s

Amendments to SB 800 (as Introduced)

Education: Other Education

FY22-23

FY23-24

The Library Of Virginia

\$0

\$5,000,000 GF

Language:

Page 285, line 39, strike "\$20,733,584" and insert "\$25,733,584".

Explanation:

(This amendment provides \$5.0 million GF in the second year to increase State Aid to Local Public Libraries. This funding represents the second installment of a four-year plan to fully fund the state library aid formula by FY 2026. This plan is currently established as the objective of the General Assembly in Subsection E of Item 240 that was enacted in 2022.)

Item 247 #1s

Education: Higher Education

FY22-23

FY23-24

Eastern Virginia Medical School

\$0

(\$10,000,000) GF

Language:

Page 289, line 3, strike "\$45,835,995" and insert "\$35,835,995".

Page 289, strike lines 44-52.

Page 290, strike lines 1-14.

Explanation:

(This amendment redirects funding and budget language to Old Dominion University to support the merger of EVMS with ODU.)

Item 251 #1s

Education: Higher Education

FY22-23

FY23-24

Roanoke Higher Education Authority

\$0

\$159,701 GF

Language:

Page 291, line 16, strike "\$2,071,068" and insert "\$2,230,769".

Explanation:

(This amendment provides on-going funding of \$159,701 the second year from general fund for two full-time positions to properly maintain and support increased usage of the expanded facilities. This includes \$90,517 for a Maintenance Specialist/Painter and \$69,184 for a Facilities Event Assistant.)

Amendments to SB 800 (as Introduced)

Item 252 #1s

Education: Higher Education	FY22-23	FY23-24	
Southern Virginia Higher Education Center	\$0	\$556,000	GF

Language:

Page 291, line 24, strike "\$8,923,342" and insert "\$9,479,342".

Explanation:

(This amendment provides funding to support welding instructors, information technology technicians to support increased demand for operational security, classroom connectivity and student IT services, and the lease payments for the Innovation Center.)

Item 255.5 #1s

Education: Higher Education	FY22-23	FY23-24	
Maintain Affordable Access	\$0	\$149,810,000	GF

Language:

"A. Out of this appropriation, \$149,810,000 the second year from the general fund is provided to support operations at public colleges and universities. Funds are intended to support the growing need for student support services; address increased costs resulting from inflation; refine or create programs that meet current and future workforce needs; and minimize the need to raise tuition and fees. Funds shall be ongoing and shall be incorporated into the institutions' base budget for the next biennium. The Department of Planning and Budget shall transfer the allocations to the appropriate education and general programs account as follows:

Institution	Amount
Christopher Newport University	\$2,070,000
George Mason University	\$20,090,000
James Madison University	\$9,970,000
Longwood University	\$2,830,000
Norfolk State University	\$2,230,000
Old Dominion University	\$16,210,000
Radford University	\$3,800,000
University of Mary Washington	\$1,420,000
University of Virginia	\$11,340,000

Amendments to SB 800 (as Introduced)

University of Virginia's College at Wise	\$770,000
Virginia Commonwealth University	\$20,450,000
Virginia Military Institute	\$1,010,000
Virginia State University	\$2,050,000
Virginia Polytechnic Institute & State University	\$22,630,000
College of William and Mary	\$2,890,000
Richard Bland College	\$350,000
Virginia Community College System	\$29,700,000
Total	\$149,810,000

Page 293, after line 28, insert:

"255.5 Maintain Affordable Access	\$0	\$149,810,000
Fund Sources: General	\$0	\$149,810,000 "

Explanation:

(This amendment provides additional operational support to reach the state's goal of supporting the costs of higher education and to minimize the impact of tuition and fee increases.)

	Item 255.5 #2s	
Education: Higher Education	FY22-23	FY23-24
Maintain Affordable Access	\$0	\$75,000,000 GF

Language:

"A. Out of this appropriation, \$75,000,000 the second year from the general fund is provided to support need-based undergraduate financial aid at public colleges and universities. These funds also are intended to reduce the amount of tuition revenue from in-state undergraduate students that institutions use for financial aid, grants, and scholarships.

B. Of the amount allocated for undergraduate need-based financial aid in the second year in this item and as part of the institutions budgets, up to five percent may be used for emergency assistance programs for students facing a financial emergency that puts them at risk of dropping out. The Council shall establish reporting guidelines and approve criteria for making student awards.

C. Funds shall be ongoing and shall be incorporated into the institutions' base budget for the next biennium. The Department of Planning and Budget shall transfer the allocations to the appropriate higher education student financial assistance account as follows:

Institutions	Total Amount
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Amendments to SB 800 (as Introduced)

Christopher Newport University	\$ 615,000
College of William and Mary	\$ 440,000
George Mason University	\$ 15,270,000
James Madison University	\$ 3,500,000
Longwood University	\$ 1,020,000
Norfolk State University	\$ 4,340,000
Old Dominion University	\$ 11,820,000
Radford University	\$ 5,530,000
University of Mary Washington	\$ 1,020,000
University of Virginia	\$ 1,660,000
UVA-Wise	\$ 880,000
Virginia Commonwealth University	\$ 6,920,000
Virginia Military Institute	\$ 150,000
Virginia State University	\$ 3,030,000
Virginia Polytechnic Institute and State University	\$ 3,750,000
Richard Bland College	\$ 335,000
Virginia Community College System	\$ 14,720,000
Total	\$ 75,000,000

Explanation:

(This amendment is provided to support increased affordability for low- and middle-income students and provide emergency aid consistent with the recent JLARC recommendations.)

Item 257.50 #1s

Finance	FY22-23	FY23-24	
Secretary of Finance	\$0	\$1,513,961	GF
	0.00	18.00	FTE

Language:

Page 297, after line 30, insert:

"Virginia Management Fellows Program Administration (164)

257.50 Virginia Management Fellows Program Administration	\$0	\$1,513,961
Fund Sources: General	\$0	\$1,513,961 "

Amendments to SB 800 (as Introduced)

Administrative and Support Services (79900)	\$0	\$1,513,961
General Management and Direction (79901)	\$0	\$1,513,961
Fund Sources:		
General	\$0	\$1,513,961

Authority: Discretionary Inclusion

A. Out of this appropriation, \$1,513,961 from the general fund the second year is included for a joint internship and management training program to assist in improving leadership, management, and succession planning capabilities of all branches of state government. The Office of the Secretary of Finance shall coordinate with Virginia Polytechnic Institute and State University for the continuation of the program in accordance with the existing Memorandum of Understanding. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support the Virginia Management Fellows program in the subsequent fiscal year.

B. The Department of Planning and Budget is authorized to transfer \$624,000 from the general fund the second year to Virginia Polytechnic Institute and State University, or the amount consistent with the contract, from the appropriation in this item and to applicable state agencies as required to execute the purposes of this item.

C. The Secretary of Finance shall establish an advisory group to oversee the program composed of agency mentors from agencies that actively participate in the programs and the staff directors, or their designees, of the House Appropriations and Senate Finance and Appropriations Committees."

Explanation:

(This amendment returns the Virginia Management Fellows program to the Finance secretariat. It also reestablishes an advisory group for the program.)

Item 272 #1s

Finance

Amendments to SB 800 (as Introduced)

Department of Planning and Budget

Language

Language:

Page 307, strike lines 15 through 27 and insert:

"E. The Department of Planning and Budget (DPB) shall convene a workgroup for the purpose of evaluating the Regulatory Town Hall to determine any enhancements or improvements that could improve its use by state agencies and the public. The workgroup shall include: (i) a representative each from the five largest agencies that use Town Hall; (ii) representatives from three other agencies that use Town Hall; staff from the House Appropriations and Senate Finance and Appropriations Committees; and (iv) other relevant stakeholders deemed relevant by DPB. The workgroup shall also evaluate the technology options available to enhance current features, improve user accessibility, and ensure the system continues to serve the public into the future. DPB shall report the findings and recommendations of the workgroup to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment directs the Department of Planning and Budget to study options for possible enhancement and improvements to the Regulatory Town Hall. Town Hall is the system used by state agencies to establish and change regulations and is used by the public to follow the process.)

Item 274 #1s

Finance	FY22-23	FY23-24	
Department of Taxation	\$0	\$1,500,000	GF
	0.00	10.00	FTE

Language:

Page 308, line 44, strike "\$63,935,357" and insert "\$65,435,357".

Page 313, after line 53, insert:

"CC. Out of the amounts appropriated in this Item, the Tax Commissioner shall increase the tax compliance workforce to pursue fraud and other tax evasion due to increased enforcement efforts by the federal government."

Explanation:

(This amendment provides \$1.5 million GF the second year and 10.0 positions to hire additional staff to support tax compliance efforts within the Department of Taxation.)

Item 274 #2s

Amendments to SB 800 (as Introduced)

Finance	FY22-23	FY23-24	
Department of Taxation	\$0	\$1,250,030	GF

Language:

Page 308, line 44, strike "\$63,935,357" and insert "\$65,185,387".

Explanation:

(This amendment provides \$1.3 million GF the second year to cover costs associated with updating systems utilized by the Department of Taxation, consistent with the provisions of Senate Bills 1182 and 1476 of the 2023 General Assembly Session.)

Item 277 #2s

Finance	FY22-23	FY23-24	
Department of the Treasury	\$0	\$1,530,653	GF

Language:

Page 315, line 18, strike "\$48,351,180" and insert "\$49,881,833".

Page 316, after line 41, insert:

"O. Out of the amounts for this item shall be paid \$1,530,653 the second 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 C. of § 8.01-195.11 of the Code of Virginia."

Explanation:

(This amendment provides \$1.5 million GF the second year for a one-time wrongful incarceration relief payment to Michael Haas, pursuant to Senate Bill 928.)

Item 283 #1s

Health and Human Resources	FY22-23	FY23-24	
Secretary of Health and Human Resources	\$0	(\$750,000)	GF

Language:

Page 325, line 4, strike "\$7,153,270" and insert "\$6,403,270".

Page 328, strike lines 4 through 6.

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment removes \$750,000 the second year from the general fund that was included in the introduced budget for a Behavioral Health Transformation Contractor.)

Item 283 #2s

Health and Human Resources	FY22-23	FY23-24	
Secretary of Health and Human Resources	\$0	(\$250,000)	GF

Language:

Page 325, line 4, strike "\$7,153,270" and insert "\$6,903,270".
Page 328, strike lines 7 through 9.

Explanation:

(This amendment removes \$250,000 the second year from the general fund included in the introduced budget to develop a strategic plan for the health care workforce.)

Item 283 #3s

Health and Human Resources	FY22-23	FY23-24	
Secretary of Health and Human Resources	\$0	(\$250,000)	GF

Language:

Page 325, line 4, strike "\$7,153,270" and insert "\$6,903,270".
Page 328, strike lines 10 through 17.

Explanation:

(This amendment removes \$250,000 the second year from the general fund provided in the introduced budget for a statewide coordination study of behavioral health and substance use disorder services with an emphasis on veterans.)

Item 283 #4s

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".

Amendments to SB 800 (as Introduced)

Page 328, strike lines 18 through 22.

Explanation:

(This amendment transfers \$5.0 million from opioid settlement funds provided in the introduced budget for a public awareness campaign for youth and the dangers of fentanyl to the Foundation for Healthy Youth to handle the campaign.)

Item 283 #5s

Health and Human Resources

FY22-23

FY23-24

Secretary of Health and Human Resources

(\$262,376)

\$0 GF

Language:

Page 325, line 3, strike "\$1,653,270" and insert "\$1,390,894".

Page 326, line 57, strike "\$750,000" and insert "\$487,627".

Explanation:

(This amendment removes \$262,376 the first year from the general fund that was provided in the current appropriation act to fund a study of options to use Catawba hospital as a comprehensive substance use disorder facility.)

Item 283 #6s

Health and Human Resources

Secretary of Health and Human Resources

Language

Language:

Page 327, line 38, strike "of the federal Public Health Emergency and the".

Page 327, line 39, strike "provisions".

Page 328, line 2, strike "2023", and insert "2024".

Explanation:

(This amendment makes technical changes to the Task Force on Eligibility Redetermination, based on recent Congressional action.)

Item 285 #1s

Health and Human Resources

Children's Services Act

Language

Amendments to SB 800 (as Introduced)

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, \$100,000 the second year from the general fund shall be provided to 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 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, on its website by October 1 of each year, (i) show the number of students in private day placements by locality; (ii) calculate the ratio of children in private day placements to the number of students in the local education agency (LEA); (iii) identify the LEAs that exceed the statewide average of private day placements compared to the LEA enrollment; and (iv) provide in consultation with the Department of Education technical assistance to the LEA of existing programs or strategies the LEA could access or implement to reduce the need for private day placements."

Explanation:

(This amendment eliminates language implementing private day special education rate setting on July 1, 2023, and redirects the existing funding for the Office of Children's Services to provide technical assistance for localities with private day placements above the statewide average.)

	Item 287 #1s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$209,488
	0.00	2.00
		GF FTE

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$55,569,488".

Explanation:

(This amendment provides \$209,488 the second year from the general fund to the Virginia Department of Health for two positions to support the significant increase in workload based on the funding included in the introduced budget to expand a variety of workforce programs.)

	Item 287 #2s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	(\$10,000,000)
		GF

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$45,360,000".

Page 336, line 3, strike "\$30,000,000", insert "\$20,000,000".

Page 336, line 16, after "years.", strike the remainder of the line.

Page 336, strike lines 17 through 18.

Explanation:

(This amendment reduces \$10.0 million the second year from the general fund from the \$30.0 million GF provided in the introduced budget for the Earn to Learn Nursing Education Acceleration Program and transfers funding to higher education institutions to increase nursing faculty salaries at nursing schools to encourage more nurses to move into teaching. The lack of nurse faculty severely limits the ability of new programs, like Earn to Learn, in expanding the pipeline of new nurses in the absence of sufficient nursing faculty. This amendment also removes the designation of the program as one-time because such programs will take many years to have their desired effect. The mandatory carryforward of any year end balance is also removed as it is unnecessary because paragraph E.4. in this item already requires a carryforward for all the loan programs.)

Item 287 #3s

Health and Human Resources

Department of Health

Language

Language:

Page 335, after line 50, insert:

"5. Of the appropriation in paragraph E.3., \$150,000 the first year and \$150,000 the second year from the general fund shall be provided to create a scholarship to support licensed practical nurses serving as a school nurse or school nurse assistant to become a registered nurse. The department shall collaborate with the Department of Education in developing the scholarship program in accordance with the recommendations from the 2021 Report of the Department of Education on School Health Personnel in Virginia Public Schools: Recommendations for Qualifications and Training. The program shall offer a scholarship, not greater than \$10,000, for any licensed practical nurse currently serving as a Virginia school nurse to complete the training and education requirements to become a registered nurse in an approved education program in the Commonwealth of Virginia. For each year of the scholarship money received, the student must maintain employment as a school nurse and agree to engage in the equivalent of one year of full-time employment as a school nurse after graduation. Full-time employment during school is not required and does not count towards the required one-year service obligation."

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment designates \$150,000 each year from the general fund to set aside a small portion of existing nursing scholarship funds for school nurse scholarships to address the lack of access to Registered Nurses (RNs) in schools. The scholarship would help school-employed License Practical Nurses to become RNs and keep working as a school nurse who would then be able to provide a higher level of care and treatment after receiving additional training and education. This is a recommendation of the 2021 Department of Education report which was conducted at the request of the General Assembly.)

Item 287 #4s

Health and Human Resources

Department of Health

Language

Language:

Page 334, line 27, strike "\$4,100,000", insert "\$9,100,000".

Page 334, line 32, after "pharmacists,", insert "psychiatric registered nurses,".

Page 336, strike lines 19 through 27.

Explanation:

(This amendment consolidates a proposed psychiatric registered nurse and psychiatric nurse practitioner loan repayment program, included in the introduced budget, into the existing Behavioral Health Loan Repayment Program. The existing program already provides loan repayment to psychiatric nurse practitioners, so this amendment adds psychiatric registered nurses to the program, eliminating the need for a completely separate program that otherwise imposes an administrative burden on the Virginia Department of Health. The amendment also moves the \$5.0 million GF for the proposed program to the Behavioral Health Loan Repayment Program increasing the programs FY 2024 appropriation to \$9.1 million GF.)

Item 288 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0

\$5,000,000 GF

Language:

Page 336, line 28, strike "\$49,997,611" and insert "\$54,997,611".

Page 336, line 51, after "D.", strike the remainder of the line.

Page 336, strike lines 52 through 55.

Page 337, strike lines 1 through 2.

Page 337, after line 27, insert:

"I. Out of this appropriation, \$5,000,000 the second year from the general fund shall be transferred to the Trauma Center Fund under § 18.2-270.01, Code of Virginia."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides \$5.0 million the second year from the general fund to support Trauma Centers in the Commonwealth. The primary funding source for the Trauma Center Fund was impacted by other factors that have reduced its annual revenue. This amendment provides funding to maintain support of Trauma Centers. The amendment also strikes language that is no longer necessary.)

	Item 288 #2s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$2,500,000 GF

Language:

Page 336, line 28, strike "\$49,997,611" and insert "\$52,497,611".

Page 337, after line 27, insert:

"I. Out of this appropriation, \$2,500,000 the second year from the general fund shall support grants from the Emergency Department Care Management Program authorized in § 32.1-372 et seq. of the Code of Virginia."

Explanation:

(This amendment provides \$2.5 million the second year from the general fund to develop a grant program to fund hospital-based care management programs for frequent utilizers of emergency departments. This is a recommendation of the Joint Commission on Health Care.)

	Item 289 #1s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$1,000,000 GF

Language:

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

Explanation:

(This amendment provides an additional \$1.0 million the second year from the general fund to increase the salaries of the assistant chief medical examiners and other support staff in the Office of the Chief Medical Examiner. The introduced budget included \$1.5 million from the general fund for these salary adjustments, half of the agency's original request for consideration in the Governor's budget. This amendment restores part of that unfunded request to reconcile the critical shortage of medical examiners in the Commonwealth. Based on recent information from the Virginia Department of Health, only 11 of the 19 medical examiners are filled.)

Item 290 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0

\$375,000 GF

Language:

Page 337, line 39, strike "\$8,676,912" and insert "\$9,051,912".

Page 341, after line 35, insert:

" J.1. The Virginia Department of Health shall amend its regulations to expand the data being collected in the outpatient setting pursuant to § 32.1-276.6, Code of Virginia, consistent with the level of detail required to be reported for services in the inpatient setting for Virginia hospitals and other medical care facilities and provider types determined to be appropriate by the department. The department shall promulgate these emergency regulations to become effective within 280 days or less from the enactment of this act.

2. The department shall also amend its contracts with Virginia Health Information requiring the organization to develop and implement mechanisms for affected providers to report information on outpatient services to the Virginia Department of Health consistent with mechanisms used for reporting of inpatient services."

Explanation:

(This amendment provides \$375,000 the second year from the general fund for the Virginia Department of Health (VDH) to amend its regulations to expand the data being collected in the outpatient setting pursuant to § 32.1-276.6, Code of Virginia, consistent with the level of detail required to be reported for services in the inpatient setting for Virginia hospitals and other medical care facilities and provider types determined to be appropriate by VDH.)

Item 291 #1s

Health and Human Resources

Department of Health

Language

Language:

Page 340, line 11, after "strategy" insert: ", including the direct and administrative costs to purchase and distribute naloxone and fentanyl test strips, or to otherwise support costs consistent with such statewide fentanyl response strategy"

Explanation:

(This amendment modifies language in the introduced budget related to \$7.0 million from nongeneral funds provided for a statewide fentanyl response strategy, such that it includes the direct and administrative costs to purchase and distribute naloxone and fentanyl test strips, or to

Amendments to SB 800 (as Introduced)

otherwise support costs consistent with such statewide fentanyl response strategy.)

Item 292 #1s

Health and Human Resources

Department of Health

Language

Language:

Page 341, after line 35, insert:

"J. Notwithstanding Article 1.1 (§ 32.1-102.1 et seq.) of Chapter 4 of Title 32 of the Code of Virginia and any applicable regulations, the State Health Commissioner shall accept and review applications and shall issue a certificate of public need for a new 90-bed nursing home facility, provided that such facility is located on the property of the former Central Virginia Training Center in Amherst County."

Explanation:

(This amendment directs the State Health Commissioner to accept and review applications and issue a Certificate of Public Need for a new 90-bed nursing home facility at the site of the former Central Virginia Training Center in Amherst County.)

Item 293 #2s

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0

\$75,000

GF

Language:

Page 341, line 36, strike "\$164,139,331" and insert "\$164,214,331".

Page 342, line 14, after "first year and", strike "\$124,470" and insert "\$199,470."

Explanation:

(This amendment provides \$75,000 the second year from the general fund to support the Virginia Perinatal Quality Collaborative.)

Item 293 #3s

Health and Human Resources

Department of Health

Language

Language:

Page 342, after line 31, insert:

Amendments to SB 800 (as Introduced)

"H. In order to safeguard public health, in response to the growing prevalence of viral hepatitis in the Commonwealth, the Virginia Department of Health shall prioritize development of a statewide strategy for the elimination of Hepatitis B and Hepatitis C. In developing its strategy, the department shall conduct a needs assessment of resources necessary to successfully implement its strategy. The department shall report its strategy and resource requirements to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources, and the Department of Planning and Budget by October 1, 2023. In developing its strategy, the department shall consult medical specialty societies, clinical institutions, viral hepatitis patient advocates, people with lived viral hepatitis experience, pharmaceutical manufacturers, and health insurance carriers. All agencies of the Commonwealth shall cooperate and provide support to the department upon the department's request. The department's strategy and needs assessment shall address: (i) testing, linkage to care and patient navigation; (ii) expansion of viral hepatitis programs in primary care settings and substance use disorder treatment programs; (iii) expansion of relevant provider education, (iv) development of public awareness campaigns, (v) viral hepatitis surveillance; and (vi) corrections viral hepatitis healthcare."

Explanation:

(This amendment directs the Virginia Department of Health (VDH) to plan an elimination campaign for Hepatitis B and C.)

	Item 294 #1s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$140,000 GF

Language:

Page 342, line 33, strike "\$305,332,579" and insert "\$305,472,579".

Page 345, after line 39, insert:

"J. Out of this appropriation, \$140,000 the second year from the general fund shall be provided to the City of Hampton for the increase in rent costs for the local health department."

Explanation:

(This amendment provides \$140,000 each year from the general fund to provide additional support to address an increase in rent costs for the Hampton Health District.)

	Item 294 #2s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$250,000 GF

Amendments to SB 800 (as Introduced)

Language:

Page 342, line 33, strike "\$305,332,579" and insert "\$305,582,579".

Page 345, after line 39, insert:

"J. Out of this appropriation, \$250,000 the second year from the general fund is provided for at least two, but no more than four, community-based organizations with Triple Negative breast cancer expertise and experience with minority community outreach."

Explanation:

(This amendment provides \$250,000 the second year from the general fund to improve early breast cancer diagnosis and mortality rates. The Virginia Department of Health would provide grants to at least two, but no more than four, community-based organizations with breast cancer expertise and experience with minority community outreach.)

	Item 294 #3s		
Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$2,500,000	GF

Language:

Page 342, line 33, strike "\$305,332,579" and insert "\$307,832,579".

Page 345, after line, 39, insert:

"J. Out of this appropriation, \$2,500,000 the second year from the general fund is provided to ensure all local health departments are able to offer family planning services across the Commonwealth. This funding may be used for pharmaceutical costs, administrative support, staff salaries, and medical/laboratory fees. This funding shall ensure and provide access to birth control statewide to prevent unintended pregnancies."

Explanation:

(This amendment provides \$2.5 million the second year from the general fund to provide support to all local health departments to ensure family planning services are available across the Commonwealth. This funding would cover pharmaceutical costs, administrative support, staff salaries, and medical/laboratory fees. This funding will ensure and provide access to birth control statewide to prevent unintended pregnancies. Some area health departments have discontinued offering these services and family planning services due to a change in funding streams.)

	Item 295 #1s		
Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$750,000	GF

Amendments to SB 800 (as Introduced)

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,765,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$750,000 the second year from the general fund shall be provided for ALS assistance including support for a durable medical equipment loan program, multidisciplinary ALS clinics, adaptive communication programming, transportation stipends, and grants for respite care."

Explanation:

(This amendment provides \$750,000 the second year from the general fund to provide support for a durable medical equipment loan program, multidisciplinary ALS clinics, adaptive communication programming, transportation stipends, and grants for respite care.)

Item 295 #2s

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, \$250,000 the second year from the general fund shall be used to contract with Capital Caring Health to provide inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia."

Explanation:

(This amendment provides \$250,000 each year from the general fund for the Adler Inpatient Hospice Center in Aldie, Virginia, which is one of five inpatient hospice centers in Virginia. The funding will enable the center to close a budget shortfall in charity and other care, as it seeks to continue providing critical hospice and palliative services to terminally ill Virginians, both adults and children who cannot be served in a home setting.)

Item 295 #3s

Health and Human Resources

FY22-23

FY23-24

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:

Amendments to SB 800 (as Introduced)

"Z. Out of this appropriation, \$250,000 the second year from the general fund shall be provided for the Virginia Department of Health (VDH) to contract with Reach Out and Read to create a pilot program for pediatric primary care providers at military installations in Virginia or pediatric primary care clinics that see a high volume of patients from military families. VDH will contract with Reach Out and Read to expand and improve the delivery of an evidence-based model that promotes early literacy and parental bonding as part of routine pediatric primary care visits."

Explanation:

(This amendment provides \$250,000 the second year from the general fund for the Virginia Department of Health (VDH) to contract with Reach Out and Read to create a pilot program for pediatric primary care providers at military installations in Virginia or pediatric primary care clinics that see a high volume of patients from military families. VDH will contract with Reach Out and Read to expand and improve the delivery of an evidence-based model that promotes early literacy and parental bonding as part of routine pediatric primary care visits.)

	Item 295 #4s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$75,000 GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,090,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$75,000 the second year from the general fund shall be provided to support Natasha House in Yorktown, Virginia to assist female-headed families through its residential program to combat homelessness and joblessness."

Explanation:

(This amendment provides \$75,000 the second year from the general fund to support Natasha House in Yorktown, Virginia to assist female-headed families through its residential program to combat homelessness and joblessness.)

	Item 295 #5s	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$100,000 GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,115,423".

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides \$100,000 the second year from the general fund to support enhancements to the SmartChart system, previously known as the Emergency Department Care Coordination program. Senate Bill 1255 makes several modifications to the program, including adding a requirement that the program allow health care providers, insurance carriers, and other participating organizations to access information necessary to evaluate and monitor the care and treatment of a patient in accordance with applicable patient privacy and security requirements.)

Item 296 #1s

Health and Human Resources

Department of Health

Language

Language:

Page 351, after line 12,

"G. The Virginia Department of Health shall prioritize in its VDH-ODW Financial and Construction Assistance Programs funding for completion of public water service lines to the unserved residential properties in the Mendota Community in Washington County. These funds shall only be utilized for construction and may be matched with other available federal, state, and local water improvement programs or funds to provide public water access as described in this item."

Explanation:

(This amendment directs the Virginia Department of Health (VDH) to prioritize in the VDH-ODW Financial and Construction Assistance Programs funding for completion of public water service lines to the unserved residential properties in the Mendota Community in Washington County under the VDH-ODW Financial and Construction Assistance Programs. These funds can be utilized for construction and may be matched with other available federal, state, and local water improvement programs or funds to provide public water access.)

Item 299 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Health

\$0
0.00

\$300,000 GF
5.00 FTE

Language:

Page 351, line 38, strike "\$29,259,201" and insert "\$29,559,201".

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment provides \$300,000 the second year from the general fund and five positions to fund the Prescription Drug Affordability Board pursuant to Senate Bill 957.)

Item 301 #1s

Health and Human Resources

Department of Health Professions

Language

Language:

Page 353, after line 37, insert:

"C. The Board of Medicine shall develop preliminary criteria for licensure of Certified Anesthesiology Assistants in Virginia. The criteria shall include appropriate education, certifying examination, and scope of practice requirements consistent with licensure of Certified Anesthesia Assistants in other states. The Board shall report to the Chair of the Virginia Health Workforce Development Authority on the progress of establishing the preliminary criteria by December 1, 2023. The Board shall not establish final criteria for licensure without subsequent approval by the General Assembly."

Explanation:

(This amendment directs the Board of Medicine to develop preliminary criteria for licensure of Certified Anesthesiology Assistants in Virginia.)

Item 304 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

\$0
\$0

\$967,073 GF
\$1,092,927 NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,921,238,986".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services shall have the authority to set the rate for Supported Living equivalent to the rate for Group Home Residential (4-person or fewer)."

Explanation:

(This amendment provides \$1.0 million from the general fund and \$1.1 million from nongeneral funds in the second year to increase the rate for the Supported Living Residential waiver service to equal the rate for Group Home Residential (4-person or fewer).)

Amendments to SB 800 (as Introduced)

Item 304 #2s

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 \$11,050,000 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 \$11,050,000 million annually."

Explanation:

(This amendment provides \$5.2 million from the general fund and \$5.9 million nongeneral fund to authorize the Department of Medical Assistance Services to make physician 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 #3s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$58,262,851	GF
	\$0	\$66,071,783	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$23,043,513,620".

Page 384, line 30, strike "five", and insert: "twelve".

Explanation:

(This amendment provides \$58.3 million from the general fund and \$66.1 million from

Amendments to SB 800 (as Introduced)

nongeneral funds the second year to increase reimbursement rates by twelve percent for Medicaid personal care, respite, and companionship services provided in agency-directed and consumer-directed waiver programs. The introduced budget proposed a five percent increase and this amendment raises the increase to 12 percent. This would change the consumer-directed rest-of-state rate from \$12.70 to \$14.22 per hour and the Northern Virginia rate from \$16.45 to \$18.42 per hour. The agency-directed rate would increase from \$18.51 to \$20.73 per hour for rest-of-state and from \$21.79 to \$24.40 per hour in Northern Virginia.)

Item 304 #4s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$17,399,136	GF
Services	\$0	\$36,973,347	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,973,551,469".

Page 384, after line 31, insert:

"YYYY.1. Effective July 1, 2023, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Intensive In-Home, Mental Health Skill Building, Psychosocial Rehabilitation, Therapeutic Day Treatment, Outpatient Psychotherapy, Peer Recovery Support Services -- Mental Health.

2. Effective July 1, 2023, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Comprehensive Crisis Services (which include 23-hour Crisis Stabilization, Community Stabilization, Crisis Intervention, Mobile Crisis Response, and Residential Crisis Stabilization), Assertive Community Treatment, Mental Health - Intensive Outpatient, Mental Health - Partial Hospitalization, Family Functional Therapy and Multisystemic Therapy."

Explanation:

(This amendment provides \$17.4 million from the general fund and \$37.0 million from nongeneral funds the second year to increase reimbursement rates for community-based mental health services.)

Item 304 #5s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$43,177	GF
Services	\$0	\$383,834	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,605,997".

Amendments to SB 800 (as Introduced)

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 #6s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$5,750,000	GF
	\$0	(\$5,750,000)	NGF

Language:

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 50 percent of the net supplemental Medicaid payment to which 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 allows five local government owned and operated nursing facilities to retain a higher portion of supplemental payments through intergovernmental transfer of funds. The Department of Medical Assistance Services (DMAS) retains the Certified Public Expenditure (CPE), which is an administrative fee to cover the cost of operating the program. The formula utilized by DMAS to calculate the CPE has resulted in the CPE it collects increasing over the past several years. For FY 2023, the administrative fee will consume 77 percent of the supplemental payments received by the nursing homes. Capping the CPE will allow DMAS to continue to receive the funding it needs to operate the program, but will allow the nursing homes to receive the benefit of the supplemental payments.)

Item 304 #7s

Amendments to SB 800 (as Introduced)

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$6,903	GF
Services	\$0	\$10,052	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,195,941".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall increase the rates for peer mentoring consistent with the 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 FY 2024, in accordance with the 2021 Burns & Associates rate report. The amendment assumes a growth in the number of individuals served.)

Item 304 #8s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$28,206,746	GF
Services	\$0	\$30,652,341	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,978,038,073".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for physicians to include primary care services, preventative, pediatric and psychiatric by five percent. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes."

Explanation:

(This amendment provides \$28.2 million from the general fund and \$30.7 million from nongeneral funds to increase the reimbursement rates by five percent, for physicians providing adult preventative and primary care, pediatric, and psychiatric services.)

Item 304 #9s

Health and Human Resources	FY22-23	FY23-24	
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Amendments to SB 800 (as Introduced)

Department of Medical Assistance	\$0	\$28,037,002	GF
Services	\$0	\$30,470,932	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,977,686,920".

Page 384, after line 31, insert:

"YYYY.1. Out of this appropriation, \$28,037,002 the second year from the general fund and \$30,470,002 the second year from matching federal Medicaid funds and other nongeneral funds shall be provided to increase Developmental Disability (DD) waiver rates by five percent as set forth in the following paragraph.

2. Effective July 1, 2023, the Department of Medical Assistance Services shall have the authority to increase the rates by five percent for DD waiver services. The rate increase shall apply to the following services: Group Home Residential, Sponsored Residential, Supported Living Residential, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Peer Mentor Supports, Therapeutic Consultation, Benefits Planning, Center Based Crisis Intervention and Supervision, Crisis Support, Crisis Support Crisis Intervention, Group Day Support, Group Supported Employment, Individual Supported Employment, and Workplace Assistance. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change."

Explanation:

(This amendment provides \$28.0 million from the general fund and \$30.5 million from nongeneral funds to fund a five percent increase in rates for developmental disability waiver services to reflect increasing inflationary and labor market pressures on these providers.)

Item 304 #10s

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance	\$0	\$1,884,261	GF
Services	\$0	\$2,254,788	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,923,318,035".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services shall increase the rates for these services in the Commonwealth Coordinated Care Plus waiver and the Developmental Disability waivers: CD Management Training shall be increased to \$70.51 per hour in Rest-of-State and to \$78.55 per hour in Northern Virginia; CD Initial Comprehensive Visit shall be increased to \$282.04 per visit in Rest-of-State and to \$314.20 per visit in Northern Virginia; CD Routine Visit shall be increased to \$88.14 per visit in Rest-of-State and to \$98.19 per visit in Northern Virginia; and CD Reassessment Visit shall be increased to \$141.02 per visit in Rest-of-State and to \$157.10 per visit in Northern Virginia. The rates for CD Employee

Amendments to SB 800 (as Introduced)

Management Training / Consumer Training shall be maintained at \$200.49 per visit in Rest-of-State and at \$260.63 per visit in Northern Virginia. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change."

Explanation:

(This amendment provides \$1.9 million from the general fund and \$2.3 million from nongeneral funds the second year for the Department of Medical Assistance Services to update the rates for consumer-direct facilitation services based on a recent rate study.)

Item 304 #11s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$6,163,453	GF
	\$0	\$8,177,789	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,933,520,228".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services (DMAS) shall set the reimbursement rate to 100 percent of the Medicare rural rates for the following durable medical equipment products: (i) enteral nutrition products and supplies; (ii) nutrition kits and feeding tubes; and (iii) nutritional supplements. 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 directs the Department of Medical Assistance Services to set the reimbursement rate to 100 percent of the Medicare rural rates for certain durable medical equipment including enteral products and feeding tubes.)

Item 304 #12s

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

Amendments to SB 800 (as Introduced)

Disability (DD) 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."

Explanation:

(This amendment directs the Department of Medical Assistance Services to amend the Developmental Disability waivers for the Community Living, the Family and Individual Support, and the Building Independence 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.)

Item 304 #13s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$549,756	GF
	\$0	\$597,222	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,325,964".

Explanation:

(This amendment provides funding for the fiscal impact of Senate Bill 945, which amends the Family and Individual Supports, Community Living, and Building Independence waivers to: (i) combine the maximum annual allowable amount for assistive technology and electronic home-based support services for an individual receiving waiver services to provide for greater flexibility and to better meet the needs of individuals receiving services; and (ii) provide that a total of \$10,000 shall be available to an eligible individual for assistive technology and electronic home-based support services each year, which may be divided among such services in the manner that best meets the needs of the individual.)

Item 304 #14s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$437,836	GF
	\$0	\$1,358,707	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,975,529".

Amendments to SB 800 (as Introduced)

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 directs the Department of Medical Assistance Services to establish reimbursement parity between substance use disorder (SUD) and mental health (MH) partial hospitalization (PHP) and intensive outpatient programs (IOP) by increasing the MH PHP and IOP reimbursement rates to the same reimbursement rate as SUD PHP and IOP.)

Item 304 #15s

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

\$0
\$0

\$20,000,000 GF
\$20,000,000 NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,959,178,986".

Page 384, after line 31, insert:

"YYYY.1. Effective July 1, 2023, the department shall modify the fair rental value capital rate component for nursing facilities to eliminate the minimum occupancy assumption. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes. 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.

2. Effective July 1, 2023, the department shall modify the fair rental value capital rate component for nursing facilities to: (i) create a private room capital component for annually designated private rooms of no more than 20 percent of a nursing facility's total Medicaid or dually certified beds under the same methodology as the remainder of beds except that the imputed gross square feet per bed levels shall be multiplied by a factor of 1.5; and, (ii) reset the "facility average age" to 21 years for any building with a calculated "facility average age" in excess of 21 years. This reset of "facility average age" shall serve as the maximum age for all facilities for seven years from implementation of this change. After seven years, facility average age shall not be subject to this maximum, and shall begin to increase annually from the calculated actual facility average age on that date or age 21, whichever is less.

3. Out of this appropriation, \$15,494,317 from the general fund and \$14,903,872 from nongeneral funds the second year is allocated to the value-based purchasing program.

3. The department shall have the authority to implement these reimbursement changes prior to

Amendments to SB 800 (as Introduced)

the completion of any regulatory process to effect such changes. 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."

Explanation:

(This amendment provides \$20.0 million from the general fund and \$20.0 million from nongeneral funds to increase nursing home reimbursement. These changes add funding to the Value-based program, encourage reinvestment in facility infrastructure and eliminate the minimum occupancy adjustment for nursing facility capital rates.)

Item 304 #16s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$428,271	GF
Services	\$0	\$694,772	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,302,029".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services is authorized to amend the State Plan for Medical Assistance Services as follows to: (i) extend the age limitation for children receiving fluoride varnish from non-dental providers from "through age 3" to "through age 5"; (ii) remove the current limitation on the number of times a dentist can bill the behavioral management code when treating adults with disabilities; (iii) provide payment for crowns for patients who received root canal therapy prior to becoming a Medicaid beneficiary; and (iv) provide reimbursement for pre-treatment evaluations performed by dentists treating patients requiring deep sedation or general anesthesia to mirror Centers for Medicare and Medicaid Services (CMS) guidelines. The department shall have the authority to implement these changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment provides \$428,271 from the general fund and \$694,772 from nongeneral funds the second year for enhancements to dental services in Medicaid.)

Item 304 #17s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$373,049	GF
Services	\$0	\$406,496	NGF

Amendments to SB 800 (as Introduced)

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,958,531".

Explanation:

(This amendment provides \$373,049 from the general fund and \$406,496 from nongeneral funds the second year for the Medicaid impact of Senate Bill 886, which requires employers to provide paid sick leave to health care providers and grocery store workers. Under current law, employers are only required to provide paid sick leave to certain home health workers. The bill also removes requirements that workers work on average at least 20 hours per week or 90 hours per month to be eligible for paid sick leave.)

Item 304 #18s

Health and Human Resources

FY22-23

FY23-24

Department of Medical Assistance
Services

(\$10,000,000)
\$10,000,000

\$0 GF
\$0 NGF

Language:

Page 357, line 2, strike "\$676,539,259", insert "\$686,539,259".

Explanation:

(This amendment reduces \$10.0 million from the general fund the first year and increases \$10.0 million from nongeneral funds the first year to reflect a repayment from a managed care organization. This one-time repayment shall be deposited to the Health Care Fund, which is used as state match for Medicaid.)

Item 304 #19s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 375, line 14 after "2022", strike "and" and insert ",".

Page 375, line 14 after "2023", insert "and 2024".

Page 375, line 15, after "year" strike "2023" and insert "2024".

Explanation:

(This amendment directs the Department of Medical Assistance Services to inflate the Medicaid Specialized Care Facility rates for one additional year in lieu of the normal annual rebasing. This amendment is language only as the rebasing process already includes inflation.)

Item 304 #20s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance services shall modify its Disproportionate Share Hospital (DSH) methodology to exclude freestanding children's hospitals located in the District of Columbia from the requirement that out-of-state cost reporting hospitals are eligible for indirect medical education payments only if they have Virginia Medicaid utilization in the base year of at least 12 percent of the total Medicaid days."

Explanation:

(This amendment directs the Department of Medical Assistance Services to amend its regulations related to payment for indirect medical education costs to exempt freestanding children's hospitals in the District of Columbia from the 12 percent Virginia Medicaid days threshold for eligibility.)

Item 304 #21s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 379, line 11 after "funding." insert:

"VBP funding shall be adjusted from the second year to the third year of the program by the Medicaid Virginia Nursing Home Inflation Index, and annually thereafter."

Explanation:

(This amendment inflates the Medicaid Nursing Facility Value Based Program funding for FY 2025 using the FY 2024 appropriation and the Medicaid Virginia Nursing Home Inflation Index (the same factor used to inflate operating rates annually), and each year thereafter using the prior year as the base. Because this does not impact funding until FY 2025, this amendment is language only in the current biennium.)

Item 304 #22s

Health and Human Resources

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

Department of Medical Assistance Services	\$30,808,394 (\$28,374,000)	(\$129,975,273) (\$535,419,734)	GF NGF
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Language:

Page 355, line 40, strike "\$20,956,823,768" and insert "\$20,959,258,162".

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,253,783,979".

Explanation:

(This amendment accounts for the extension of the federal Public Health Emergency that extends the enhanced federal match for Medicaid and also reflects the phase-out of the enhanced match rate pursuant to Congressional action in the Consolidated Appropriations Act, 2022, that phases out the federal enhanced math rate starting in April of 2023, such that the match rates will return to normal by January 2024.)

Item 304 #23s

Health and Human Resources

Department of Medical Assistance Services

Language

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 and agree that the department shall recover the federal share of a disallowance relating to their payments within 30 days of receipt of a disallowance letter by the department. If any private hospital or health system does not pay within 30 days the department shall adjust other supplemental payments that would otherwise be paid to such hospital or health system to recover the funding. 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 in the amount determined by the department.

d. The purposes to which the additional payments authorized by 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 Senate Finance and Appropriations

Amendments to SB 800 (as Introduced)

and House Appropriations Committees by December 1 of each year on the impact of this initiative.

e. Any State Plan amendment, managed care contract changes, interagency agreements with public entities, and affiliation agreements between hospitals or health systems and public entities shall be reviewed and approved by the Office of the Attorney General (OAG) to ensure compliance with federal law, regulations, and policies. If the OAG determines in their review that any amendment, contract change, or agreement submitted for review would likely violate federal requirements, then no payments shall be made pursuant to subparagraph c."

Explanation:

(This amendment directs the Department of Medical Assistance Services to implement a Private Hospital Medicaid Supplemental Payment Program on July 1, 2023.)

	Item 305 #1s		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0 0.00	\$7,324,020 10.00	GF FTE

Language:

Page 384, line 33, strike "\$821,702" and insert "\$8,145,722".

Explanation:

(This amendment provides \$7.3 million the second year from the general fund and ten positions to fund the fiscal impact of Senate Bill 1327, which would create a state-funded comprehensive health care coverage program for individuals in Virginia who are under 19 years of age, are not covered under a group health plan or health insurance coverage, and but for their immigration status would be eligible for Virginia's Medicaid or FAMIS program consistent with Senate Bill 1327.)

	Item 308 #1s		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0 \$0	\$2,824,031 \$13,363,236	GF NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$305,476,096".

Page 393, after line 33, insert:

"II. Out of this appropriation, \$2,824,031 from the general fund and \$13,363,236 from

Amendments to SB 800 (as Introduced)

nongeneral funds the second year shall be provided to contract with a vendor to provide additional eligibility redetermination capacity during the eligibility redetermination process that will occur after the federal continuous eligibility requirement expires on April 1, 2023. This funding is one-time and shall be removed from the base budget for the 2024-26 biennial budget. This appropriation shall be unallotted on July 1, 2023. The Department of Planning and Budget shall allot the actual cost of the contract amount after the Department of Medical Assistance Services provides appropriate documentation and the Task Force on Eligibility Redetermination has been notified of the contract award. Any funds not needed for this purpose shall revert to the general fund at year end."

Explanation:

(This amendment provides \$2.8 million from the general fund and \$13.4 million from nongeneral funds for additional assistance in handling the increased workload for the Medicaid eligibility determination process that will begin as the Medicaid continuous enrollment requirement ends on April 1, 2023.)

	Item 308 #2s	
Health and Human Resources	FY22-23	FY23-24
Department of Medical Assistance Services	(\$1,689,750)	\$500,000 GF
	(\$2,594,750)	\$0 NGF

Language:

Page 385, line 32, strike "\$300,158,198" and insert "\$295,873,698".

Page 385, line 32, strike "\$289,288,829" and insert "\$289,788,829".

Page 393, strike lines 16 through 27, and insert:

"GG.1. The Department of Medical Assistance Services (DMAS) is authorized to begin the procurement of the Commonwealth's managed care service delivery system with an implementation date no earlier than July 1, 2025. DMAS shall consider stakeholder feedback as part of the agency's process in developing changes to the managed care program to enhance health care delivery and improve cost effectiveness of the system. DMAS shall convene at least two public meetings to receive public comment from stakeholders and shall take such feedback into account as part of the process in making changes to the system and in developing the Request for Proposals (RFP). The RFP shall be submitted to the Joint Subcommittee for Health and Human Resources Oversight and the Department of Planning and Budget by October 15, 2023. The joint subcommittee shall review the RFP and convene a meeting by December 31, 2023, to receive public comments on the RFP. DMAS shall not release the RFP unless specifically authorized by the General Assembly in the 2024 Session.

2. DMAS shall in development of the RFP incorporate provisions: (i) to standardize claims and service authorization processes; (ii) require one fiscal agent for consumer-directed services; (iii) require development of more robust provider networks, especially for behavioral health; (iv) encourage more innovation in value-based payment; and (v) consider the financial risks to the

Amendments to SB 800 (as Introduced)

Commonwealth and incorporate profit caps, medical loss ratios, and risk corridors accordingly. The reprocurement of the managed care contracts shall not include the following services, which shall remain in fee-for-service: (i) dental services; (ii) developmental disability waiver services; (iii) and other services currently excluded from the managed care contracts. DMAS shall not include any new services in the RFP unless explicitly authorized by the General Assembly.

3. DMAS shall ensure that the cost of any programmatic and/or contractual changes are fully accounted for in the Appropriation Act. Contract and program changes associated with this reprocurement shall not create any future funding commitments unless authorized by the General Assembly.

4. Out of this appropriation, \$500,000 from the general fund the second year shall be used by the Joint Legislative Audit and Review Commission, in collaboration with the Joint Commission on Health Care, to contract with a vendor to review the RFP and to report on all program changes in the RFP as compared to the existing contracts, an estimate of any fiscal impact of such changes, and also to review that the RFP is consistent with best practices in Medicaid managed care contracting. The Department of Planning and Budget shall transfer the necessary appropriation, up to \$500,000 from the general fund to JLARC, upon notice of a contract award."

Explanation:

(This amendment provides direction to the Department of Medical Assistance Services in regards to the reprocurement of the Medicaid managed care contracts. In addition, \$500,000 the second year from the general fund is provided for an independent review of the proposed changes in the program and any fiscal impacts. In addition, since the implementation of the new contracts is delayed, the administrative funding provided in the introduced budget is unnecessary and removed with this amendment.)

	Item 308 #3s		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$275,000	GF
	\$0	\$275,000	NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,838,829".

Page 393, after line 33, insert:

"II. Out of this appropriation, \$275,000 the second year from the general fund is provided to contract with the Virginia Center for Health Innovation to develop a plan for a value-based payment pilot program to advance the integration of mental health services in primary care settings in consultation with the Virginia Task Force on Primary Care. The plan for the pilot program shall incorporate additional per member per month payments to primary care providers who complete agreed upon service benchmarks, with a goal of improving access to mental health services and treatment outcomes for children, adolescents, and young adults up to age 22.

Amendments to SB 800 (as Introduced)

The Virginia Center for Health Innovation shall submit a report on the proposed structure of the pilot to the Director of the Department of Medical Assistance Services, the Chairs of House Appropriations and Senate Finance and Appropriations Committees, and the Joint Commission on Health Care by September 30, 2023."

Explanation:

(This amendment provides \$275,000 the second year from the general fund directing the Department of Medical Assistance Services to contract with the Virginia Center for Health Innovation to develop a plan for a value-based payment pilot program to advance the integration of mental health services in primary care settings in consultation with the Virginia Task Force on Primary Care.)

	Item 308 #4s		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$50,000	GF
	\$0	\$50,000	NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,388,829".

Page 393, after line 33, insert:

"II. The Department of Medical Assistance Services (DMAS) shall conduct an annual review of all medications, forms of treatment for sickle cell disease, and services for enrollees with a diagnosis of sickle cell disease, that are eligible for coverage under the Medicaid program. The purpose of this annual review is to determine if the available covered medications, treatments, and services are adequate to meet the needs for enrollees with a diagnosis of sickle cell disease, and whether DMAS should seek to add additional medications, treatments, or services. DMAS shall solicit and consider input from the public, specifically persons or groups with knowledge and experience in sickle cell disease treatment."

Explanation:

(This amendment provides that the Department of Medical Assistance Services shall conduct an annual review of all medications, forms of treatment for sickle cell disease, and services for enrollees with a diagnosis of sickle cell disease, that are eligible for coverage under the Medicaid program.)

	Item 308 #5s		
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$225,000	GF
	\$0	\$225,000	NGF

Amendments to SB 800 (as Introduced)

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,738,829".

Page 393, after line 33, insert:

"II. The Department of Medical Assistance Services (DMAS) shall have the authority to conduct the following rate studies: (i) to establish a methodology for an annual adjustment of community based behavioral health services rates for inflation. Community-based services in this context shall include all mental health and substance use disorder outpatient services (excluding residential or inpatient services); and (ii) for a one-time redetermination for Therapeutic Day Treatment rate and unit structure. Any studies to design or introduce school-based mental health services shall include input and engagement with students and stakeholders from school districts. The department shall have the authority to implement these changes effective July 1, 2023, and prior to the completion of any regulatory process to effect such change."

Explanation:

(This amendment provides \$225,000 from the general fund and \$225,000 from nongenerals funds the second year for the Department of Medical Assistance Services to conduct the following rate studies: (i) To establish a methodology for an annual adjustment of community based behavioral health services rates for inflation; and (ii) for a one-time redetermination for Therapeutic Day Treatment rate and unit structure.)

Item 308 #6s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$100,000	GF
	\$0	\$100,000	NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,488,829".

Page 393, after line 33, insert:

"II. Out of this appropriation, \$100,000 from the general fund and \$100,000 from nongeneral funds the second year is provided for the Department of Medical Assistance Services to conduct a study of an evidence-based benefit design for Community Health Worker (CHW) services in the Medicaid program. The study shall focus on developing an evidence-based benefit design for the reimbursement of CHW services, evaluating barriers, developing an actuarially sound reimbursement rate, and the cost effectiveness of a CHW benefit."

Explanation:

(This amendment provides \$100,000 from the general fund and \$100,000 from nongeneral funds the second year for the Department of Medical Assistance Services to conduct a study of an evidence-based benefit design for Community Health Worker (CHW) services in the

Amendments to SB 800 (as Introduced)

Medicaid program. The study would focus on developing an evidence-based benefit design for the reimbursement of CHW services, evaluating barriers, developing an actuarially sound reimbursement rate, and the cost effectiveness of a CHW benefit.)

Item 308 #7s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$250,000	GF
Services	\$0	\$250,000	NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,788,829".

Page 393, after line 33, insert:

"II. Out of this appropriation, \$250,000 from the general fund and \$250,000 from nongeneral funds shall be provided to develop training materials and to provide technical assistance to local school divisions to assist in billing Medicaid for services outside of a student's Individualized Education Plan."

Explanation:

(This amendment provides \$250,000 from the general fund and \$250,000 from federal Medicaid matching funds to develop technical assistance and training to provide to school divisions pending federal approval of Virginia's state plan amendment allowing school divisions to bill for Medicaid for services beyond a student's Individualized Education Plan.)

Item 308 #8s

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$250,000	GF
Services	\$0	\$250,000	NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,788,829".

Page 393, after line 33, insert:

"II. The Department of Medical Assistance Services shall conduct a feasibility study on the addition of a 1915(k) waiver that contains complementary core services for those with developmental disabilities, without the requirement to meet nursing facility criteria. Core services shall include and not be limited to personal assistance, respite, companion, services facilitation, in-home supports, and assistive technology in both consumer-directed and agency-directed where applicable. The report shall involve all relevant stakeholders, including advocacy groups and individuals with developmental disabilities. The department shall submit the report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees

Amendments to SB 800 (as Introduced)

by November 1, 2023."

Explanation:

(This amendment directs the Department of Medical Assistance Services to conduct a feasibility study of the addition of a 1915(k) waiver that contains complementary core services for those with developmental disabilities, without the requirement to meet nursing facility criteria. Core services shall include and not be limited to personal assistance, respite, companion, services facilitation, in-home supports, and assistive technology in both consumer-directed and agency-directed where applicable. The report will involve all relevant stakeholders including advocacy groups and individuals with developmental disabilities. The report shall be submitted to the General Assembly by November 1, 2023.)

	Item 308 #9s	
Health and Human Resources	FY22-23	FY23-24
Department of Medical Assistance Services	\$0	\$128,000 GF
	\$0	\$384,000 NGF

Language:

Page 385, line 32, strike "\$289,288,829" and insert "\$289,800,829".

Explanation:

(This amendment provides \$128,000 from the general fund and \$384,000 from nongeneral funds to implement Senate Bill 831 that directs the Department of Medical Assistance Services to take steps to amend the Family and Individual Supports, Community Living, and Building Independence waivers to implement a medically needy spend down provision that allows otherwise eligible individuals to spend income in excess of the income limit for waiver services on medical expenses in order to meet the waiver income limit.)

	Item 308 #10s
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 ensure that Medicaid reimbursement policies for Federally Qualified Health Centers (FQHC) are in accordance with federal law, regulations and policies. Specifically, the department shall establish a process for FQHCs to notify the department of any changes in the scope of services offered by the FQHC. The department shall notify all FQHCs of the process once it has been developed."

Explanation:

(This amendment requires the Department of Medical Assistance Services to ensure that Medicaid reimbursement policies for Federally Qualified Health Centers are in accordance with federal law, regulations and policies.)

Item 308 #11s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 392, after line 46, insert:

"3. The Department of Medical Assistance Services shall submit a report outlining the development of the neurobehavioral science unit and the implementation plan for the department's brain injury waiver program. The report shall include costs, explanation of budget neutrality to the Commonwealth, as well as options for eligibility criteria and service array with associated costs. The report shall be submitted to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by October 1, 2023."

Explanation:

(This amendment directs the Department of Medical Assistance Services to submit a follow up report to its brain injury waiver initiative, which was approved by the 2022 General Assembly. The secondary follow-up report requires the department to present cost and service and eligibility criteria to better inform the 2024 General Assembly and prepare the Commonwealth for implementation of the brain injury waiver program.)

Item 308 #12s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 371, after line 22, insert:

"9. The funding provided in paragraph GG.1. may also be used to fund fellowships."

Explanation:

(This amendment clarifies that the Medicaid program for funding medical residency slots can also be used to fund fellowships.)

Item 308 #13s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 359, after line 17, insert:

"5. The Governor shall include in the budget bill to be considered in the 2024 Session, submitted pursuant to subsection A of § 2.2-1509, Code of Virginia, sufficient appropriation in each year to fund a sufficient number of developmental disability waiver slots such that by the end of the 2024-26 biennium the Priority One waitlist for the Developmental Disability waivers has been eliminated."

Explanation:

(This amendment directs the Governor to include in his 2024-26 biennial budget funding for sufficient slots to eliminate the Priority One waitlist for the Developmental Disability waivers by the end of the biennium,)

Item 311 #1s

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 allocate up to \$1,790,000 from the special revenue fund in the second year to fund the Transcranial Magnetic Simulation pilot programs pursuant to Senate Bill 1234. The Department of Planning and Budget shall increase the appropriation from the special revenue fund if existing appropriation from the special revenue fund is insufficient."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to fund the pilot program at two locations to provide transcranial magnetic simulation services pursuant to Senate Bill 1234.)

Item 311 #2s

Health and Human Resources

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

(This amendment provides \$2.0 million in the second year from the general fund to implement a number of innovations for the Developmental Disability system, including a workforce development and recruitment campaign, a business start-up/expansion incubator, and educational/informational resources on inclusive services for waiver recipients.)

Item 311 #4s

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 401, after line 1, insert:

"NN. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to Bennett's Village for support to develop a regional all abilities playground in Charlottesville."

Explanation:

(This amendment provides \$250,000 the second year from the general fund to support the completion of Phase 1 of Bennett's Village, a regional all abilities playground in Charlottesville.)

Item 311 #5s

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

\$4,074,631 GF

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$167,124,455".

Page 401, strike, line 53, strike "\$10,788,632", insert: "\$14,863,263".

Page 402, line 12, strike "\$1,000,000", insert: "\$5,074,631".

Page 402, line 14, after "officers", insert "or on-duty officers".

Page 402, line 16, after "identified.", insert:

"The department shall also allow for the payment of overtime for on-duty officers in accordance with the agreement the department has with the law enforcement agency. This funding is one-time and shall be removed from the base budget for the 2024-26 biennium."

Explanation:

(This amendment transfers \$4.1 million the second year from the general fund from the amounts

Amendments to SB 800 (as Introduced)

included in the introduced budget for the Compensation Board for a program to support sheriffs with transportation and custody of temporary detention orders. This amendment moves those funds to the Department of Behavioral Health and Developmental Services (DBHDS), which has a new program that reimburses off-duty law enforcement for these activities. Since this program is temporary the funding is consolidated in the DBHDS program and is expanded to reimburse for over-time and on-duty time.)

Item 311 #6s

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0 0.00	\$343,242 2.00	GF FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$163,393,066".

Explanation:

(This amendment provides funds for the Department of Behavioral Health and Developmental Services to develop a comprehensive trauma-informed care training program for elementary and secondary school teachers and provide such trauma-informed care training once every three years to each school division.)

Item 311 #8s

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0 0.00	(\$130,582) -1.00	GF FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$162,919,242".

Explanation:

(This amendment eliminates the associated funding for removing one of the two cybersecurity positions funded in the introduced budget.)

Item 311 #9s

Health and Human Resources	FY22-23	FY23-24
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Amendments to SB 800 (as Introduced)

Department of Behavioral Health and	\$0	(\$162,878)	GF
Developmental Services	\$0	(\$23,268)	NGF
	0.00	-2.00	FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$162,863,678".

Explanation:

(This amendment reduces the associated funding for two new positions included in the introduced budget for the development disability waivers programs.)

Item 311 #10s

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and	\$0	(\$507,122)	GF
Developmental Services	0.00	-3.00	FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$162,542,702".

Page 404, line 37, strike "\$845,204", insert "\$338,082".

Explanation:

(This amendment removes the associated funding for three of five new positions included in the introduced budget to oversee the crisis system.)

Item 311 #11s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert:

"NN. The Commissioner of Behavioral Health and Developmental Disabilities shall convene a workgroup of stakeholders to develop a shared understanding of the roles and responsibilities of Community Services Boards, law enforcement, private hospitals, and state hospitals to appropriately manage and transfer patients during periods when severe capacity constraints threaten to delay access to care for prolonged periods of time. The Commissioner shall submit a plan to the Behavioral Health Care Commission based on the workgroup by October 30, 2023."

Explanation:

(This amendment directs the Commissioner of Behavioral Health and Developmental

Amendments to SB 800 (as Introduced)

Disabilities to convene stakeholders to develop a shared understanding of the roles and responsibilities of Community Services Boards, law enforcement, private hospitals, and state hospitals to appropriately manage and transfer patients during periods where severe capacity constraints threaten to delay access to care for prolonged periods of time. The Commissioner shall submit a plan to the Behavioral Health Care Commission by October 30, 2023.)

Item 311 #12s

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 conduct a feasibility study on converting a building at Central State Hospital, or a space in the new hospital, into a repository for Virginia's Mental Health Archives. The assessment shall include the costs to ensure the space meets archival standards for humidity, light, heat and air conditioning. The department shall report on the feasibility study by November 1, 2023, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to conduct a feasibility study on converting a building on the existing Central State Hospital property or a space in the new hospital into a repository for Virginia's Mental Health Archives.)

Item 311 #13s

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 complete a comprehensive review of the performance contracts with community services boards and revise all performance measures in the base performance contract and addendums to ensure that: (i) performance measures are designed to measure outcomes for each service; (ii) performance measures include a relevant benchmark for each measure; and (iii) DBHDS has given clear direction on how it will monitor performance and enforce compliance with performance requirements. DBHDS should complete the contract revisions and report on the improvements made to the Behavioral Health Commission by December 1, 2023, and implement changes before the finalization of the fiscal year 2025 performance contract."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to complete a comprehensive review of the performance contracts with community services boards and revise all performance measures in the base performance contract and addendums. DBHDS shall report to Behavioral Health Commission by December 1, 2023, and implement changes before finalization of FY 2025 performance contracts. This is a recommendation of the Behavioral Health Commission.)

Item 311 #14s

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 community services board (CSB)-level performance information, including any substantial underperformance or non-compliance and associated enforcement actions, annually to: (1) each CSB governing board, (2) the Behavioral Health Commission; and (3) the State Board of Behavioral Health and Developmental Services."

Explanation:

(This amendment requires the Department of Behavioral Health and Developmental Services to share CSB performance information with the local CSB boards and other key state-level entities on a regular basis to help improve accountability in the CSB system. There is currently no requirement for DBHDS to share any information to local CSB governing boards about their CSB's performance on a regular basis. This is a recommendation from the JLARC report on CSB behavioral health services and is a recommendation of the Behavioral Health Commission.)

Item 311 #15s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 398, line 31, strike "lease", insert "cause the conveyance of".

Explanation:

(This amendment modifies existing budget language directing the Department of Behavioral

Amendments to SB 800 (as Introduced)

Health and Developmental Services to lease 25 acres of land at Eastern State Hospital to the Hope Family Village Corporation to convey the property rather than lease it to the organization.)

Item 311 #16s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert:

"NN. Notwithstanding paragraph B(ii) of § 37.2-319, Code of Virginia, the Department of Behavioral Health and Developmental Services shall deem "appropriate community housing" to include housing for individuals with a developmental disability, serious mental illness, or substance use disorder."

Explanation:

(This amendment includes language to override the Code of Virginia such that the Department of Behavioral Health and Developmental Services shall deem appropriate community housing to include housing for individuals with a developmental disability, serious mental illness, or substance use disorder.)

Item 311 #17s

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 work with the Department of Medical Assistance Services to: (i) develop and implement a targeted review process to assess the extent to which community services boards (CSBs) are billing for Medicaid-eligible services they provide; (ii) provide technical assistance and training, in coordination with Medicaid managed care organizations, on appropriate Medicaid billing and claiming practices to relevant CSB staff; and (iii) evaluate the feasibility of a central billing entity, similar to the Federally Qualified Health Centers, that would handle all Medicaid claims for the entire system. The department shall report the results of these targeted reviews, any technical assistance or training provided in response, and on the feasibility of central billing to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023, and annually thereafter on December 1, of each year."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to work with the Department of Medical Assistance Services to develop and implement a targeted review process to assess the extent to which community services boards (CSBs) are billing for Medicaid-eligible services they provide, provide technical assistance and training, in coordination with Medicaid managed care organizations, on appropriate Medicaid billing and claiming practices to relevant CSB staff, evaluate the feasibility of central bills, and report the results of these targeted reviews. This is a recommendation of the Behavioral Health Commission.)

Item 311 #18s

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 services board (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 or are duplicative or conflicting; and (iv) 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, are duplicative, or are conflicting."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to identify and eliminate duplicative and non-essential documentation and reporting requirements for CSBs. This is a recommendation of the Behavioral Health Commission.)

Item 311 #19s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert"

Amendments to SB 800 (as Introduced)

"NN. The Department of Behavioral Health and Developmental Services shall develop and begin implementation of a plan to restore the bed capacity of the state hospital system that was taken offline in recent years due to workforce shortages. The plan shall identify any additional resources needed to staff the additional beds and shall have a target date of June 30, 2024, for staffing all the beds that were previously taken offline. The department shall begin to add bed capacity with the goal of restoring half the beds by January 1, 2024. The department shall report its plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 15, 2023."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to develop and begin implementation of a plan to restore the bed capacity of the state hospital system that was taken offline in recent years due to workforce shortages.)

Item 311 #20s

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 to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on average salaries, turnover, and vacancy rates by position type across community services boards."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to report annually to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on average salaries, turnover, and vacancy rates by position type across community services boards. This is a recommendation of the Behavioral Health Commission.)

Item 311 #21s

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

Amendments to SB 800 (as Introduced)

marriage and family therapists. Any funds not used in the first year shall be carried forward into 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 Foundation to use any carryforward money in the second year to continue funding the Boost 200 pilot program.)

Item 311 #22s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 400, line 7, unstrike "grants to school divisions to".

Page 400, unstrike line 8.

Page 400, unstrike "community-based providers" and strike the remainder of the line.

Page 400, strike line 10.

Page 40, line 11, strike "health services".

Explanation:

(This amendment restores the budget language for the school-based pilot for mental health services in schools.)

Item 311 #23s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 400, line 55, strike "Notwithstanding any other".

Page 400, strike lines 56 through 57.

Page 401, strike line 1.

Explanation:

(This amendment eliminates the exemption from the Virginia Public Procurement Act for the program.)

Amendments to SB 800 (as Introduced)

Item 312 #1s

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0	\$30,000,000	GF

Language:

Page 401, line 4, strike "\$167,062,449" and insert "\$197,062,449".

Page 404, after line 33, strike "\$57,500,000", insert "\$87,500,000".

Page 404, line 36, after "sites.", insert:

The Department of Behavioral Health and Developmental Services shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committee within 10 days of each award that includes the amount approved and the services that will be provided at the location. In awarding these funds the department shall take into account the areas of the Commonwealth with the greater need for these services and prioritize funding accordingly."

Explanation:

(This amendment provides \$30.0 million from the general fund the second year for the creation of additional crisis receiving centers and crisis stabilization units, and to make enhancements to existing sites.)

Item 312 #2s

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0	\$7,900,000	GF

Language:

Page 401, line 4, strike "\$167,062,449" and insert "\$174,962,449".

Page 402, line 30, after "first year and", strike "\$6,885,488" and insert "\$14,785,488".

Explanation:

(This amendment provides \$7.9 million the second year from the general fund to support the continued implementation and management of the expansion of the Virginia Mental Health Access (VMAP) program to early childhood (ages zero to five). Funds would include the addition of regional early childhood specialists and new training of primary care providers. Funds will also allow VMAP to plan, implement, and manage expansion to pregnant and postpartum mothers. VMAP will train both the OB/GYNs and pediatric clinicians on screening and early recognition of Perinatal Mood and Anxiety Disorders.)

Item 312 #3s

Amendments to SB 800 (as Introduced)

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

\$100,000 GF

Language:

Page 401, line 3, strike "\$167,062,449" and insert "\$167,162,449".

Page 404, after line 47, insert:

"Z. Out of this appropriation, \$100,000 the second year from the general fund shall be provided to On Our Own, a peer recovery center and supportive community that serves the community at no charge."

Explanation:

(This amendment provides \$100,000 the second year from the general fund to On Our Own, a peer recovery center and supportive community that serves the community at no charge.)

Item 312 #4s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 404, after line 47, insert:

"Z. The Department of Behavioral Health and Developmental Services (DBHDS) shall contract with one or more higher education institutions to establish training and technical assistance centers to: (i) deliver standardized training for preadmission screening clinicians on developing appropriate preadmission screening recommendations, interpreting lab results, and understanding basic medical conditions and (ii) provide technical assistance to preadmission screening clinicians, particularly when quality improvement is deemed necessary by DBHDS."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services to contract with one or more higher education institutions to establish training and technical assistance centers to provide training and technical assistance to preadmission screening clinicians. This is a recommendation of the Behavioral Health Commission.)

Item 312 #5s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Amendments to SB 800 (as Introduced)

Language:

Page 404, after line 47 insert:

"Z. The Department of Behavioral Health and Developmental Services (DBHDS) shall amend community services board (CSB) performance contracts to require that: (i) any funding appropriated by the General Assembly to CSBs for staff compensation only shall be used for staff compensation; and (ii) CSBs report annually to DBHDS on any staff compensation actions taken during the prior fiscal year."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services (DBHDS) to amend community services board (CSB) performance contracts to require that (i) any funding appropriated by the General Assembly to CSBs for staff compensation only be used for staff compensation and (ii) CSBs report annually on any staff compensation actions taken during the prior fiscal year to DBHDS. This is a recommendation of the Behavioral Health Commission.)

Item 312 #6s

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0

\$250,000 GF

Language:

Page 401, line 3, strike "\$167,062,449" and insert "\$167,312,449".

Page 404, after line 47, insert:

"Z. Out of this appropriation, \$250,000 from the general fund the second year shall be provided to Specially Adapted Resources Clubs (SPARC) to support essential day programs for adults with profound disabilities."

Explanation:

(This amendment provides \$250,000 the second year from the general fund to support Specially Adapted Resources Clubs (SPARC), which provide essential day programs for adults with profound disabilities at five locations in Northern Virginia. SPARC offers the same supportive structure and continued education that its participants enjoyed in school and provides a variety of educational services in the form of leisure learning that allows participants to work on life skills while socializing with a community of peers.)

Item 312 #7s

Health and Human Resources

Amendments to SB 800 (as Introduced)

Department of Behavioral Health and Developmental Services

Language

Language:

Page 404, line 42, strike "Notwithstanding any other provision".
Page 404, strike lines 43 through 45.

Explanation:

(This amendment removes the exemption from the Virginia Public Procurement Act for the residential care program.)

	Item 313 #1s	
Health and Human Resources	FY22-23	FY23-24
Grants to Localities	\$0	\$50,000,000 GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$705,486,687".
Page 408, line 14, strike "\$50,588,710", insert "\$100,588,710".

Explanation:

(This amendment provides \$50.0 million the second year from the general fund to increase funding for Permanent Supportive Housing (PSH), which provides stable housing for seriously mentally ill individuals. PSH reduces the number of hospital emergency department visits, inpatient stays, state hospital admissions, and interactions with the criminal justice system. At an average annual cost of \$16,500 a person, this funding would support up to 3,000 individuals. According to the Department of Behavioral Health and Developmental Services there is a need for 7,000 PSH slots.)

	Item 313 #2s	
Health and Human Resources	FY22-23	FY23-24
Grants to Localities	\$0	\$1,000,000 GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$656,486,687".
Page 411, after line 12, insert:
"RR. Out of this appropriation, \$1,000,000 the second year from the general fund is provided to support cannabis youth prevention programs at Community Services Boards."

Explanation:

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

Amendments to SB 800 (as Introduced)

engage in cannabis youth prevention programs. The key to successful prevention campaigns is ensuring that they are deployed well ahead of policy changes such as cannabis legalization. These funds will position CSBs to fully engage in this critical prevention effort.)

Item 313 #3s

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, after "first year and", strike "\$8,400,000" and insert "\$16,800,000".

Explanation:

(This amendment provides \$8.4 million the second year from the general fund for children's behavioral health services and revises language to encourage flexible uses of funds to build service capacity focused on specialized needs of children and youth. This funding has not been increased since FY 2017 or adjusted for inflation, and as such the need exceeds current funding levels. These funds will be used to create new or expand existing community-based services for children.)

Item 313 #4s

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$8,700,000	GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$664,186,687".

Page 411, after line 16, insert:

"RR. Out of this appropriation, \$8,700,000 the second year from the general fund is provided to increase funding for the first three steps of STEP-VA, including same day access, primary care screening, and outpatient services at community service boards."

Explanation:

(This amendment provides \$8.7 million the second year from the general fund to increase funding for same day access, primary care screening, and outpatient services at community services boards (CSB), which are the first three steps of STEP-VA. This funding will mitigate the costs of inflation CSBs are experiencing while performing these services.)

Item 313 #5s

Amendments to SB 800 (as Introduced)

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$50,000,000	GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$705,486,687".

Page 411, after line 12, insert:

"RR. Out of this appropriation, \$50,000,000 from the general fund the second year shall be provided to increase compensation for staff that work for Community Services Boards for a Behavioral Health Authority. The Department of Behavioral Health and Developmental Services, in collaboration with the CSBs/BHAs shall develop the criteria for allocating the funds. The department may fund up to 100 percent of the costs of the compensation increase."

Explanation:

(This amendment provides \$50.0 million the second year from the general fund to increase compensation for staff at Community Services Boards or a Behavioral Health Authority in fiscal year 2024. CSBs indicate compensation is a key driver in recruitment/retention challenges and a top reason staff are planning to leave their jobs. Alleviating staffing shortages could reduce waiting lists and expedite access to services.)

Item 330 #1s

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$850,000	GF

Language:

Page 416, line 26, strike "\$106,052,645" and insert "\$106,902,645".

Page 417, line 42, after "first year and", strike "\$7,098,507" and insert "\$7,948,507".

Explanation:

(This amendment provides \$850,000 from the general fund the second year to provide independent living services including independent living skills training, advocacy, information and referral, peer mentoring, and transition services to people with significant disabilities. Transition services include youth transition services and services to people trying to transition from nursing facilities and other institutions, and other services to prevent institutionalization.)

Item 330 #2s

Health and Human Resources	FY22-23	FY23-24	
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Amendments to SB 800 (as Introduced)

Department for Aging and Rehabilitative Services \$0 \$570,000 GF

Language:

Page 416, line 26, strike "\$106,052,645" and insert "\$106,622,645".
Page 418, line 4, after "first year and", strike "\$7,746,719" and insert "\$8,316,719".
Page 418, line 17, after "first year and", strike "\$720,000", and insert \$1,290,000".

Explanation:

(This amendment provides \$570,000 the second year from the general fund to expand community-based brain injury case management services. In FY 2022, eight state-funded programs with 21 case managers meet the case management needs of 1,258 people with brain injury. This funding would fund six case managers to serve around 300 Virginians.)

Item 330 #3s

Health and Human Resources

FY22-23

FY23-24

Department for Aging and Rehabilitative Services \$0 \$675,000 GF

Language:

Page 416, line 26, strike "\$106,052,645" and insert "\$106,727,645".
Page 418, line 4, after "the first year and", strike \$7,746,719", and insert "\$8,421,719".
Page 418, after line 26, insert:
"7. Of this amount, \$50,000 the second year from the general fund shall be provided to the Brain Injury Association of Virginia to support its operations."

Explanation:

(This amendment provides \$675,000 the second year from the general fund to support publicly funded brain injury services providers, that are currently unable to fill positions and retain employees due to inability to offer competitive wages and benefits. An appropriation increase would be used to raise overall staff salaries. In addition, this appropriation would provide \$50,000 to the Brain Injury Association of Virginia to address staffing and salary needs due to a reduction in federal funding.)

Item 330 #4s

Health and Human Resources

Department for Aging and Rehabilitative Services Language

Language:

Amendments to SB 800 (as Introduced)

Page 418, after line 50, insert:

"R. The Department for Aging and Rehabilitative Services shall work with the Department of Education, the Department of Behavioral Health and Developmental Services, the Parent Educational Advocacy Training Center (PEATC), Virginia Commonwealth University's Partnership for People with Disabilities, and VCU-RRTC to ensure that online resources are readily available and disseminated to all individuals of transition age and their families. This includes utilization and promotion of PEATC's online training course, Transition University (TU), conducted in coordination with VDOE and PEATC's online transition guide and resource documents on its website."

Explanation:

(This amendment directs the Department for Aging and Rehabilitative Services to work with the Department of Education, the Department of Behavioral Health and Developmental Services, the Parent Educational Advocacy Training Center (PEATC), Virginia Commonwealth University's Partnership for People with Disabilities, and VCU-RRTC to ensure that online resources are readily available and disseminated to all individuals of transition age and their families. This includes utilization and promotion of PEATC's online training course, Transition University, conducted in coordination with VDOE and PEATC's online transition guide and resource documents on its website. This is a recommendation from Virginia Commission on Youth.)

	Item 331 #1s	
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".

Page 420, after line 38, insert:

"M. Out of this appropriation, \$700,000 the second year from the general fund shall be provided to hold harmless the Area Agencies on Aging due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding."

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.)

Amendments to SB 800 (as Introduced)

Item 331 #2s

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$160,000	GF

Language:

Page 418, line 51, strike "\$39,539,449" and insert "\$39,699,449".

Explanation:

(This amendment provides \$160,000 the second year from the general fund to support the implementation costs of Senate Bill 1140, which directs the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1, 2024. The bill requires an appointed guardian and any staff employed by such guardian to perform guardianship duties to complete the initial training developed by the Department within four months of the date of the initial court order of appointment and guardians and such staff appointed prior to July 1, 2024, to complete such training by January 1, 2026.)

Item 334 #1s

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	(\$1,000,000)	(\$1,000,000)	GF

Language:

Page 421, line 28, strike "\$56,355,832" and insert "\$55,355,832".

Page 421, line 28, strike "\$56,355,832" and insert "\$55,355,832".

Explanation:

(This amendment reduces by \$1.0 million each year from the general fund the appropriation provided for Disability Determination Services (DDS) for Medicaid. Since Medicaid expansion, new pathways exist for individuals with disabilities to become eligible for Medicaid, which has reduced the number of DDS cases processed for Medicaid. This amendment reflects that lower caseload.)

Item 336 #1s

Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0 0.00	\$150,000 1.00	GF FTE

Amendments to SB 800 (as Introduced)

Language:

Page 422, line 46, strike "\$16,256,957" and insert "\$16,406,957".

Explanation:

(This amendment provides \$150,000 the second year from the general fund to fund a position for an Executive Director for the Commonwealth Council on Aging pursuant to provisions in Senate Bill 1218.)

Item 340 #1s

Health and Human Resources

Department of Social Services

Language

Language:

Page 425, line 42, after "Commonwealth.", insert:

"Refugee resettlement organizations and community-based organizations that serve refugees, asylum seekers, and special visa holders are eligible to apply for this funding. Funding may be used to support refugees, asylum seekers, and special visa holders with services and supports such as housing, childcare, transportation, workforce training, and credentialing. Any monies remaining for this purpose shall not revert to the general fund but shall be carried forward for such purposes."

Explanation:

(This amendment adds language to clarify the organizations that can apply for funding to assist refugees that relocate to the Commonwealth, expands the definition of who can be supported with such funds, and describes services that can be provided. Added language provides for the funding to be carried over into the next fiscal year if not totally expended in fiscal year 2023.)

Item 341 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0
\$0

\$1,205,712 GF
\$9,779,437 NGF

Language:

Page 426, line 18, strike "\$164,541,467" and insert "\$175,526,616".

Page 428, after line 25, insert:

"O. The Department of Social Services shall increase the Temporary Assistance for Needy Families (TANF) cash benefits and income eligibility threshold by 10 percent effective July 1, 2023."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides \$9.8 million from Temporary Assistance to Needy Families (TANF) block grant funds and \$1.2 million from the general fund for a 10 percent increase in the TANF standards of assistance. The 2021 Appropriation Act included language providing for annual increases for TANF until it was 50 percent of the federal poverty level. It would then adjust annually to remain fixed at that level.)

Item 341 #2s

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

(\$3,070,626)

\$0 GF

Language:

Page 426, line 18, strike "\$174,712,353" and insert "\$171,641,727".

Explanation:

(This amendment reduces by \$3.1 million the first year from the general fund the appropriation provided in the introduced budget for a repayment of excess benefits paid out under the Supplemental Nutrition Program. The Department of Social Services is negotiating a settlement with the federal government and this amendment reflects the anticipated impact.)

Item 342 #1s

Health and Human Resources

FY22-23

FY23-24

Department of Social Services

\$0

\$200,000 GF

Language:

Page 428, line 27, 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 City of Hampton Department of Social Services for rent increases."

Explanation:

(This amendment provides \$200,000 the second year from the general fund to the City of Hampton Department of Social Services for rent increases.)

Item 344 #1s

Health and Human Resources

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

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. This is a recommendation of the Joint Commission on Health Care.)

Item 345 #1s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$180,000	GF
	\$0	\$60,000	NGF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,692,674".

Page 434, after line 42, insert:

"U. The Department of Social Services shall expand the Virginia Child Welfare Stipend Program to include slots for individuals preparing to work in Child Protective Services and other needed child welfare positions."

Explanation:

(This amendment provides \$180,000 from the general fund and \$60,000 from nongeneral funds the second year to expand Virginia's Title IV-E Child Welfare Stipend Program (CWSP) to include individuals preparing to work in Child Protective Services (CPS) slots as well as several additional "general" child welfare position slots. The CWSP is a workforce development program, in partnership with five public state universities in Virginia, which prepares Master of Social Work (MSW) and Bachelor of Social Work students for a career in public child welfare. Students receive a \$10,000 stipend per academic year. In exchange for the stipend and extensive child welfare training the recipient must commit to work at a local Department of Social Services within Virginia in foster care or adoption services for one year for each year of stipend funding.)

Item 345 #2s

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

Amendments to SB 800 (as Introduced)

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 the second year from the general fund 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 345 #3s	
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 for the Department of Social Services to establish criteria for service payments for allowable expenses related to afterschool and out of school time care for foster care youth aged twelve to eighteen. The department shall increase the foster care maintenance payment to compensate for such allowable expenses for eligible foster care and adoptive parent recipients. The department

Amendments to SB 800 (as Introduced)

is authorized to make appropriate changes through the regulatory process."

Explanation:

(This amendment provides \$250,000 the second year from the general fund for the Department of Social Services (DSS) to establish criteria for service payments for allowable expenses related to afterschool and out of school time care for foster care youth aged twelve to eighteen. DSS shall increase the foster care maintenance payment to compensate for such allowable expenses for eligible foster care and adoptive parent recipients."

	Item 345 #4s	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$200,000 GF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,652,674".

Explanation:

(This amendment provides \$200,000 the second year from the general fund to continue funding the State-funded Kinship Guardianship Assistance Program. As outlined in §63.2-1306, Code of Virginia, the Office of Children's Services (OCS) will need an increase in general funds in order to continue to approve children to enter into the program. This funding request incorporates the general fund savings cost at the Department of Social Services as detailed in the fiscal impact statement for Senate Bill 1328 in the 2020 Session.)

	Item 345 #5s	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	(\$4,500,000) \$4,500,000	(\$3,750,000) \$3,750,000 GF NGF

Language:

Explanation:

(This amendment reflects \$4.5 million the first year and \$3.8 million the second year in federal match savings from the enhanced federal match rate for Medicaid, which also applies to the federal Title IV-E program. The recent extensions of the public health emergency and Congressional action to phase down the enhanced match rate through the end of calendar year 2023 are reflected in these saving.)

Item 346 #1s

Health and Human Resources

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 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. The department, if allowable under federal law and regulations, shall accept applications for heating assistance retroactive to the end of the prior application deadline of November 14, 2022."

Explanation:

(This amendment requires the agency to allow applications for the LIHEAP program to be submitted in any month during the year and allows individuals to apply retroactively for heating assistance since the close of the prior application period in November 2022.)

Item 347 #1s

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 435, line 24, after "block grant", insert "and \$250,000 the second year from the general fund"

Explanation:

(This amendment adds \$250,000 the second year from the general fund 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 of \$185,725 to a total of \$435,725.)

Amendments to SB 800 (as Introduced)

Item 347 #2s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$1,200,000	GF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$64,100,789".

Page 436, line 29, after "H." insert "1."

Page 436, line 29, after "first year and", strike "\$405,500" and insert "\$1,605,500".

Page 436, after line 47, insert:

"2. Out of the appropriation in H.1., \$750,000 the second year from the general fund 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 \$1.2 million second year from the general fund to support existing Child Advocacy Centers (CACs), after an FY 2024 10 percent reduction in Victims of Crime Act funds. In addition, \$750,000 of the second year from the general fund is provided to support CACs in the establishment of 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.)

Item 347 #3s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$68,000	GF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$62,968,789".

Page 439, after line 52, insert:

"DD. Out of this appropriation, \$68,000 the second year from the general fund shall be provided to the Eastern Shore Area Agency on Aging/Community Action Agency for a roof replacement for its administrative entrance and offices."

Explanation:

(This amendment adds \$68,000 the second year from the general fund for a roof replacement for

Amendments to SB 800 (as Introduced)

the Eastern Shore Area Agency on Aging/Community Action Agency.)

Item 347 #4s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$200,000	NGF

Language:

Page 435, line 7, strike "\$62,900,789" and insert "\$63,100,789".

Page 439, after line 52, insert:

"DD. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to the Ecumenical Community Helping Others to assist with food, housing, child care and education, workforce training, mental health, or other services and supports for low-income families."

Explanation:

(This amendment provides \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant to Ecumenical Community Helping Others to assist with food, housing, child care and education, workforce training, mental health, or other services and supports for low-income families.)

Item 347 #5s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$500,000	GF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$63,400,789".

Page 439, line 34, after "Z.", insert "1."

Page 439, line 34, after "first year", insert "and "\$500,000 the second year".

Page 439, line 35, after "Judge", insert "Jay T."

Page 439, after line 36, insert:

"2. Out of the amounts in paragraph Z.1., up to \$329,000 the second year from the general fund may be used to support the transitional housing program."

Explanation:

(This amendment provides an additional \$500,000 for the Jay T. Swett Learning Center to promote vocational and educational classes for ex-offenders and support of their transitional housing program.)

Amendments to SB 800 (as Introduced)

Item 347 #6s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$90,000	GF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$62,990,789".

Page 439, line 12, after "U.", insert "1."

Page 439, after line 17, insert:

"2. Out of this appropriation, \$90,000 the second year from the general fund shall be provided to the Lighthouse Community Center to support services provided to the community."

Explanation:

(This amendment adds \$90,000 from the general fund the second year to assist low-income individuals in the Lynchburg community.)

Item 347 #7s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$200,000	NGF

Language:

Page 435, line 7, strike "\$62,900,789" and insert "\$63,100,789".

Page 439, after line 52, insert:

"DD. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to the Lorton Community Action Center to assist with food, housing, child care and education, workforce training and mental health or other services and supports for low-income families."

Explanation:

(This amendment provides \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant to the Lorton Community Action Center to assist with food, housing, child care and education, workforce training and mental health or other services and supports for low-income families.)

Item 347 #8s

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$100,000	GF

Language:

Amendments to SB 800 (as Introduced)

Page 435, line 8, strike "\$62,900,789" and insert "\$63,000,789".

Page 438, line 1, after "first year and", strike "\$100,000" and insert "\$200,000".

Explanation:

(This amendment provides \$100,000 the second year from the general fund to support the Youth for Tomorrow organization. The amendment increases the total funding to \$200,000 a year.)

Item 347 #9s

Health and Human Resources

Department of Social Services

Language

Language:

Page 437, line 15, strike "and \$4,500,000 the second year".

Page 437, line 24, strike "and \$3,000,000 the second year".

Page 437, line 32, strike "and \$300,000 the second year".

Page 437, line 36, strike "and \$1,500,000 the second year".

Page 437, after line 42, insert:

"4. Beginning in the second year, \$9,300,000 shall be made available in the priority order of: (i) unexpired previously awarded five year grants; (ii) expiring previously awarded qualifying grants; and (iii) new qualifying competitive grants for community employment and training programs."

Page 437, line 43, strike "4" and insert "5".

Page 437, line 43, after "grants" insert "by October 1 of each year".

Page 437, line 52, strike "5" and insert "6".

Explanation:

(This amendment adds language to combine three rounds of TANF funding for Community Employment and Training Programs into one consolidated pool of funding. This ensures that a grant awardee from any of the previous three rounds of funding may apply for funding in fiscal year 2024.)

Item 348 #1s

Health and Human Resources

Department of Social Services

Language

Language:

Page 440, after line 36, insert:

Amendments to SB 800 (as Introduced)

"F. The Department of Social Services (DSS) shall update licensing regulations for assisted living facilities in the process of closure. Licensing regulations shall be updated to require assisted living facility administrators to notify the Auxiliary Grant (AG) program staff at the Department for Aging and Rehabilitative Services and the appropriate local community services board (CSB) staff prior to closure if the assisted living facility serves residents who receive AG or Discharge Assistance Planning (DAP) funding. Current licensing regulations require administrators to give at least 60 days notice of closure, and regulations should be clarified to ensure timely notification is given to local CSB and DSS staff overseeing AG and DAP residents."

Explanation:

(This amendment adds language to update the Assisted Living Facility regulations for licensed administrators in the process of closing their facility in order to assist in the transition of residents to other community placements. This is a recommendation of the Joint Commission on Health Care.)

Item 362.50 #1s

Health and Human Resources

Opioid Abatement Authority

Language

Language:

Page 448, line 20, strike "1.", insert "A."

Page 448, strike lines 25 through 27.

Page 448, after line 27, insert:

"B. Expenditures from the Commonwealth Opioid Abatement and Remediation Fund shall be subject to appropriation through an appropriations bill passed by the General Assembly."

Explanation:

(This amendment adjusts language under the Opioid Abatement Authority and clarifies that any funds from the Commonwealth Opioid Abatement and Remediation Fund shall only be spent from an appropriation made by law.)

Item 363 #1s

Labor

FY22-23

FY23-24

Secretary of Labor

\$5,000,000

\$0 GF

Language:

Page 449, line 3, strike "\$599,192" and insert "\$5,599,192".

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides funding to establish the Department of Workforce Development and Advancement in accordance with Senate Bill 1470).

Item 370 #1s

Labor	FY22-23	FY23-24	
Virginia Employment Commission	(\$60,000,000)	\$0	GF

Language:

Page 452, line 28, strike "\$812,426,719" and insert "\$752,426,719".
Page 454, line 23, strike "\$100,000,000" and insert "\$40,000,000".

Explanation:

(This amendment reduces funding provided in the introduced budget bill.)

Item 370 #2s

Labor		Language
Virginia Employment Commission		

Language:

Page 454, after 25 insert:
"Q. The Virginia Employment Commission is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a Paid Family and Medical Leave Program for the Commonwealth of Virginia contingent upon the enactment of SB 1101 introduced in the 2023 Session of the General Assembly. The treasury loan shall be repaid for these costs from revenues received from premiums assessed to employers and employees beginning in 2025."

Explanation:

(This amendment is a language only amendment that authorizes a treasury loan for the implementation of SB 1101.)

Item 374 #1s

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$1,000,000	GF

Amendments to SB 800 (as Introduced)

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 including costs related to servers and necessary software licenses."

Explanation:

(This amendment provides \$1.0 million GF the second year to support the department's and soil and water conservation districts' increased needs for system enhancements to the Conservation Application Suite. The system is the primary tool for management of agricultural best management practice data, and funding is necessary to improve functionality and provide for system operations cost increases.)

Item 374 #2s

Natural and Historic Resources

FY22-23

FY23-24

Department of Conservation and
Recreation

\$0
0.00

\$350,000 GF
2.00 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 in the second year from the general fund shall be used to create: (i) a position to help expedite the training and certification, if applicable, 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 provide timely assistance to Soil and Water Conservation Districts with engineering designs for structural practices."

Explanation:

(This amendment provides \$350,000 GF the second year and two positions to enhance training and technical assistance provided by the department to the Soil and Water Conservation Districts.)

Item 374 #3s

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Amendments to SB 800 (as Introduced)

Page 461, after line 25, insert:

"V. Notwithstanding the provisions of §10.1-2132, Code of Virginia, the department shall allow grant funds allocated for the Virginia Cost Share Assistance Program 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 provided that the project is otherwise eligible for funding and the applicant has a contract for animals to be placed on-site within six months of the project's completion. The department shall provide guidelines for implementation of this provision."

Explanation:

(This language-only amendment allows the department to commit and disburse funds in the Virginia Agricultural Cost Share Program as cost-share funding in conjunction with the planning and construction of livestock and poultry waste facilities prior to animals being on site if a project would be otherwise eligible for funding and the applicant has a contract for animals to be placed there within six months of the project's completion.)

			Item 374 #4s
Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$12,907,600	GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$386,459,969".

Page 461, after line 25, insert:

"V. Out of the appropriation in this Item, \$12,907,600 in the second year from the general fund is provided to provide incentives to farm operators for the adoption of highly cost-effective nutrient management practices, including stream exclusion systems, nutrient management plans, and forested riparian buffers on lands within the Chesapeake Bay watershed. The department shall pilot the incentive program in select Soil and Water Conservation Districts to determine the most effective approach for watershed-wide implementation of incentives."

Explanation:

(This amendment creates a pilot program to provide incentives for the most cost-effective agricultural best management practices to assist the Commonwealth with achieving the Phase III Chesapeake Bay Watershed Implementation Plan goals. The incentive program will be piloted in select Soil and Water Conservation Districts to determine the best approach for implementation throughout the watershed.)

Item 374 #5s

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 461, after line 25, insert:

"V.1. 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.

2. The stakeholder group shall include, at a minimum: two 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 their designee, the Secretary of Natural Resources or their designee, and staff from the Senate Finance and Appropriations Committee, the House Appropriations Committee and the Chesapeake Bay Commission. The General Assembly members shall consist of two members from the Chesapeake Bay Commission and two members from the Senate Finance and Appropriations and House Appropriations Committees. The four General Assembly members shall be selected by the Joint Rules Committee.

3. The Department shall report any recommendations to the Chairs of the Senate Finance and Appropriations Committee, the House Appropriations Committee, the Senate Agriculture, Conservation and Natural Resources Committee and the House Agriculture, Chesapeake and Natural Resources Committee no later than December 1, 2023.

Explanation:

(This language-only amendment proposes a study of the baseline funding needs for Virginia's agricultural water quality programs. This issue was studied in 2017, and with the adoption of the agricultural water quality obligations under Virginia's Phase III Chesapeake Bay Watershed Implementation Plan, the program has become larger and more complex. It is necessary to reinvestigate the baseline program parameters to meet long-term needs.)

Amendments to SB 800 (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 457, line 29, strike "\$10,947,091" and insert "12,847,091."

Page 457, line 34, strike "\$9,809,091" and insert "11,709,091."

Page 457, line 36, after "office support," insert "education and outreach,"

Explanation:

(This amendment increases operating funds by \$1.9 million GF in the second year for the 47 Soil and Water Conservation Districts to include support for education and outreach programming. The Soil and Water Conservation Districts are the primary local program delivery mechanism for non-point source pollution controls throughout the Commonwealth. The need for additional funding was identified by the districts to support critical education and outreach efforts to youth and adults.)

Item 374 #7s

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 461, line 25, after "2023." insert:

"The plan for allocation of these funds shall include a request for proposal or other mechanism through which the private environmental restoration industry may bring forward wetland restoration and stream buffer projects without a cost-share requirement on agricultural lands with willing landowners."

Explanation:

(This amendment adds language to facilitate wetland restoration and stream buffer projects without a cost-share requirement on agricultural lands. The private environmental restoration industry has significant relationships with agricultural landowners who are willing to have these projects on their land when funding is available. The industry has the experience to implement needed wetland and stream buffer projects quickly and cost effectively. This amendment establishes a mechanism through which the private sector could accelerate the Commonwealth meeting its Chesapeake Bay goals and needs.)

Item 374 #8s

Amendments to SB 800 (as Introduced)

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0 0.00	\$250,000 2.00	GF FTE

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$373,802,369".

Page 461, after line 25, insert:

"V. Out of the amounts appropriated in this item, \$250,000 in the second year from the general fund is provided to the department to support two additional staff positions and related expenses for invasive species management."

Explanation:

(This amendment is one of a series of amendments that provides \$2.4 million GF in FY 2024 to responsibly manage invasive species to ensure the long-term viability of Virginia's native natural resources. Working with the state agencies charged with, and in support of, the goals outlined in the Virginia Invasive Species Management Plan (2018), the Chesapeake Bay Commission has identified long-term goals for the management of priority invasive species. This amendment supports two positions at DCR to facilitate this long-term approach as well as eradication efforts.)

Item 374 #9s

Natural and Historic Resources	FY22-23	FY23-24	
Department of Conservation and Recreation	\$0	\$500,000	GF

Language:

Page 457, line 6, strike "\$373,552,369" and insert "\$374,052,369".

Page 461, after line 25, insert:

"V. Out of the appropriation in this Item, \$500,000 the second year from the general fund is provided to the department, in collaboration with the Department of Agriculture and Consumer Services, to conduct cyanobacteria mitigation and remediation activities on Lake Anna."

Explanation:

(This amendment provides \$500,000 GF in the second year to conduct cyanobacteria mitigation and remediation activities on Lake Anna. The department will work in collaboration with the Department of Agricultural and Consumer Services to respond to harmful algal blooms.)

Item 375 #1s

Natural and Historic Resources

Amendments to SB 800 (as Introduced)

Department of Conservation and Recreation

Language

Language:

Page 464, after line 8, insert:

"T. In an effort to maximize the value of tax dollars allocated to the Virginia Land Conservation Tax Credit Program, the department shall form a workgroup, which shall include the Department of Agriculture and Consumer Services, to examine policies and statutes related to the administration of the program to evaluate and develop recommendations on (i) effectiveness in preserving working farms, particularly smaller farms, as well as identify other programs and actions that may be used to achieve increased preservation of working farms."

Explanation:

(This amendment directs the department to convene a workgroup to examine policies and statutes related to the administration of the Virginia Land Conservation Tax Credit Program.)

Item 375 #2s

Natural and Historic Resources

FY22-23

FY23-24

Department of Conservation and Recreation

\$0

\$10,000,000

GF

Language:

Page 461, line 27, strike "\$93,301,537" and insert "\$103,301,537".

Page 461, line 44, strike "\$16,000,000" and insert "26,000,000."

Explanation:

(This amendment provides an additional \$10.0 million GF in the second year to the Virginia Land Conservation Fund. State agencies, local governments, other public bodies, state and federally-recognized Indian Tribes and nonprofit land trusts are eligible to receive matching grants from the fund to purchase land or conservation easements. Grant awards are based on applications for 50 percent or less of total project costs (state agencies may receive 100 percent) pursuant to specific criteria.)

Item 375 #3s

Natural and Historic Resources

Department of Conservation and Recreation

Language

Language:

Page 464, after line 8, insert:

Amendments to SB 800 (as Introduced)

"T. It is the intent of the General Assembly that the Director of the Department of Conservation and Recreation shall convene an interagency work group, including the Virginia Recreational Trails Program, the Division of State Parks, the Department of Transportation, and the Department of General Services to expedite planning and assignment of responsibilities to ensure timely construction and supported operation of state trails funded by this Act."

Explanation:

(This amendment directs the department to convene a workgroup of agencies involved with trail construction and operations to ensure the various state trails funded by the 2022 and 2023 General Assembly Sessions are completed efficiently and effectively.)

	Item 375 #4s	
Natural and Historic Resources	FY22-23	FY23-24
Department of Conservation and Recreation	\$0	\$7,500,000 GF

Language:

Page 461, line 27, strike "\$93,301,537" and insert "\$100,801,537".

Explanation:

(This amendment provides \$7.5 million GF the second year for operations personnel for state parks.)

	Item 376 #1s	
Natural and Historic Resources	FY22-23	FY23-24
Department of Conservation and Recreation	10.00	10.00 FTE

Language:

Explanation:

(This amendment increases the position level at DCR by ten nongeneral fund positions to use existing funds to hire employees for critical programs and functions, including agricultural best management practices, resiliency and flood plain projects, and capital construction and maintenance projects.)

	Item 380 #1s	
Natural and Historic Resources	FY22-23	FY23-24

Amendments to SB 800 (as Introduced)

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$200,000	GF

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 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 \$200,000 GF in FY 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 #2s

Natural and Historic Resources	FY22-23	FY23-24	
Department of Historic Resources	\$0	\$200,000	GF

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 Nelson for renovations to the Nelson Heritage Center."

Explanation:

(This amendment provides \$200,000 GF in FY 2024 to Nelson County for the Nelson Heritage Center, a community center housed in the historical African American High School, in support of building renovations for the continued provision of educational, wellness and health services in the community.)

Item 386 #3s

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".

Amendments to SB 800 (as Introduced)

Page 474, line 17, strike "\$5,250,000" and insert "\$9,250,000".

Page 474, after line 39, insert:

"4. From the amounts in this item, \$3,750,000 the second year from the general fund shall be granted to the battlefield organization that manages the Shenandoah 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 of the Code of Virginia."

Explanation:

(This amendment increases funding for the Virginia Battlefield Preservation Fund by \$3.75 million GF the second year for the acquisition of an additional 75 acres of the New Market Battlefield.)

	Item 386 #4s	
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 "\$500,000 the first year", insert "and \$500,000 the second year".

Explanation:

(This amendment provides an additional appropriation of \$500,000 GF in FY 2024 to the City of Roanoke for improvements at the Virginia Museum of Transportation.)

	Item 386 #5s	
Natural and Historic Resources	FY22-23	FY23-24
Department of Historic Resources	\$0	\$600,000 GF

Language:

Page 473, line 23, strike "\$13,347,048" and insert "\$13,947,048".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$600,000 the second year from the general fund is provided to the City of Charlottesville in support of development of a pedestrian bridge and accessible parking area to improve pedestrian access to the Dogwood Veterans Memorial."

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides \$600,000 GF in the second year to the City of Charlottesville in support of development of a pedestrian bridge and accessible parking area to improve pedestrian access to the memorial.)

	Item 386 #6s	
Natural and Historic Resources	FY22-23	FY23-24
Department of Historic Resources	\$100,000	\$0 GF

Language:

Page 473, line 23, strike "\$43,894,888" and insert "\$43,994,888".

Page 477, after line 23, insert:

"HH. Out of the amounts in this item, \$100,000 the first year from the general fund is provided to the County of Brunswick for the conservation and restoration of Saint Paul's College Museum and Archives."

Explanation:

(This amendment provides \$100,000 GF in FY 2023 for conservation and restoration activities undertaken by the James Solomon Russell/Saint Paul's College Museum and Archives in Lawrenceville, Virginia.)

	Item 388 #1s	
Natural and Historic Resources	FY22-23	FY23-24
Marine Resources Commission	\$0	\$100,000 GF

Language:

Page 477, line 47, strike "\$26,646,291" and insert "\$26,746,291".

Page 478, after line 45, insert:

"H. Out of the amounts in this Item, \$100,000 is provided from the general fund in the second year to establish a program to encourage donations of oyster shells by individuals and businesses for oyster replenishment projects, pursuant to Senate Bill 997 of the 2023 Session of the General Assembly. The Commission shall develop guidelines for such program, and it may include grants to organizations, individuals, or businesses.

Explanation:

(This amendment provides support for the Commission to establish a program to encourage donations of oyster shells for oyster replenishment projects, pursuant to Senate Bill 997. The program may include grants to organizations, individuals, or businesses to facilitate oyster shell

Amendments to SB 800 (as Introduced)

recycling.

		Item 392 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24	
Secretary of Public Safety and Homeland Security	\$0 0.00	\$750,000 5.00	GF FTE

Language:

Page 481, line 4, strike "\$723,977" and insert "\$1,473,977".

Page 481, after line 48, insert:

"E. Out of the amounts appropriated in this Item is \$750,000 the second year from the general fund for start-up costs for an Office of the Department of Corrections Ombudsman ("Office") with responsibilities related to the improvement of conditions for inmates and employees at the Department's facilities. The Office may be co-located with the Department but shall report directly to the Secretary of Public Safety and Homeland Security. The Office shall have the powers and duties established by Senate Bill 994 but, notwithstanding the provisions of Senate Bill 994, shall perform the duties to the greatest extent practicable from such funds as appropriated. The Office shall focus its efforts on: (i) providing oversight over the Department's existing grievance process for inmates and employees; (ii) establishing a uniform reporting system to collect and analyze complaints from DOC facilities to identify systemic issues; (iii) recommending policies and procedures to address such systemic issues; (iv) assisting inmates and employees with self-advocacy in the grievance process; and (v) conducting investigations and inspection of DOC facilities. The Office shall report to the Corrections Oversight Committee established pursuant to Senate Bill 994."

Explanation:

(This amendment provides \$750,000 GF the second year for start-up costs for an Office of the Department of Corrections Ombudsman.)

		Item 392 #2s	
Public Safety and Homeland Security	FY22-23	FY23-24	
Secretary of Public Safety and Homeland Security	\$100,000	\$0	GF

Language:

Page 481, line 4, strike "\$723,977" and insert "\$823,977".

Page 481, line 34, after "implementation of" insert "raising the maximum juvenile delinquency age from 18 to 21 years old, pursuant to Senate Bill 1080, 2023 Session of the General Assembly, and".

Amendments to SB 800 (as Introduced)

Page 481, line 48, strike "2022" and insert "2023".

Page 481, line 48, after "2022." insert "Included in the appropriation for this Item is \$100,000 GF the first year for the Secretary to employ on a consulting basis professional or technical experts to assist with planning and cost estimation necessary for this study."

Explanation:

(This amendment directs the Secretary of Public Safety and Homeland Security to continue the existing workgroup study on raising the maximum juvenile delinquency age from 18 to 21 and provides \$100,000 GF the first year for the Secretary to employ professional or technical experts to assist with planning and cost estimation.)

Item 392 #3s

Public Safety and Homeland Security

Secretary of Public Safety and Homeland Security

Language

Language:

Page 481, after line 48, insert:

"E. The Secretary of Public Safety and Homeland Security shall study the potential impact of allowing mixed beverage licenses to be awarded to operators that serve over the counter food with no tables. The study shall also include an analysis of the enforcement of the existing food to liquor ratio. In conducting the study, the Secretary shall consult with the Virginia Alcoholic Beverage Control Authority, the Virginia Spirits Board, and the Virginia Restaurant Association. The Secretary shall submit the report to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by December 1, 2023."

Explanation:

(This amendment directs the Secretary of Public Safety and Homeland Security to examine the potential impact of allowing mixed beverage licenses to be awarded to operators that serve over the counter food.)

Item 392 #4s

Public Safety and Homeland Security

Secretary of Public Safety and Homeland Security

Language

Language:

Page 481, after line 48, insert:

"The Secretary of Public Safety and Homeland Security, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, with the cooperation and assistance of the Department of Planning and Budget, the Virginia Association of Counties, and

Amendments to SB 800 (as Introduced)

the Virginia Municipal League, shall evaluate and submit to the General Assembly no later than December 1, 2023, a report on juvenile detention center cost savings strategies. The report shall include a proposal to reduce state formula financial assistance for juvenile confinement in local facilities (“juvenile detention center block grant”) in order to incentivize consolidation of juvenile detention centers in the Commonwealth. The proposal shall: (i) recommend five to eight juvenile detention centers for consolidation, identifying the five to eight facilities recommended for closure and alternative facilities recommended to house youth impacted by the closures; (ii) describe the criteria used to identify such facilities including, but not limited to, distance between the facilities recommended for closure and the recommended alternative sites of incarceration, funded and licensed capacity, historical and projected average daily population by region, age and condition of facilities and their electronic security systems, outstanding debt service, deferred maintenance and annual maintenance reserve as a percentage of the replacement asset value, potential for repurposing or sale of facilities recommended for closure, regional distribution of juvenile detention centers, and availability of programming; (iii) estimate the state savings that would result from elimination of juvenile detention center block grant funding for facilities recommended for closure, net any expected increase in block grant or per diem funding for facilities recommended to house additional youth; and (iv) recommend two to five options for reinvesting the net savings in services for youth involved or at-risk of becoming involved in the juvenile justice system.

In addition, the report shall assess alternative delivery models for education services at juvenile detention centers, including: (i) determining the extent to which each juvenile detention center currently implements or could further implement cost effective staffing methods, including strategies identified in the 2021 Board of Education report entitled “Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers”; (ii) continuing to develop an alternative to the statutorily required 1:12 teacher to student staffing ratio; (iii) utilizing full-time special education teachers to coordinate, plan, and substitute for part-time teachers shared with either the local school division or other state operated programs; and (iv) determining and providing the feasibility and potential cost savings of each alternative delivery model, as well as specific actions to implement each model.

Explanation:

(This amendment directs the Secretary of Public Safety, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, to evaluate juvenile detention center cost savings strategies. The Secretary shall report his recommendations to the General Assembly no later than December 1, 2023.)

Item 396 #1s

Public Safety and Homeland Security

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

Virginia Alcoholic Beverage Control Authority	0.00	24.00	FTE
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Language:

Explanation:

(This technical amendment increases by 24 the maximum position level for the Alcoholic Beverage Control Authority.)

Item 397 #1s

Public Safety and Homeland Security	FY22-23	FY23-24	
Virginia Cannabis Control Authority	\$0	\$6,000,000	NGF
	0.00	28.00	FTE

Language:

Page 483, line 46, strike "\$11,200,000" and insert "\$17,200,000".

Explanation:

(This amendment provides \$6.0 million NGF the second year and 28 positions for the Cannabis Control Authority to implement the regulatory structure for legal cannabis sales in the Commonwealth. The Cannabis Control Authority has the authority to collect fees from pharmaceutical processors to cover operations.)

Item 399 #1s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$1,300,000	(\$1,300,000)	GF

Language:

Page 484, line 21, strike "\$118,213,514" and insert "\$119,513,514".

Page 484, line 22, strike "\$121,079,369" and insert "\$119,779,369".

Page 484, after line 46, insert:

"C. Included in the appropriation for this Item is \$1,300,000 the first year from the general fund to be deposited in the Drug Offender Assessment Fund to continue probation and parole officer compensation and evidence-based services previously covered by nongeneral funds."

Explanation:

(This amendment transfers one-time funding from the second year to the first year. The funding will remain available in FY 2024 to continue the probation and parole positions and evidence-based services currently covered by the Fund.)

Item 399 #2s

Public Safety and Homeland Security

Department of Corrections

Language

Language:

Page 485, after line 18, insert:

"F. Out of the appropriation for this item, \$242,251 the second year from the general fund shall be used to increase minimum salaries for probation and parole officers."

Explanation:

(This amendment provides language that directs the Department of Corrections to use \$242,251 GF included in the introduced budget to provide salary increases to existing probation and parole officers. The introduced budget proposed directing this funding to vacant probation and parole positions.)

Item 402 #1s

Public Safety and Homeland Security

FY22-23

FY23-24

Department of Corrections

\$0

\$2,600,000 GF

Language:

Page 487, line 46, strike "\$886,141,761" and insert "\$888,741,761".

Page 490, after line 12, insert:

"P. Notwithstanding the definition of isolated confinement provided in Senate Bill 887, isolated confinement means confinement of an incarcerated person to a cell for 20 hours or more per day, regardless of the name of the housing unit in which such confinement occurs. Included in the appropriation for this item is \$2,600,000 the second year from the general fund for the Department to implement the remaining provisions of Senate Bill 887, which prohibits isolated confinement except under certain conditions. The Department shall provide quarterly reports to the General Assembly that provide the number of inmates who spend 17 or more hours per day confined in their cell and the number of inmates who spend 20 or more hours per day in their cell, regardless of housing unit and to include individuals in special purpose beds including secure beds, step down beds, and other special purpose beds for individuals receiving mental health treatment. The Department shall also provide a report to the General Assembly by November 15, 2023, assessing the costs and feasibility of Senate Bill 887. The funding shall be used to hire casework counselors and mental health professionals with the same level of certification as professionals who perform Institutional Classification Authority hearings."

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment provides \$2.6 million GF the second year to support implementation of provisions of Senate Bill 887, which prohibits isolated confinement except under certain conditions. Language defines isolated confinement as 20 hours or more per day in a cell and directs the Department to report to the General Assembly by November 15, 2023, on the costs and feasibility of implementing SB 887. Language also directs the Department to provide quarterly reports to the General Assembly on the number of inmates confined to their cell for more than 17 hours per day.)

Item 402 #2s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	\$400,000	GF
	0.00	6.00	FTE

Language:

Page 487, line 46, strike "\$886,141,761" and insert "\$886,541,761".

Explanation:

(This amendment provides \$400,000 GF the second year and six positions for the Department to assist with implementation of Senate Bill 842, which establishes a petition process for inmates who meet certain conditions to petition the court to modify the length of their sentence. The Department anticipates needing additional positions to notify inmates of their eligibility for the new process and provide copies of documentation relevant to the petition.)

Item 402 #3s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Corrections	\$0	(\$1,000,000)	GF

Language:

Page 487, line 47, strike "\$886,141,761" and insert "\$885,141,761".

Explanation:

(This amendment reduces by \$1.0 million GF the second year the increase for Lawrenceville Correctional Center included in the introduced budget, bringing the total increase to \$4.3 million. Under its current contract with the Department of Corrections, Lawrenceville receives an inflationary increase based on the recent annual change in CPI-U, which equates to \$2.5 million in FY 2023.)

Item 402 #4s

Public Safety and Homeland Security

Department of Corrections

Language

Language:

Page 490, after line 12, insert:

"P. Out of the appropriation for this Item, \$8,317,54 the second year from the general fund shall be used to increase minimum salaries for security staff."

Explanation:

(This amendment provides language that sets out \$8.3 million GF the first year included in the introduced budget and directs the Department of Corrections to use the funds to provide salary increases for filled positions. The introduced budget proposed using this funding to provide salary increases for vacant positions.)

Item 404 #1s

Public Safety and Homeland Security

FY22-23

FY23-24

Department of Corrections

\$0

\$737,659 GF

Language:

Page 490, line 55, strike "\$193,277,270" and insert "\$194,014,929".

Page 494, line 6, strike "\$550,000" and insert "\$1,287,659".

Page 494, strike lines 11 through 25 and insert:

- "1. Senate Bill 907 -- \$50,000
- 2. Senate Bill 973 -- \$50,000
- 3. Senate Bill 896 -- \$50,000
- 4. Senate Bill 1532 -- \$50,000
- 5. Senate Bill 1484 -- \$50,000
- 6. Senate Bill 1396 -- \$50,000
- 7. Senate Bill 1382 -- \$50,000
- 8. Senate Bill 1310 -- \$50,000
- 9. Senate Bill 1291 -- \$50,000
- 10. Senate Bill 1207 -- \$437,659
- 11. Senate Bill 1192 -- \$50,000
- 12. Senate Bill 1188 -- \$50,000
- 13. Senate Bill 1184 -- \$50,000
- 14. Senate Bill 1181 -- \$50,000
- 15. Senate Bill 1156 -- \$50,000
- 16. Senate Bill 1135 -- \$50,000
- 17. Senate Bill 1133 -- \$50,000
- 18. Senate Bill 1145 -- \$50,000"

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment provides an additional \$737,659 GF the second year for the required deposit to the Corrections Special Reserve Fund, pursuant to § 30-19.1:4, *Code of Virginia*, for 18 sentencing bills which have been adopted by the Senate, and which increase the number of state-responsible prison beds that will be required over the next six years. This amendment is contingent upon final passage of Senate Bills 907, 973, 896, 1532, 1484, 1396, 1382, 1310, 1291, 1207, 1192, 1188, 1184, 1181, 1156, 1135, 1133, and 1145.)

	Item 404 #2s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Corrections	\$0	\$5,000,000 GF

Language:

Page 490, line 55, strike "\$193,277,270" and insert "\$198,277,270".

Page 494, after line 25 insert:

"U. Included in the appropriation for this Item is \$5,000,000 the second year from the general fund to support low-cost communication systems for inmates and individuals in the community with whom they communicate. Notwithstanding Senate Bill 1274, this amount shall be used to provide telephone call minutes, video visitation minutes, and secure email messages that are free of charge to the person initiating and receiving the communication. The Department may base the level of free minutes on inmates' behavior. As the Department procures a new communications vendor, the Department shall consider options that would lower the costs of communication for inmates, those they communicate with, and the Department, including exploring the use of a payment structure that is based on a fixed cost for the communications infrastructure instead of based on usage charges. The Department shall also explore models that have lowered the cost of inmate communication in other states. The Department shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no less than 30 days before issuing a notice to award the new communications contract."

Explanation:

(This amendment provides \$5.0 million GF the second year to lower the cost of communication for inmates and their loved ones. Language waives the provisions of Senate Bill 1274 that would have provided unlimited free telephone calls, video visitation, and electronic messaging for inmates and instead dedicates \$5.0 million to such purpose. Language directs the Department to explore options that would lower the cost of communication for inmates as they procure a new communications vendor, and to provide a report to the House Appropriations and Senate Finance and Appropriations Committees before issuing the contract.)

Amendments to SB 800 (as Introduced)

Item 405 #1s

Public Safety and Homeland Security

FY22-23

FY23-24

Department of Criminal Justice
Services

\$0

(\$100,328) GF

Language:

Page 494, line 41, strike "\$5,908,032" and insert "\$5,807,704".

Explanation:

(This amendment removes \$100,328 included in the introduced budget for a position at the Department of Criminal Justice Services to coordinate efforts in assisting military personnel pursue law enforcement careers after transitioning from military service to civilian life. The Senate budget maintains a companion position at the Department of Veterans Services for this purpose.)

Item 408 #1s

Public Safety and Homeland Security

Department of Criminal Justice Services

Language

Language:

Page 501, line 33, strike the second instance of "\$4,000,000" and insert "~~\$4,000,000~~
\$24,000,000".

Page 501, line 53, strike "such as state and" and insert "~~such as state and~~ including".

Page 502, line 6, unstrike "\$2,500,000".

Page 502, line 7, strike "\$22,500,000".

Page 502, lines 8 through 9, strike "Of the amounts appropriated in the second year, \$20,000,000 shall be one-time appropriation.".

Explanation:

(This amendment provides language that eliminates state agencies from eligibility for funding from the Operation Ceasefire Grant Fund and transfers the proposed \$20.0 million GF the second year for the Operation Ceasefire Grant Fund to the Firearm Violence Intervention and Prevention Grant Fund.)

Item 408 #2s

Public Safety and Homeland Security

FY22-23

FY23-24

Amendments to SB 800 (as Introduced)

Department of Criminal Justice Services	\$0 0.00	\$10,000,000 3.00	GF FTE
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Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$223,613,367".

Page 502, line 12, after "programs." strike the remainder of the line and through "2023." on line 16.

Page 502, after line 16, insert:

"4. a. Out of the amounts appropriated for this item, \$10,000,000 the second year from the general fund is provided for the Safer Communities Program to support holistic, community-based strategies that address the root causes and conditions of community violence. Such strategies include: (i) afterschool programs and mentorships; (ii) connections to education and economic opportunities; (iii) case management for trauma-informed mental health care; (iv) credible messengers and violence interrupters; and (v) strategies to build trust between law enforcement agencies and community stakeholders. At least \$9,500,000 shall be provided to the City of Norfolk, the City of Portsmouth, and the City of Richmond, with a minimum award of \$2,500,000 per locality and the remainder allocated based on population. Recipient localities shall establish a new position dedicated to planning, implementation, and coordination of community violence reduction strategies, including utilizing existing violence reduction grants and pursuing additional grant opportunities. The position shall facilitate data collection and performance assessment efforts guided by the Office of Safer Communities.

b. There is hereby established the Office of Safer Communities ("the Office") in the Department. The Office shall manage the Safer Communities Program and serve as a resource for research and best practices for community-based violence intervention, including: (i) providing consultation to the Board of Criminal Justice Services as it administers the Firearm Violence Intervention and Prevention Grant Fund and the Operation Ceasefire Grant Fund; (ii) conducting outreach to current and potential recipients of violence intervention and prevention grants; and (iii) performing assessments and evaluations of existing grant awards. Out of the amounts in subsection N.4.a of this item, \$500,000 is provided to support the Office, to include positions and support services for research, assessment, and outreach. Administrative funding and positions provided under subsections M. and N. of this item shall transfer to the Office. The Office shall provide quarterly updates and a publicly posted annual report that evaluates the implementation and effectiveness of each grant recipient's program to the Virginia Crime Commission, to include the results of the Office's research on best practices. The Commission shall provide oversight of and guidance to the Office."

Explanation:

(This amendment provides \$10.0 million GF the second year to establish the Safer Communities Program and the Office of Safer Communities at the Department of Criminal Justices Services. This amendment adds three positions for the Office of Safer Communities, bringing the total number of positions allotted for firearm violence prevention and intervention to seven. At least \$9.5 million shall be provided directly to the City of Norfolk, the City of Portsmouth, and the

Amendments to SB 800 (as Introduced)

City of Richmond, which had the highest incidence of gun-related murders in 2021 based on Virginia crime data. Recipient localities shall establish a new, dedicated position to support holistic, community-based strategies that address the root causes and conditions of community violence, including: afterschool programs and mentorships; connections to education and economic opportunities; case management for trauma-informed mental health care; credible messengers and violence interrupters; and strategies to build trust between law enforcement agencies and community stakeholders. The Office of Safer Communities shall manage the Safer Communities program, provide consultation for administration of existing violence reduction grant programs, and serve as a resource to localities for research, best practices and evaluation. The Office shall regularly report to the Virginia Crime Commission, who will provide oversight and guidance of the Office.)

Item 408 #3s

Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$2,000,000	\$0 GF

Language:

Page 496, line 44, strike "\$188,192,489" and insert "\$190,192,489".

Page 499, line 16, strike "\$27,200,000 the first year" and insert "\$29,200,000 the first year".

Page 499, line 22, after "the first year." insert "Of this amount, \$2,000,000 the first year shall be awarded for expenses related to school resource officers, school security officers, and other relevant school safety personnel, including expenses related to the equipment necessary for such officers and enhancement of the school-law enforcement partnership through training and programming, pursuant to Senate Bill 1099, 2023 Session of the General Assembly."

Explanation:

(This amendment provides \$2.0 million GF the first year for the School Resource Officer Incentive Grant Fund and provides that the new funding shall be awarded for expenses related to school resource officers, school security officers, and other relevant school safety personnel, to include expenses related to the equipment necessary for such officers and enhancement of the school-law enforcement partnership through training and programming, pursuant to Senate Bill 1099.)

Item 408 #4s

Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$1,200,000 GF

Language:

Amendments to SB 800 (as Introduced)

Page 496, line 45, strike "\$213,613,367" and insert "\$214,813,367".

Page 497, line 53, strike the second instance of "\$943,700" and insert "\$2,143,700".

Explanation:

(This amendment provides \$1.2 million GF the second year for the Victim-Witness Grant Program to help offset expected declines in federal Victim of Crimes Act (VOCA) funding.)

	Item 408 #5s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$1,200,000 GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,813,367".

Page 503, after line 4, insert:

"U. Out of this appropriation, \$1,200,000 the second year from the general fund shall be provided for a contract to the Virginia Sexual and Domestic Violence Action Alliance for the management and operation of statewide crisis services to survivors of sexual and domestic violence through a designated confidential hotline that includes a virtual platform and is linked to the network of local sexual and domestic violence service providers."

Explanation:

(This amendment provides \$1.2 million GF the second year for a contract with the Virginia Sexual and Domestic Violence Action Alliance to continue to manage and operate a statewide crisis services hotline and virtual platform for survivors of sexual and domestic violence.)

	Item 408 #6s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$500,000 GF

Language:

Page 496, line 44, strike "\$213,613,367" and insert "\$214,113,367".

Page 497, line 31, strike "\$1,527,859" and insert "\$2,027,859".

Explanation:

(This amendment provides an additional \$500,000 GF the second year for the Regional Criminal Justice Academies to help address increased workloads and recent declines in

Amendments to SB 800 (as Introduced)

dedicated court fee revenue.)

	Item 408 #7s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$95,000 GF

Language:

Page 496, line 44, strike "\$213,613,367" and insert "\$213,708,367".

Page 503, after line 4, insert:

"U. Included in the appropriation for this Item is \$95,000 the second year from the general fund for the Department to contract with the Impact First Responders program in Virginia to provide education and training related to trauma and resiliency, as well as mental health support, to first responders."

Explanation:

(This amendment provides \$95,000 GF the second year to the organization "Impact Living Services" based in Lynchburg to support its "Impact First Responders" pilot program, which provides trauma and resiliency training and support to fire, police, and emergency dispatch workers.)

	Item 408 #8s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$1,100,000 GF

Language:

Page 496, line 44, strike "\$213,613,367" and insert "\$214,713,367".

Page 500, line 7, strike "\$546,547" and insert "\$1,646,547".

Page 500, line 10, strike "\$1,996,547" and insert "\$3,096,547".

Explanation:

(This amendment provides an additional \$1.1 million GF the second year to the Southern Virginia Internet Crimes Against Children (ICAC) Task Force, bringing the total general fund appropriation for the Task Force to \$1.6 million. If nongeneral fund revenue from court fees remain at FY 2022 levels, this amendment brings state funding for the Task Force to \$2.5 million annually.)

Amendments to SB 800 (as Introduced)

Item 408 #9s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$500,000	GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,113,367".

Page 503, after line 4, insert:

"U. Included in the appropriation for this Item is \$500,000 the second year from the general fund to support the continuation of the Framework for Addiction Analysis and Community Transformation (FAACT) platform. This funding shall be reduced by any federal funding the Department may receive. Any such reduction shall be repaid to the general fund."

Explanation:

(This amendment provides \$500,000 GF the second year to continue operation of the Framework for Addiction Analysis and Community Transformation (FAACT), a cross-agency data-sharing platform that assists localities, agencies, and service providers in addressing and mitigating the opioid and substance use crisis. Language provides that the amount shall be reduced by any federal funding the Department may receive.)

Item 408 #10s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$484,414	GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,097,781".

Explanation:

(This amendment provides \$484,414 GF the second year for the fiscal impact of Senate Bill 1292, which directs the Department of Criminal Justice Services to administer a two-year pilot program with the goal of reducing the arrest of sex trafficking victims, reducing demand for commercial sex exploitation by focusing on buyers, and establishing high-quality restorative residential care, education, alternative employment opportunities, and life skills for victims.)

Item 408 #11s

Public Safety and Homeland Security	FY22-23	FY23-24	
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Amendments to SB 800 (as Introduced)

Department of Criminal Justice Services \$0 (\$10,000,000) GF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$203,613,367".
Page 502, strike lines 46 through 56.
Page 503, strike lines 1 through 4.

Explanation:

(This amendment, combined with a companion amendment in Central Appropriations, transfers from the Department of Criminal Justice Services to Central Appropriations the \$10.0 million included in the introduced budget to establish the Mass Violence Care Fund. The companion amendment establishes a work group to examine ways to: compliment the Criminal Injuries Compensation Fund; help ensure sustainability of available funding; and fill gaps for in the current availability of services for individuals impacted by violent events.)

Item 408 #14s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$1,000,000	NGF

Language:

Page 496, line 45, strike "\$213,613,367" and insert "\$214,613,367".
Page 503, after line 4, insert:

"U.1. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf 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 funding and supporting the planning and implementation of locally administered jail-based addiction recovery and substance use disorder treatment and transition programs in local and regional jails. 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 or his designee.

2. The Fund shall be administered by the Department, and the Department shall adopt guidelines, in consultation with the Virginia Sheriffs' Association and the Virginia Association of Regional Jails, to make funds available to local and regional jails for the planning or operation of substance use disorder treatment services and transition services for persons with

Amendments to SB 800 (as Introduced)

substance use disorder who are incarcerated in local and regional jails. The guidelines shall direct the distribution of funds to programs including medical assisted treatment therapies, addiction recovery and other substance use disorder services, or reentry and transitional support.

3. The Department shall establish a grant procedure, in consultation with the Virginia Sheriffs' Association and the Virginia Association of Regional Jails, to govern funds awarded for this purpose. No grant funds shall be used by the grantee to supplant funding for an existing program.

4. Out of the amounts appropriated for this Item, \$1,000,000 the second year from the nongeneral fund shall be deposited into the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund. The source of funds is the Opioid Abatement and Remediation Fund."

Explanation:

(This amendment establishes the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund and provides \$1.0 million NGF the second year from the Opioid Abatement and Remediation Fund for the program, which supports planning and implementation of locally administered, jail-based programs for addiction recovery, treatment, and transition services in local and regional jails.)

		Item 410 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	(\$29,878,960)	GF

Language:

Page 503, line 20, strike "\$249,650,081" and insert "\$219,771,121".

Page 504, strike lines 21 through 42.

Page 504, line 43, strike "3." and insert "F".

Page 504, line 44, after "one position" insert "is provided".

Page 504, strike lines 45 to 47.

Page 585, line 12, after "7)" insert "a)".

Page 585, after line 24, insert:

"b. Out of the amounts appropriated in this paragraph (A)(2)(k)(7), up to \$29,878,960 the second year may be used as a one-time appropriation to support the Operation Bold Blue Line initiative. The Director of the Department of Criminal Justice Services is authorized to distribute the funds to state and local law enforcement agencies to bolster recruiting and training efforts to attract qualified law enforcement from other states and to develop skilled in-state talent in the Commonwealth, including but not limited to sign-on/recruitment bonuses to newly hired law enforcement and reimburse in relocation expenses for any newly hired law enforcement personnel who is being relocated; to support fast-tracked lateral training academies for local and state law enforcement agencies; and to establish and manage statewide centralized

Amendments to SB 800 (as Introduced)

recruitment efforts including but not limited to advertising and marketing efforts to assist with comprehensive recruitment efforts to attract qualified law enforcement from other states and across the Commonwealth. The Director, in consultation with the Office of the Governor and the Secretary of Public Safety and Homeland Security, shall develop a plan consistent with the goals of the program. A progress report on the implementation of this initiative shall be submitted to the Governor, Secretary of Public Safety and Homeland Security, Secretary of Finance, Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 1, 2023, with an updated report detailing the allocation of funds awarded to state and local law enforcement agencies for sign-on bonuses, relocation expenses, and fast-tracked lateral training academies and their effectiveness in statewide centralized recruitment efforts and any recruitment challenges by September 1, 2024."

Explanation:

(This amendment maintains a new, one-time law enforcement recruitment and training initiative, but reallocates \$29.9 million GF and instead uses nongeneral fund resources from the American Rescue Plan Act (ARPA) for the proposed initiative. Chapter 2, 2022 Special Session I Acts of Assembly, provided \$75.0 million NGF from ARPA for law enforcement equipment and training. This amendment expands the allowable uses of the existing appropriation so that up to \$29.9 million NGF of the unobligated balances may be utilized for the recruitment initiative. The amendment maintains \$121,040 GF included in the introduced budget to manage the initiative.)

	Item 410 #2s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Criminal Justice Services	\$0	\$500,000 GF

Language:

Page 503, line 20, strike "\$249,650,081" and insert "\$250,150,081".

Explanation:

(This amendment provides \$500,000 GF the second year to establish a witness protection pilot program at the Department of Criminal Justice Services. The goal of the program is to provide temporary assistance to assist with alleviating potential intimidation of witnesses by assisting with the costs of lodging, medical, transportation, food, and other related expenses for an initial period of up to 90 days. The introduced budget proposed funding to the Office of the Attorney General for this purpose.)

Item 410 #3s

Amendments to SB 800 (as Introduced)

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Criminal Justice Services	\$0	\$2,062,920	GF

Language:

Page 503, line 20, strike "\$249,650,081" and insert "\$251,713,001".
 Page 503, line 34, strike "\$219,650,081" and insert "\$221,713,001".

Explanation:

(This amendment provides \$2.1 million GF the second year for the State Aid to Localities with Police Departments ("599") Program. The purpose is to reflect the projected general fund revenue growth rate included in the introduced budget, not accounting for tax proposals, of 5.2 percent in fiscal year 2024. Section 9.1-165, et seq., *Code of Virginia*, provides that the percentage change in the total amount of "599" funds to be distributed shall equal the anticipated percentage change in total general fund revenue collections for the same time period.)

Item 415 #1s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Emergency Management	\$0 0.00	\$122,900 1.00	GF FTE

Language:

Page 507, line 48, strike "\$11,900,089" and insert "\$12,022,989".
 Page 509, after line 8, insert:

"G. Out of the amounts appropriated for this Item, \$122,900 the second year from the general fund and one position are included to support the Department in developing a comprehensive extreme heat emergency response plan, pursuant to Senate Bill 936."

Explanation:

(This amendment provides \$122,900 GF the second year and one position to support the Department of Emergency Management in developing a comprehensive extreme heat emergency response plan, pursuant to Senate Bill 936.)

Item 422 #1s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Forensic Science	\$0 0.00	\$238,729 1.00	GF FTE

Amendments to SB 800 (as Introduced)

Language:

Page 512, line 3, strike "\$58,954,884" and insert "\$59,193,613".

Page 513, after line 2, insert:

"G. 1. Beginning January 1, 2024, the Department of Forensic Science shall identify all blood samples submitted in driving under the influence cases that it analyzed for alcohol and tetrahydrocannabinol content but did not screen for the presence of drugs within a drug class. If eligible for destruction pursuant to subsection B of § 18.2-268.7, any personal or case identifying information shall be removed from the identified blood samples and such blood samples shall be screened for the presence of drugs within a drug class. On at least an annual basis based on the calendar year, the Department of Forensic Science shall report the results of such drug screenings, including the number of blood samples screened, the types of drug classes detected, and the judicial districts in which the related driving under the influence cases arose, to the Department of Motor Vehicles in an aggregate manner.

2. Beginning January 1, 2024, the Department of Forensic Science shall provide for the analysis of all blood samples of drivers killed in motor vehicle and commercial motor vehicle accidents, as submitted by the Office of the Chief Medical Examiner, for both alcohol and drug content and shall report such content to the Office of the Chief Medical Examiner."

Explanation:

(This amendment provides \$238,729 GF the second year and one position for the collecting and reporting of data for drug impaired driving by testing all blood submissions of impaired drivers and driver decedents. The annual ongoing cost of this policy change is \$196,638. This is a recommendation of the Virginia State Crime Commission.)

	Item 426 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of Juvenile Justice	\$0 0.00	\$3,000,000 2.00
		GF FTE

Language:

Page 514, line 24, strike "\$52,320,514" and insert "\$55,320,514".

Page 515, after line 51, insert:

"G. Included in the appropriation for this Item is \$3,000,000 from the general fund the second year to implement the Virginia Delinquency Prevention and Youth Development Act, pursuant to §§ 66-28, 66-34, and 66-35, *Code of Virginia*."

Explanation:

(This amendment provides \$3.0 million GF the second year for the implementation of the Virginia Delinquency Prevention and Youth Development Act (§§ 66-28, 66-34, and 66-35,

Amendments to SB 800 (as Introduced)

Code of Virginia), including \$2.8 million for grants to local prevention programs and \$200,000 for administration by the Department of Juvenile Justice. Grants to localities are for programs such as mentorships, community service opportunities, trauma-informed behavioral and mental health services, career planning, non-academic supports in school, and afterschool programs. Participating localities are represented on a youth services citizen board that also includes elected officials, youth-serving organizations, and representatives of the faith community, business community, and local law enforcement. The board supports development of a comprehensive plan for the development, coordination, and evaluation of youth programs.)

		Item 427 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of Juvenile Justice	\$0	(\$3,691,908)	GF

Language:

Page 515, line 54, strike "\$65,671,931" and insert "\$61,980,023".

Page 517, strike lines 15 through 21.

Page 517, after line 14, insert:

"D. The Department shall not implement the Guidelines for Determining the Length of Stay (LOS) for Juveniles Indeterminately Committed to the Department of Juvenile Justice (LOS Guidelines) adopted by the Board of Juvenile Justice on November 9, 2022, and shall instead maintain the current LOS guidelines adopted in 2015. The Department shall provide to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, no later than October 1, 2023: (i) a detailed analysis of the rationale and data used to determine the LOS guidelines adopted by the Board in 2022; and (ii) a capital and operating plan for the Department over the six-year forecast."

Explanation:

(This amendment removes \$3.7 million GF the second year for additional capacity at the Bon Air Juvenile Correctional Center and at local detention centers. The potential need for additional capacity is due in part to the Department of Juvenile Justice's plan to increase the average length of stay (LOS) for juveniles in state custody. Language directs the Department to pause implementation of the new LOS guidelines and provide a detailed of analysis of both the data used to determine the new guidelines and the Department's capital and operating plan over the six-year forecast.)

		Item 429 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24	
Department of State Police	\$0 0.00	\$95,565 1.00	GF FTE

Amendments to SB 800 (as Introduced)

Language:

Page 518, line 10, strike "\$110,659,892" and insert "\$110,755,457".

Explanation:

(This amendment provides \$95,565 GF and one position the second year to the Department of State Police to implement the provisions of Senate Bill 846, related to barrier crime exceptions for peer recovery specialists. The funds would support one additional fingerprint technician trainee and operational costs.)

	Item 430 #1s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of State Police	\$0	(\$174,212) GF
	0.00	-2.00 FTE

Language:

Page 520, line 32, strike "\$355,174,550" and insert "\$355,000,338".

Explanation:

(This amendment reduces by \$174,212 GF the second year and two positions the increase proposed in the introduced budget for civilian positions at the Virginia State Police. The amendment provides four fusion center analysts instead of six, to account for the current vacancy rate in the office.)

	Item 431 #2s	
Public Safety and Homeland Security	FY22-23	FY23-24
Department of State Police	\$0	\$1,311,127 GF
	0.00	6.00 FTE

Language:

Page 522, line 50, strike "\$36,948,597" and insert "\$38,259,724".

Explanation:

(This amendment provides \$1.3 million GF the second year to sustain and expand impaired driving enforcement training for state and local law enforcement agencies, including Drug Recognition Expert (DRE) training, Advanced Roadside Impaired Driving Enforcement (ARIDE) training, and proficiency Standardized Field Sobriety Test (SFST) training to state and local academy general instructors. The amendment covers six positions and office costs, as well

Amendments to SB 800 (as Introduced)

as start-up costs of \$506,077. This is a recommendation of the Virginia State Crime Commission.)

Item 431 #3s

Public Safety and Homeland Security	FY22-23	FY23-24	
Department of State Police	\$0	(\$577,399)	GF
	0.00	-4.00	FTE

Language:

Page 522, line 50, strike "\$36,948,597" and insert "\$36,371,198".

Explanation:

(This amendment reduces by \$577,399 GF the second year and four positions the increase proposed in the introduced budget for sworn positions.)

Item 434 #1s

Transportation

Secretary of Transportation

Language

Language:

Page 529, after line 13, insert:

"M. The Commonwealth Transportation Board shall report on the annual transportation revenues received pursuant to § 58.1-611.1(B), Code of Virginia, as compared to transportation revenues forecast to be received pursuant to § 58.1-611.1(A), Code of Virginia, as of June 30, 2023 and the impact on the long-term transportation maintenance, operation, safety, and construction needs across all modes of transportation starting with fiscal year 2023. The Board shall report its findings and any funding recommendations to the chairs of the House Committees on Appropriations, Finance and Transportation and the Senate Committees on Finance and Appropriations and Transportation no later than November 1 of each year with the first report due November 1, 2023. A final report on the sustainability of dedicated state transportation revenue sources to meet the needs of the Commonwealth shall be submitted no later than November 1, 2026."

Explanation:

(This amendment directs the Commonwealth Transportation Board to report on the impact of the elimination of the one-half percent state sales tax imposed on food purchased for human consumption and essential personal hygiene products.)

Transportation

Secretary of Transportation

Language

Language:

Page 529, after line 13, insert:

"M. The Secretary of Transportation shall establish a working group to review the laws, regulations and polices of how the Virginia Department of Transportation (VDOT) determines Disadvantaged Business Enterprise (DBE) usage on specific projects with the goal of increasing DBE participation statewide. The working group shall include the Commissioner of Highways, the VDOT Division Administrator for Civil Rights, the Director of the Virginia Department of Small Business and Supplier Diversity, the Transportation DBE Advisory Committee, the Virginia Transportation Construction Alliance, the Old Dominion Highway Contractors Association, the Heavy Construction Contractors Association, the American Council of Engineering Companies of Virginia, the Virginia Transit Association and other industry groups and interested parties. The working group shall present legislative, regulatory or policy changes to the Governor and chairs of the House and Senate Transportation Committees no later than November 1, 2023."

Explanation:

(This amendment establishes a working group to review current Disadvantaged Business Enterprise participation on Virginia highway projects and to recommend policy changes to increase statewide DBE participation.)

Transportation

FY22-23

FY23-24

Virginia Commercial Space Flight Authority

\$0

\$1,000,000

GF

Language:

Page 529, line 19, strike "\$21,848,572" and insert "\$22,848,572".

Page 529, after line 23, insert:

"A. Out of the amounts in this item, \$1,000,000 the second year from the general fund is provided as a supplemental appropriation to the Virginia Commercial Space Flight Authority (Virginia Space) for expenses related to the construction of a 20,000 square foot shell building at the Wallops Island Flight Facility in support of an agreement between Virginia Space and a guided missile and space vehicle parts manufacturing company. This amount is in addition to amounts originally appropriated in Item 112.T.1 of Chapter 1 of the 2022 Acts of Assembly, Special Session I."

Explanation:

(This amendment provides \$1.0 million GF in FY 2024 to the Virginia Commercial Space Flight Authority for completion of the Melfa Hangar Project for use by Virginia Space and Wallops Island in Accomack County. Chapter I of the 2022 Special Session I originally allocated \$15.0 million GF for this project in FY 2022, consistent with the terms of an agreement endorsed by the MEI Commission. This proposed funding is in addition to the dollars already allocated by the Commonwealth.)

Item 435 #2s

Transportation

Virginia Commercial Space Flight Authority

Language

Language:

Page 529, after line 23, insert:

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

Explanation:

(This amendment clarifies the sequence of approvals prior to disbursement of funds provided in Item 112 of Chapter 1, 2022 Acts of Assembly, for an authorized MEI project.)

Item 447 #1s

Transportation

Department of Rail and Public Transportation

Language

Language:

Page 536, after line 46, insert:

"F. As prescribed in § 33.2 - 1526.3, Code of Virginia, the Commonwealth Transportation Board shall annually allocate a portion of Transit Ridership Incentive Program (TRIP) funding, not to exceed 30 percent of total TRIP allocations, to improve bus infrastructure and facilities and to assist transit agencies in transitioning to zero-emission planning, charging infrastructure, and workforce training."

Explanation:

(This amendment provides an amount estimated at \$7.7 million NGF from the Transit Ridership

Amendments to SB 800 (as Introduced)

Incentive Fund to improve bus infrastructure and facilities and to assist transit agencies in transitioning to zero-emission planning, charging infrastructure and workforce training based on the assumed annual funding of \$25.6 million NGF identified in the September 2022 *Transit Ridership Incentive Program Fiscal Year 2022 Overview* as prepared by the Department of Rail and Public Transportation. The amendment implements the provisions of SB 1326.)

Item 451 #1s

Transportation

Department of Transportation

Language

Language:

Page 538, line 10, after "\$50,000 the first year" insert "and \$50,000 the second year".

Page 538, line 12, strike "in January, 2023".

Explanation:

(This amendment provides \$50,000 NGF in dedicated ongoing annual sponsorship support for the participation of the Virginia Department of Transportation's Office of Intermodal Planning and Investment in the annual Mobility Talks International Conference. The eighth annual Mobility Talks International Conference is being held in Washington, DC on January 8, 2024.)

Item 452 #1s

Transportation

Department of Transportation

Language

Language:

Page 541, line 5, strike "M." and insert "M.1"

Page 541, after line 7, insert:

"2. It is the intent of the General Assembly to provide for safety and performance improvement projects along the Interstate 81 corridor, as identified in the Interstate 81 Corridor Improvement Program and Plan. The Commonwealth Transportation Board and the department shall endeavor to ensure and accelerate the completion of improvements to the corridor, and all amounts currently pledged for the Interstate 81 Corridor Improvement Program as of January 1, 2023 shall not be reduced. Consistent with the provisions of § 33.2-3605, Code of Virginia, the Commonwealth Transportation Board shall continue to allocate funding to, and the Department of Transportation shall perform or cause to be performed, all maintenance and operation of bridges, tunnels, and roadways and shall perform such other required services and activities with respect to such bridges, tunnels, and roadways as were being performed on July 1, 2019."

Explanation:

(This amendment confirms the Commonwealth's commitment to accelerating and completing safety and performance projects along the Interstate 81 corridor with any resources provided and available.)

Item 452 #2s

Transportation

Department of Transportation

Language

Language:

Page 541

Line 24, after "provide" insert "one-time funding of" and delete "\$200,000,000" and insert "\$100,000,000."

Explanation:

(This amendment clarifies that the Commonwealth Transportation Board is directed to transfer one-time funding of \$100.0 million (NGF) to the Transportation Partnership Opportunity Fund. The Fund addresses the transportation aspects of economic development opportunities and is awarded as grants or loans for transportation capacity develop.)

Item 452 #3s

Transportation

Department of Transportation

Language

Language:

Page 541, after line 28, insert:

"S. The Department of Transportation shall identify and leverage any available federal grant dollars to fund high priority wildlife crossing projects. To the extent possible, the funding shall be first prioritized to construct the Corridor Q Route 460/121 Poplar Creek Phase A (UPC 90282) elk crossings project in Buchanan County, Virginia. Any funding remaining after completion of the project shall then be prioritized by the department to implement wildlife crossings projects with the best chances of reducing wildlife-vehicle collisions, as determined by the analysis in the Commonwealth's Wildlife Corridor Action Plan pursuant to § 29.1-579, Code of Virginia."

Explanation:

(This amendment directs the Department of Transportation to identify and leverage federal funding to support the Corridor Q elk crossing project in Buchanan, Virginia.)

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 Virginia Department of Transportation to assess the current condition of the Powhite Parkway Extension and provide a report on 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.)

Transportation

FY22-23

FY23-24

Virginia Port Authority

\$0

\$7,500,000

GF

Language:

Page 552, line 18, strike "\$11,612,325" and insert "\$19,112,325".

Page 552, after line 51, insert:

"D.1. Out of the appropriation in this item, \$7,500,000 the second year from the general fund shall be provided to the Economic Development Authority of York County for support of a cruise ship port-of-call location and related visitor support and tourism on the York River at

Amendments to SB 800 (as Introduced)

Yorktown, Virginia. Prior to the award of any funds included in this Item, the Secretary of Commerce and Trade and the Secretary of Transportation shall ensure that: (i) there is an agreement with at least one cruise ship company for calls at the pier location beginning in 2023; (ii) a working group is convened among state and local agencies related to the permitting of the pier location to facilitate its development; (iii) there is outreach to tourism and other stakeholders in the region to maximize the economic impact of the pier location; (iv) the agreement will result in a positive return to the state for its investment; and (v) there is a plan to maximize philanthropic support, federal matching funds, and other funding necessary to construct and maintain the pier location. Following the completion of these items and the final approval from the Secretary of Commerce and Trade and Secretary of Transportation, the funds shall be awarded. The Secretaries shall enter into a memorandum of understanding with the Economic Development Authority of York County to outline the framework for the funding, design, procurement, and construction of the pier location, a plan for its ongoing maintenance, and to maximize the economic and tourism benefits of this facility to the Commonwealth."

D.2. Should the Secretary of Commerce and Trade and the Secretary of Transportation fail to recommend proceeding with the development of the pier location, the funds in paragraph D.1. shall revert to the general fund."

Explanation:

(This amendment provides \$7.5 million GF in FY 2024 for the York County Cruise Line Tourism Project in support of the initial phase of a major cruise line tourism commitment to Yorktown.)

	Item 465 #2s	
Transportation	FY22-23	FY23-24
Virginia Port Authority	\$0	\$10,000,000 GF

Language:

Page 552, line 18, strike "\$11,612,325" and insert "\$21,612,325".

Page 552, after line 51, insert:

"D. Out of the appropriation in this Item, \$10,000,000 in the second year from the general fund shall be used for preliminary planning for an inland port in the Mount Rogers Planning District. As part of the planning process, The Virginia Port Authority shall develop cost estimates for land acquisition, construction, equipment, and other costs deemed necessary to support the establishment of an inland port. The Virginia Port Authority shall inform the Secretary of Transportation and the chairs of the House Appropriations and Finance and Senate Finance and Appropriations Committees about the progress of this planning process by November 1, 2023. The Virginia Port Authority shall engage in negotiations with necessary parties, including railroads and beneficial cargo owners, for the development of an inland port. The Virginia Port

Amendments to SB 800 (as Introduced)

Authority may collaborate with Virginia Department of Rail and Public Transportation, Virginia Department of Transportation, the Virginia Economic Development Partnership, and any federal, state, or local agencies as may be necessary to support the development of the inland port."

Explanation:

(This amendment provides \$10.0 million GF in FY 2024 for preliminary planning related to establishment of an inland port in the Mount Rogers Planning District.)

		Item 470 #1s	
Veterans and Defense Affairs	FY22-23	FY23-24	
Department of Veterans Services	\$0 0.00	(\$166,665) -2.00	GF FTE

Language:

Page 556, line 11, strike "\$35,554,301" and insert "\$35,387,636".

Explanation:

(This amendment removes \$166,665 GF and two positions related to projected increased caseloads for veterans benefit claims related to the federal PACT Act. The amendment maintains funding for three new positions for such caseloads. Chapter 2, 2022 Session Special Session I Acts of Assembly, provided 37 new positions, including 13 new veterans services representatives to assist with benefit claims, for the Department of Veterans Services.)

		Item 470 #2s	
Veterans and Defense Affairs	FY22-23	FY23-24	
Department of Veterans Services	\$0	(\$500,000)	GF

Language:

Page 556, line 11, strike "\$35,554,301" and insert "\$35,054,301".

Page 556, line 48, strike "\$5,000" and insert "\$2,500".

Page 556, line 49, strike "\$50,000" and insert "\$25,000".

Explanation:

(This amendment removes \$500,000 GF the second year to adjust the increase for the Virginia Values Veterans grant program included in the introduced budget from \$5,000 to \$2,500 per veteran hired. The amendment maintains an increase of \$1,150 for the grant, bringing the total grant award to \$2,500 per hire.)

Amendments to SB 800 (as Introduced)

Item 482 #1s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$5,000,000	NGF

Language:

Page 563, line 28, strike "\$70,604,322" and insert "\$75,604,322".

Page 564, after line 19, insert:

"F. Out of this appropriation, \$5,000,000 the second year from the Commonwealth's share of opioid settlement funds deposited in the Commonwealth Opioid Abatement and Remediation Fund shall be used to conduct a public awareness campaign to reduce the number of incidents of fentanyl poisoning among youth."

Explanation:

(This amendment transfers \$5.0 million from the Commonwealth's share of opioid settlement funds provided in the introduced budget for a public awareness campaign for youth related to fentanyl abuse from the Secretary of Health and Human Resource's office to the Foundation for Healthy Youth, which is the more appropriate entity to handle a public awareness campaign.)

Item 483 #1s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$106,975,966	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$930,675,326".

Page 571, line 12, strike "\$390,105,610" and insert "\$491,105,610."

Page 571, line 18, strike "five" and insert "seven".

Page 572, line 12, after "and" insert "by seven percent".

Page 572, line 30, strike the second iteration of "five" and insert "seven".

Page 572, line 40, strike "five" and insert "seven".

Page 573, line 2, strike "\$113,435,166" and insert "\$138,373,340".

Page 573, line 4, strike "\$14,740,641" and insert "17,760,667".

Page 573, line 9, strike "\$5,304,518" and insert "6,391,300".

Explanation:

(This amendment redirects \$100.0 million GF included in the introduced budget for a merit bonus for state employees and provides an additional \$7.0 million GF the second year to increase base salaries of state employees, state-supported local employees, adjunct faculty, and graduate teaching assistants by an additional 2.0 percent.)

Amendments to SB 800 (as Introduced)

Item 483 #2s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$33,258,554)	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$790,440,806".

Page 574, line 6, strike "\$1,500" and insert "\$1,000".

Explanation:

(This amendment redirects \$33.3 million GF the second year and provides a one-time bonus of \$1,000 for full-time state employees.)

Item 483 #3s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$100,000,000)	GF

Language:

Page 564, line 21, strike "\$823,699,360" and insert "\$723,699,360".

Page 574, strike lines 14-52.

Explanation:

(This amendment redirects \$100.0 million GF the second year to accommodate priorities of the Committee. A companion amendment provides salary increase of 2.0 percent to state and state-supported employees.)

Item 485 #1s

Central Appropriations		
Central Appropriations		Language

Language:

Page 579, strike lines 25 through 50.

Page 579, after line 24, insert:

"P. 1. When determining the allocation of the fiscal year 2023 year-end balances, the Comptroller shall commit any unobligated general fund balances for the purposes outlined in paragraph 2. below. Such unobligated balances shall be determined after the allocation of balances required to be reserved for Restriction, Commitment, or Assignment as required by the Constitution, the Code of Virginia, or by this Act or any amounts needed for the reappropriation

Amendments to SB 800 (as Introduced)

of unspent prior year general fund appropriations approved by the General Assembly. Notwithstanding the provisions of Section 2.2-1514, Code of Virginia, the calculation of such unobligated balances shall be determined prior to the calculation of the amounts to be committed for the purposes of Section 2.2-1514, Code of Virginia.

2. The Comptroller shall allocate any unobligated balances committed pursuant to paragraph 1. above for the following purposes in priority order. Allocation for each of the items listed below shall not be made unless sufficient funds are available to allocate the full amount required for that specific item.

The following items shall be appropriated in fiscal year 2024 from the unobligated balances of fiscal year 2023 pursuant to paragraph 1. above in the following order:

1. \$100,000,000 for additional higher education access and affordability support to public higher education institutions,
2. \$80,000,000 for childcare subsidy grants to the Department of Education for uses pursuant to Item 129 paragraph Q of Chapter 2 of the 2022 Special Session I,
3. \$150,000,000 for a deposit to the Housing Trust Fund,
4. \$250,000,000 for a deposit to the highway share of the Transportation Fund to improve Interstate 81 in the Staunton Area,
5. \$15,200,000 for 500 additional developmental disability waiver slots,
6. \$50,000,000 for Soil and Water Conservation District dam and state owned dam repairs,
7. \$250,000,000 for a lump sum payment to deposit to the Virginia Retirement System to address the unfunded liability for the statewide plans, and
8. \$100,000,000 for allocation to the School Construction Grants Program, Item 137 paragraph C.41 of Chapter 2 of the 2022 Special Session I.

3. Nongeneral funds required to be reported on the 2023 year-end balance sheet shall not be considered or impacted by the calculation of the amounts to be committed pursuant to paragraph 1. above."

Explanation:

(This amendment proposes contingent allocations of \$995.2 million for eight uses. The funding is from any unobligated balances at the end of FY 2023, after any required deposit by the Constitution, the Code of Virginia, or by this Act and any amount needed to be reappropriated from unspent general fund appropriations is reserved, committed or assigned on the balance sheet. However, these eight allocations will occur before the allocation of any remaining unobligated balance to the Commonwealth Transportation Trust Fund or for non-recurring capital expenditures pursuant to Section 2.2-1514, Code of Virginia.)

Amendments to SB 800 (as Introduced)

Item 485 #3s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$10,000,000)	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$16,448,901".
Page 578, line 34, strike "\$15,000,000" and insert "\$5,000,000".

Explanation:

(This amendment provides \$5.0 million GF the second year for transformation initiatives.)

Item 485 #4s

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 adds \$1.4 million GF the second year to provide \$7.3 million to cover costs associated with the 2024 presidential primary.)

Item 485 #5s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$1,000,000)	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$25,448,901".
Page 579, strike lines 51-53.
Page 580, strike lines 1-18.

Explanation:

(This amendment redirects \$1.0 million GF the second year to accommodate priorities of the Committee.)

Amendments to SB 800 (as Introduced)

Item 485 #6s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	(\$500,000)	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$25,948,901".
Page 579, strike lines 19-24.

Explanation:

(This amendment redirects \$500,000 GF the second year to accommodate priorities of the Committee.)

Item 485 #7s

Central Appropriations		Language
Central Appropriations		

Language:

Page 578, line 33, after "access.", insert:
"Any amounts from this appropriation which is unexpended at the close of business June 30 of any fiscal year shall be reappropriated for this use in the following year."

Explanation:

(This amendment adds language to carry forward any unspent funds dedicated to the facilitation and improvement of language access in state agencies into the following fiscal year.)

Item 485 #8s

Central Appropriations	FY22-23	FY23-24	
Central Appropriations	\$0	\$10,000,000	GF

Language:

Page 576, line 20, strike "\$26,448,901" and insert "\$36,448,901".
Page 580, after line 18, insert:
"R. Out of this appropriation, \$10,000,000 the second year from the general fund shall be for expending support for victims of mass violence. Any balances remaining at the end of the fiscal year shall carry forward. The Director of the Department of Criminal Justice Services shall convene a work group to assess: (i) gaps in available services for victims of crimes especially

Amendments to SB 800 (as Introduced)

mass violence events; (ii) methods of investing the funds to ensure sustainable annual financial returns; (iii) options for determining eligibility for funding, including parameters for who is considered a victim of a mass violence event; (iv) a detailed plan for administering the funds that works holistically with the Criminal Injuries Compensation Fund; (v) potential categories of victims and witnesses, including families of victims, that are impacted by violence but are not currently eligible for the Criminal Injuries Compensation Fund including, but not limited to, individuals who have been impacted by mass violence events; and (vi) approaches used in other states to support victims of violence. The purpose of the work group is to identify specific options to help ensure that those impacted by violence, especially mass violence, are able to cover out-of-pocket health and mental health expenses that are connected to the violent event but are not covered by insurance. The work group shall consist of representatives of the: Department of Criminal Justice Services, including the Victim/Witness Grant Program and Financial Services Office; Workers' Compensation Commission and Criminal Injuries Compensation Fund; Department of Planning and Budget; Virginia Retirement System; Department of Treasury; the VTV Family Outreach Foundation; appropriate staff members of the House Appropriations and Senate Finance and Appropriations Committees; and any other stakeholders as appropriate. The work group shall report its findings to the General Assembly by November 1, 2023. The Department of Planning and Budget shall not expend the funds until the 2024 General Assembly adopts a structure for administering the funding based on the findings of the workgroup."

Explanation:

(This amendment provides \$10.0 million GF the second year for the purpose of expanding support for victims of mass violence. The Director of the Department of Criminal Justice Services shall convene a work group with various state agencies and stakeholders to assess options for providing sustainable coverage for out-of-pocket health and mental health expenses that are connected to a violent event, especially a mass violent event, but are not covered by insurance. The work group shall examine ways to: compliment, but not duplicate, the Criminal Injuries Compensation Fund; help ensure sustainability of available funding; and fill gaps for in the current availability of services for individuals impacted by violent events. The work group shall report its findings by November 1, 2023 to inform the 2024 General Assembly as it adopts a structure for administering the funds. The funds will not be expended until the structure is adopted.)

Item 485 #9s

Central Appropriations

Central Appropriations

Language

Language:

Page 577, line 7, strike "\$1,500,000 and insert "\$5,000,000".

Page 577, line 10, beginning at "These" strike to the end of the line.

Amendments to SB 800 (as Introduced)

Page 577, strike lines 11 through 14.

Page 577, line 10, after "Commonwealth." 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."

Explanation:

(This language only amendment increases the allocation 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 486 #1s	
Central Appropriations	FY22-23	FY23-24
Central Appropriations	\$95,319	\$0 NGF

Language:

Page 580, line 20, strike "\$1,069,084,031" and insert "\$1,069,179,350".

Page 588, after line 41, insert:

"Expanding the Public Health Workforce within the Disability Network for State Councils on Developmental Disabilities Virginia Board for People with Disabilities (606) \$95,319"

Page 589, line 13, strike "2023" and insert "2024".

Explanation:

(This amendment provides \$95,319 the first year from federal funds to add to the table appropriating non- State and Local Recovery Grants under the American Rescue Plan Act (ARPA). The Board for People with Disabilities received a one-time grant award to support "Expanding the Public Health Workforce within the Disability Network for State Councils on Developmental Disabilities." This grant award was issued under the authority of Section 2501 of ARPA. This amendment also makes a technical correction to the appropriation authority of the Governor for these grants outside of the session.)

	Item 486 #2s	
Central Appropriations	FY22-23	FY23-24
Central Appropriations	\$10,000,000	(\$10,000,000) NGF

Language:

Amendments to SB 800 (as Introduced)

Page 580, line 20, strike "\$1,069,084,031" and insert "\$1,079,084,031".

Page 580, line 19, strike "\$147,865,262" and insert "\$137,865,262".

Page 584, line 10, strike "second", insert "first".

Explanation:

(This amendment moves the appropriation provided from the federal American Rescue Plan Act from the second year to the first year for Medicaid redetermination costs.)

	Item 486 #3s	
Central Appropriations	FY22-23	FY23-24
Central Appropriations	\$0	\$16,000,000 NGF

Language:

Page 580, line 19, strike "\$147,865,262" and insert "\$163,865,262".

Page 580, line 43, after "year" insert "and \$16,000,000 in the second year"

Explanation:

(This amendments provides \$16 million NGF from the federal State and Local Recovery Fund pursuant to the American Rescue Plan Act of 2021 to the Department of Housing and Community Development for the Line Extension Customer Assistance Program. A companion amendment in Item 115 outlines the program parameters and funding distribution methodology.)

	Item 487 #1s	
Central Appropriations	FY22-23	FY23-24
Central Appropriations	\$2,869,546	\$2,869,546 GF

Language:

Page 589, line 28, strike "\$28,930,454" and insert "\$31,800,000".

Page 589, line 28, strike "\$28,930,454" and insert "\$31,800,000".

Explanation:

(This amendment restores funds removed in the introduced budget.)

	Item 487.50 #1s	
Central Appropriations	FY22-23	FY23-24

Amendments to SB 800 (as Introduced)

Central Appropriations \$0 \$10,000,000 GF

Language:

Page 590, line 30, strike "\$22,000,000" and insert "\$32,000,000".

Page 590, line 33, strike "\$22,000,000" and insert "\$32,000,000".

Page 590, line 35, strike "\$22,000,000" and insert "32,000,000".

Page 590, line 44, after "area.", insert "The State Council of Higher for Virginia shall coordinate these activities."

Page 590, line 44, after "Upon", insert "majority".

Page 590, after line 53, insert "Workforce Education Initiative Grants \$0 \$10,000,000".

Page 592, after line 6, insert "Any unexpended balance in the first year shall not revert to the general fund and shall be reappropriated for its original purpose."

Page 592, after line 6, insert:

"Out of the above appropriation, \$10,000,000 the second year from the general fund is designated for initiatives in high demand areas that further align educational and training curricula, incorporate work-based learning, and demonstrate a partnership with high schools, higher education, and private sector partners. Grants shall be administered by the State Council of Higher Education for Virginia."

Explanation:

(This amendment identifies a coordinating entity for the approval of funds, allows for the carryover of funds designated for Direct Aid, and adds \$10.0 million of redirected funds to coordinate and support statewide initiatives aligned with high demand fields.)

Item 489 #1s

Independent Agencies

State Corporation Commission

Language

Language:

Page 594, line 15, before "Out" insert "A."

Page 594, after line 19, insert:

"B. It is the intent of the General Assembly that the appropriation for this Item shall be a sum sufficient to support the ongoing work of the Bureau of Insurance regarding the development of recommendations for electronic prior authorization for prescription drugs and medical procedures and disclosure of costs to patients."

Explanation:

(This amendment provides language regarding the ongoing work of the State Corporation Commission, consistent with the provisions of Senate Bill 1261 of the 2023 General Assembly Session.)

Item 493 #2s

Independent Agencies	FY22-23	FY23-24	
State Corporation Commission	\$0	\$415,157	GF

Language:

Page 595, line 2, strike "\$59,010,485" and insert "\$59,425,642".

Page 595, after line 44, insert:

"F. Notwithstanding any other provision of law, the state-mandated health benefit required by Senate Bill 1003 shall apply to all qualified health plans offered in the Commonwealth."

Explanation:

(This amendment provides \$415,157 the second year from the general fund for the defrayal of federal costs of a state-mandated benefit on qualified health plans that exceeds the the essential health benefits benchmark plan. The costs of such state mandate must be defrayed by the state in accordance with the federal Affordable Care Act. In addition, language is included to override state statute to ensure the state mandate in Senate Bill 1003, that provides coverage of hearing aids for individuals under the age of 18 applies to all qualified health plans.)

Item 494 #1s

Independent Agencies

Virginia Lottery

Language

Language:

Page 596, line 35 after "holder", strike remainder of line and insert:

"is permitted to deduct the value of all bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers, not to exceed 1.75 percent of the total amount of all sports betting wagers placed with the permit holder each month."

Page 596, strike line 36.

Page 596, line 37, strike "result of their having placed Internet sports betting wagers."

Explanation:

(This amendment conforms budget to Senate Bill 1142 on the deduction of bonuses or promotions from sports betting adjusted gross revenue. This would allow the entire value of bonuses to be deducted from adjusted gross revenue for the first 12 months an operator offers sports betting and after 12 months of operation limits such deductions from adjusted gross revenue to 1.75 percent of the permit holder's monthly wagering activity.)

Amendments to SB 800 (as Introduced)

Item 498 #1s

Independent Agencies	FY22-23	FY23-24	
Virginia Retirement System	\$87,700	\$598,300	NGF

Language:

Page 598, line 32, strike "\$19,788,287" and insert "\$19,875,987".
Page 598, line 32, strike "\$19,645,202" and insert "\$20,243,502".

Explanation:

(This amendment provides \$87,700 NGF the first year and \$598,300 NGF the second year to the Virginia Retirement System to cover administrative costs associated with the administration of a reduction from 12 months to six months in the required break in service for certain retired public employees, consistent with the provisions of Senate Bills 1107, 1289, 1411, and 1479 of the 2023 General Assembly Session.)

Item 498 #2s

Independent Agencies	FY22-23	FY23-24	
Virginia Retirement System	\$35,000	\$0	NGF

Language:

Page 598, line 32, strike "\$19,788,287" and insert "\$19,823,287".
Page 600, after line 3, insert:

"J. The Virginia Retirement System is authorized to charge an administrative fee to any private nonprofit institution of higher education that elects to participate in the Line of Duty Act."

Explanation:

(This amendment provides \$35,000 NGF the first year and corresponding language to cover costs incurred by the Virginia Retirement System through an expansion of eligibility for participation in the Line of Duty Act to any private campus police department, consistent with the provisions of Senate Bill 1228 of the 2023 General Assembly Session.)

Item 503 #1s

Independent Agencies		
Virginia Workers' Compensation Commission		Language

Language:

Page 601, line 26, strike "\$650,576" and insert "550,576".

Amendments to SB 800 (as Introduced)

Page 601, after line 27, insert:

"E. Notwithstanding the \$3,500 limitation in § 19.2-368.11:1 (E)(v), Code of Virginia, survivors of crime victims as defined under subdivisions (A)(2) and (A)(4) of §19.2-368.4, Code of Virginia may be reimbursed from the Criminal Injuries Compensation Fund for mental health counseling not to exceed \$5,000 per claim."

Explanation:

(This amendment provides language to support an increase in the cap on mental health counseling services for survivors of crime victims from \$3,500 to \$5,000.)

Item C-0 #1s

General Conditions

General Conditions

Language

Language:

Page 604, line 39, strike "and approval".

Page 604, line 40, after "Act.", strike remainder of line.

Page 604, strike line 41.

Page 604, line 42, strike "and prior to entering into an agreement.".

Explanation:

(This amendment removes language related to the Secretary of Administration, Secretary of Finance and the responsible Cabinet Secretary reviewing and approving alternative financing arrangements. A companion amendment to § 4-4.01 Capital Projects General requires the Treasury Board to review and submit recommendations to the Secretary of Finance and Chairs of the House Appropriations and Senate Finance and Appropriations Committees.)

Item C-2.50 #1s

Administration

FY22-23

FY23-24

Department of General Services

\$1,900,000

\$0 GF

Language:

Page 610, line 48, strike "\$4,100,000" and insert "\$6,000,000".

Page 610, line 50, strike "\$4,100,000" and insert "\$6,000,000".

Explanation:

(This amendment provides an additional \$1.9 million GF the first year for the improvement and conveyance of state property to Clarke County. This brings total funding to \$6.0 million GF the first year.)

Amendments to SB 800 (as Introduced)

Item C-2.60 #1s

Administration	FY22-23	FY23-24
Department of General Services	\$7,039,000	\$0 GF

Language:

Page 611, after line 4, insert:

"C-2.60 Improvements: Rehabilitation Historic Buildings Fort Monroe Authority	\$7,039,000	\$0
Fund Sources: General	\$7,039,000	\$0 "

There is hereby appropriated \$7,039,000 the first year for rehabilitation of historical residential buildings at Fort Monroe. The Department of General Services shall act as fiscal agent allocated to this capital project. The Fort Monroe Authority is authorized to use a portion of these proceeds to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs and renovation activities. The project manager shall work in consultation and coordination with the Department of General Services as this project proceeds towards completion."

Explanation:

(This amendment provides \$7.0 million GF year to support rehabilitation of five historic residential buildings to preserve existing historic elements, including replacement of failing roof materials, repointing of historic masonry, replacement of deteriorated asbestos siding, installation of HVAC, and repairs to existing historic plaster walls and ceilings. The project will bring eight residential units into leasable condition to generate additional revenue.)

Item C-2.70 #1s

Administration	FY22-23	FY23-24
Department of General Services	\$100,000	\$0 GF

Language:

Page 661, after line 4, insert:

"C-2.70 Improvements: Repairs Visitor Center and Casemate Museum	\$100,000	\$0
Fund Sources: General	\$100,000	\$0 "

Explanation:

(This amendment provides \$100,000 GF the first year to remove non-historic brick infill and

Amendments to SB 800 (as Introduced)

install storefront glass windows to make the interior of the Casemate Museum visible to guests.)

Item C-2.80 #1s

Administration	FY22-23	FY23-24
Department of General Services	\$510,000	\$0 GF

Language:

Page 611, after line 4, insert:

"C-2.80 Improvements: Install Security System Fort Monroe	\$510,000	\$0
Fund Sources: General	\$510,000	\$0 "

Explanation:

(This amendment provides \$510,000 GF the first year to install security cameras around the main entrance and in and around the inner fortress area.)

Item C-6.70 #1s

Education: Higher Education	FY22-23	FY23-24
The College of William and Mary in Virginia	\$4,900,000 \$1,300,000	\$0 GF \$0 NGF

Language:

Page 612, line 9, strike "\$8,000,000" and insert "\$14,200,000".

Page 612, line 10, strike "\$8,000,000" and insert "\$12,900,000".

Page 612, after line 10, insert "Fund Sources: Higher Education Operating \$1,300,000".

Explanation:

(This amendment provides \$4.9 million GF and \$1.3 million NGF the first year to support roof repairs, address water infiltration issues, and ongoing humidity control issues for the historic buildings at William and Mary. This brings total funding to \$12.9 million GF and \$1.3 million NGF for this purpose.)

Item C-9.50 #1s

Education: Higher Education	FY22-23	FY23-24
George Mason University	\$8,000,000	\$0 GF

Language:

Amendments to SB 800 (as Introduced)

Page 612, after line 24, insert:

"C-9.50 Maintenance Reserve: Deferred Maintenance	\$8,000,000	\$0
Fund Sources: General	\$8,000,000	\$0 "

Explanation:

(This amendment provides \$8.0 million GF in the first year to fund an umbrella project for deferred maintenance at George Mason University.)

Item C-12 #1s

Education: Higher 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".
 Page 612, line 37, strike "\$11,000,000" and insert "\$26,300,000".

Explanation:

(This amendment provides \$13.5 million NGF the first year for the construction of Village Student Housing Phase 1 at James Madison University. These funds are need to cover project cost increases.)

Item C-22.20 #1s

Education: Higher Education	FY22-23	FY23-24
Virginia Military Institute	\$0	\$202,400 GF

Language:

Page 614, after line 42, insert:

"C-22.20 Improvements: Renovate Financial Aid and Admissions Offices	\$0	\$202,400
Fund Sources: General	\$0	\$202,400 "

Explanation:

(This amendment provides \$202,400 GF in the second year for detailed planning to renovate the historic homes located at 307 and 309 Letcher Ave. that house the Financial Aid and Admissions Offices at Virginia Military Institute.)

Amendments to SB 800 (as Introduced)

Item C-24.70 #1s

Education: Higher 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".

Page 615, line 16, strike "\$6,047,360" and insert "\$9,000,000".

Explanation:

(This amendment provides an additional \$2.9 million NGF in the second year to support detailed planning for the Expand the Virginia Tech-Carilion School of Medicine and Fralin Biomedical Research Institute project. This brings the total to \$9.0 million NGF in the second year for detailed planning.)

Item C-25.20 #1s

Education: Higher Education	FY22-23	FY23-24	
University of Virginia	\$2,900,000	\$0	GF

Language:

Page 615, after line 39, insert:

"§ 2-12.10 University of Virginia (207)

C-25.20 Improvements: Improve Student Mental Health Facility	\$2,900,000	\$0	
Fund Sources: General	\$2,900,000	\$0 "	

Explanation:

(This amendment provides \$2.9 million GF the second year to the University of Virginia to improve the mental health services within the Student Health & Wellness (SHW) facility. These funds support the build out of approximately 6,000 square feet of shell space in the new Student Health and Wellness facility allowing for the expansion of mental health services.)

Item C-25.30 #1s

Education: Higher Education	FY22-23	FY23-24	
University of Virginia	\$0	\$15,300,000	NGF

Language:

Amendments to SB 800 (as Introduced)

Page 615, after line 39, insert:

"§ 2-12.10 University of Virginia (207)

C-25.30 New Construction: Construct Center for the Arts (18602)		\$0	\$15,300,000
Fund Sources:	Higher Education Operating	\$0	\$15,300,000 "

Explanation:

(This amendment provides planning authorization of \$15.3 million NGF the second year for the construction of a new Center for the Arts at the University of Virginia that will house performing arts, the University's museums, and the academic music department.)

Item C-33.5 #1s

Education: Other	FY22-23	FY23-24
The Science Museum of Virginia	\$2,500,000	\$0 GF

Language:

Page 616, after line 24, insert:

"§ 2-15.10 Science Museum of Virginia (146)

C-33.5 Improvements: Demolish Workers Compensation Building	\$2,500,000	\$0
Fund Sources:	General	\$2,500,000 \$0 "

Explanation:

(This amendment provides \$2.5 million GF the first year to fund the demolition of the Workers Compensation Building. Following demolition, the Workers Compensation site will be integrated into the larger ongoing green space project at the Science Museum.)

Item C-43 #1s

Natural and Historic Resources

Department of Conservation and Recreation Language

Language:

Page 618, strike lines 13 through 16.

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment defers the transfer of the Soil and Water District Dam Rehabilitation project funding to an operating fund for the same purpose.)

	Item C-53 #1s	
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".

Explanation:

(This amendment defers \$10.0 million GF the second year for the Capital Infrastructure Fund at the Department of Corrections.)

	Item C-66.1 #1s	
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, and insert "Omitted."

Explanation:

(This amendment defers local dredging projects at the Port Authority that are no longer necessary.)

	Item C-69.50 #1s
Veterans and Defense Affairs	
Department of Veterans Services	Language

Language:

Page 623, strike lines 33 through 50, and insert "Omitted."
Page 624, strike lines 1 through 6.

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment removes the language authorizing short-term, treasury loans to be used as the match to federal dollars for two veterans facility projects. Companion amendments provide \$250,000 GF for each project to conduct pre-planning.)

	Item C-69.60 #1s	
Veterans and Defense Affairs	FY22-23	FY23-24
Department of Veterans Services	\$0	\$250,000 GF

Language:

Page 624, after line 6, insert:

"C-69.60 Planning: Renovation Sitter and Barfoot Veterans Care Center	\$0	\$250,000
Fund Sources: General	\$0	\$250,000 "

The Virginia Department of Veterans Services is authorized to conduct pre-planning to renovate the Sitter and Barfoot Veterans Care Center in Richmond."

Explanation:

(This amendment authorizes \$250,000 GF the second year for the Department of Veterans Services to conduct pre-planning to renovate the Sitter and Barfoot Veterans Care Center in Richmond.)

	Item C-69.70 #1s	
Veterans and Defense Affairs	FY22-23	FY23-24
Department of Veterans Services	\$0	\$250,000 GF

Language:

Page 624, after line 6, insert:

"C-69.70 Planning: Construct Replacement Veterans Care Center Facility in Roanoke	\$0	\$250,000
Fund Sources: General	\$0	\$250,000 "

The Virginia Department of Veterans Services is authorized to conduct pre-planning to construct a new veterans care center with up to 192 beds in the Roanoke area of Virginia."

Explanation:

(This amendment authorizes \$250,000 GF the second year for the Department of Veterans

Amendments to SB 800 (as Introduced)

Services to conduct pre-planning to construct a new veterans care center with up to 192 beds in the Roanoke area of Virginia.)

Item C-72 #2s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 627, after line 41, insert:

"3. The Virginia Museum of Fine Arts shall transfer to the Virginia Museum of Natural History an existing tractor-trailer once the Virginia Museum of Fine Art has acquired the tractor-trailer authorized in Chapter 2 of the 2022 Special Session I. The Virginia Museum of Natural History is authorized to accept this property and use funds designated from this item to modify or repair the tractor-trailer for use as a mobile museum to further support their mission and outreach."

Explanation:

(This amendment transfers a surplus tractor-trailer from the Virginia Museum of Fine Arts to the Virginia Museum of Natural History for use as a mobile museum and to promote the museum's mission.)

Item C-73.50 #1s

Central Appropriations

FY22-23

FY23-24

Central Capital Outlay

\$8,560,000

\$0 GF

Language:

Page 628, line 53, strike "\$6,168,800" and insert "\$14,728,800".

Page 629, line 1, strike "\$6,168,800" and insert "\$14,728,800".

Page 629, after line 12, insert:

"211 Virginia Military Institute Improve New Market Battlefield State Historical Park
211 Virginia Military Institute Improve Hinty Hall and Facility Infrastructure"

Page 629, after line 13, insert:

"212 Virginia State University Construct Bolt Leadership Center for Social Responsibility
215 University of Mary Washington Construct Police Station
242 Christopher Newport University Replace Plant Operations and Warehouse Building"

Page 629, after line 21, insert:

"E. The Institute for Advanced Learning and Research is authorized to begin pre-planning for an expansion at the Center for Manufacturing Advancement. The pre-planning shall be funded \$250,000 from the Central Capital Planning Fund."

Page 629, strike lines 22 through 37.

Amendments to SB 800 (as Introduced)

Explanation:

(This amendment authorizes five additional projects for detailed planning, authorizes pre-planning for an expansion at the Institute for Advanced Learning and Research, and defers two pre-planning studies.)

Item C-79.50 #1s

Central Appropriations	FY22-23	FY23-24
Central Capital Outlay	\$50,000,000	\$0 GF

Language:

Page 632, line 22, strike "\$100,000,000" and insert "\$150,000,000".
Page 632, line 24, strike "\$100,000,000" and insert "\$150,000,000".
Page 632, strike lines 29 through 35.
Page 632, line 36, strike "3" and insert "2".

Explanation:

(This amendment provides an additional \$50.0 million GF the first year for capital project supplements due to inflationary cost overruns. It also removes the contingency language around the second year amount.)

Item C-80 #1s

Central Appropriations	FY22-23	FY23-24
Central Capital Outlay	\$20,000,000	\$0 GF

Language:

Page 633, line 25, strike "\$25,000,000" and insert "\$45,000,000".
Page 633, line 27, strike "\$25,000,000", and insert "\$45,000,000".
Page 633, after line 37, insert:
"B. From the appropriation and authorization provided in this Item, up to \$850,000 shall be provided by the Department of Environmental Quality to York County for wetlands restoration, stormwater best management practices, and erosion control in the Queen's Lake Area.
C. From the appropriation and authorization provided in this Item, up to \$9,000,000 shall be provided by the Department of Environmental Quality to the City of Falls Church for completion of the Harrison Branch Improvement Project."
Page 633, line 38, strike "B." and insert "D."

Explanation:

(This amendment provides \$20.0 million GF the second year to the Stormwater Local

Amendments to SB 800 (as Introduced)

Assistance Fund to provide funding based on the 2022 Needs Assessment from the Department of Environment Quality in order to assist the Commonwealth in meeting Virginia's Chesapeake Bay Phase III Watershed Implementation Plan and directs funding to two priority projects.)

Item C-82 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 634, strike lines 17 through 47, and insert:

"A. The Department of General Services is authorized to enter into long-term leases as follows:

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 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 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:

Amendments to SB 800 (as Introduced)

(This technical amendment updates the authorizations for long-term state agency leases administered by the Department of General Services.)

Item C-83 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 635, after line 58, insert:

"C. The Director of the Department of Planning and Budget and the Director of the Department of General Services shall notify the Clerk of the House and Clerk of the Senate, pursuant to funding authorized in paragraph E. 1. of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, Special Session I and paragraph 11 of Chapters 759 and 769 of the Acts of Assembly of 2016, on the issuance of a certificate of occupancy (CO-13.3) for Old City Hall under project code 194-18081-001. Upon issuance of the certificate and without any delay of such issuance, the occupancy of Old City Hall shall be controlled by the Committee on Joint Rules and administered by the Clerk of the House and Clerk of the Senate. Pursuant to paragraph 11 of Chapters 759 and 769 of the Acts of Assembly of 2016, the Auditor of Public Accounts shall monitor and report any noncompliance with these provisions to the Committee on Joint Rules."

Explanation:

(This amendment transfers authority of Old City Hall under project code 194-18081-001 to the Joint Committee on Rules once the Director of the Department of Planning and Budget and the Director of the Department of General Services notify the Clerks of the House and Senate of a certificate of occupancy.)

Item 3-1.01 #1s

Transfers

Interfund Transfers

Language

Language:

Page 641, line 6, strike "\$131,382,813" and insert "\$151,682,813."

Explanation:

(This amendment increases by \$20.3 million the transfer from the Alcoholic Beverage Control (ABC) Authority to the general fund. ABC has experienced actual profits that are higher than initially budgeted.)

Item 3-5.18 #1s

Adjustments and Modifications to Tax Collections

Historic Preservation Tax Credit

Language

Language:

Page 653, line 39, strike "\$5" and "\$10.0".

Page 653, line 39, after "year", insert: "and \$20.0 million for any taxable year that the taxpayer incurs expenses for the tax credit in a designated enterprise zone pursuant to § 59.1-542. The total amount of tax credits that may be issued each fiscal year shall not exceed \$120.0 million."

Explanation:

(This amendment increases the per taxpayer cap on the historic rehabilitation tax credit from \$5.0 to \$10.0 million and to \$20.0 million for taxpayers incurring expenses for the credit in a designated enterprise zone, consistent with Senate Bill 1066, and caps the total amount of tax credits to be claimed at \$120.0 million each fiscal year.)

Item 3-5.28 #1s

Adjustments and Modifications to Tax Collections

Taxpayer Relief Fund

Language

Language:

Page 655, strike lines 17 through 32 and insert:

"§ 3-5.28 Rolling Conformity Taxpayer Relief Fund

A. There is hereby established in the State Treasury and on the books of the State Comptroller a special nonreverting fund known as the "Rolling Conformity Taxpayer Relief Fund". On or before June 30, 2023, the State Comptroller shall transfer \$75,000,000 from the general fund to the Rolling Conformity Taxpayer Relief Fund.

B. Amounts in the Rolling Conformity Taxpayer Relief Fund shall be used to offset revenue reductions from conforming to federal tax amendments that decrease general fund revenue by less than \$25.0 million, pursuant to Senate Bill 1405 of the 2023 Session."

Explanation:

(This amendment provides \$75.0 million to a Rolling Conformity Taxpayer Relief Fund to offset the impact from conforming to federal tax provisions that increase or decrease general fund revenue by \$25.0 million or less on a rolling basis rather than a fixed-date basis, pursuant to Senate Bill 1405 of the 2023 Session. Pursuant to the bill, the cumulative cap on all amendments to be adopted on a rolling basis is \$75.0 million. Therefore, this fund provides the

Amendments to SB 800 (as Introduced)

Governor and the General Assembly funding to offset any revenue reduction from conforming on a rolling basis. The introduced budget proposed to transfer \$128.0 million GF to a Taxpayer Relief Fund, and this amendment would rename the fund, transfer \$75.0 million to the fund. An amendment to the front page reflects a \$53.0 million increase in general fund resources to reflect the net difference.)

Item 4-4.01 #1s

Capital Projects

General

Language

Language:

Page 678, after line 8, insert:

"y. Notwithstanding any other provision of law or the provisions of Section 2.2-2237, Code of Virginia, any acquisition or lease of real property for project readiness and development work by the Virginia Economic Development Partnership Authority shall be authorized in an appropriation act for such purpose by the General Assembly."

Explanation:

(This amendment requires any acquisition or lease of real property for business development sites by the Virginia Economic Development Partnership Authority to be authorized in an appropriation act.)

Item 4-4.01 #2s

Capital Projects

General

Language

Language:

Page 677, strike line 47 through 49, and insert:

"2. Any proposed alternative financing agreement, including public-private partnerships and projects authorized under § 2-0 I. of this Act, shall be submitted for review by the Treasury Board. The Treasury Board shall review and make recommendations to the Secretary of Finance. Such recommendations shall also be reported to the Chairs of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations. Nothing in this provision shall require the approval of the Secretary of Finance prior to reviewing a detailed proposal and prior to entering into an agreement."

Explanation:

(This amendment directs the Treasury Board to review any proposed alternative financing agreement and submit recommendations to the Secretary of Finance and the Chairs of Senate

Finance and Appropriations and House Appropriations Committees.)

Item 4-4.01 #3s

Capital Projects

General

Language

Language:

Page 673, strike lines 1 through 6, and insert:

"c. Appropriations contained in this act for the maintenance reserve program or umbrella projects shall be approved by the Director of the Department of Planning and Budget prior to authorization of these projects for agencies and institutions of higher education. Each agency head shall provide annually to the Director, Department of Planning and Budget, a summary report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the request of its maintenance reserve appropriation to be authorized, an agency shall give first priority to the repair or replacement of roof projects. The agency head shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual."

Explanation:

(This amendment directs the Department of Planning and Budget to review and approve subprojects in the maintenance reserve program or umbrella projects prior to authorization of these projects for agencies and higher education institutions.)

Item 4-5.04 #1s

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 686, line 22, strike "Notwithstanding any other provision of law, no".

Page 686, line 22, unstrike "No".

Page 686, line 24, unstrike "or state statute".

Explanation:

(This amendment restores language in the appropriation act that allows spending from appropriations for the provision of abortion services in accordance with state law. The introduced budget proposed language that would limit spending to what is only permitted under federal law.)

Item 4-14 #1s

Effective Date

Language

Language:

Page 730, strike lines 12 through 52.
Strike all lines on Page 731 through Page 759.
Page 760, strike lines 1 through 48.

Explanation:

(This amendment removes language in the introduced budget for assumed tax policy actions. A companion amendment to the front page reflects the resource adjustment by not adopting these tax policy decisions.)

Item 4-14 #2s

Effective Date

Language

Language:

Page 730, after line 11, insert:

"21. That §§ 58.1-602, 58.1-605, 58.1-605.1, and 58.1-606.1 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-602. Definitions.

As used in this chapter, unless the context clearly shows otherwise:

"Accommodations" means any room or rooms, lodgings, or accommodations in any hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, short-term rental, or any other place in which rooms, lodging, space, or accommodations are regularly furnished to transients for a consideration. "Accommodations" does not include rooms or space offered by a person in the business of providing conference rooms, meeting space, or event space if the person does not also offer rooms available for overnight sleeping.

Amendments to SB 800 (as Introduced)

"Accommodations fee" means the room charge less the discount room charge, if any, provided that the accommodations fee shall not be less than \$0.

"Accommodations intermediary" means any person other than an accommodations provider that (i) facilitates the sale of an accommodation and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider.

"Accommodations intermediary" does not include a person:

1. If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person;
2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person; or
3. Who is licensed as a real estate licensee pursuant to Article 1 (§ 54.1-2100 et seq.) of Chapter 21 of Title 54.1, when acting within the scope of such license.

"Accommodations provider" means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess.

"Advertising" means the planning, creating, or placing of advertising in newspapers, magazines, billboards, broadcasting and other media, including, without limitation, the providing of concept, writing, graphic design, mechanical art, photography and production supervision. Any person providing advertising as defined in this section shall be deemed to be the user or consumer of all tangible personal property purchased for use in such advertising.

"Affiliate" means the same as such term is defined in § 58.1-439.18.

Amendments to SB 800 (as Introduced)

"Amplification, transmission, distribution, and network equipment" means production, distribution, and other equipment used to provide Internet-access services, such as computer and communications equipment and software used for storing, processing, and retrieving end-user subscribers' requests. A "network" includes modems, fiber optic cables, coaxial cables, radio equipment, routing equipment, switching equipment, a cable modem termination system, associated software, transmitters, power equipment, storage devices, servers, multiplexers, and antennas, which network is used to provide Internet service, regardless of whether the provider of such service is also a telephone common carrier or whether such network is also used to provide services other than Internet services.

"Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either directly or indirectly.

"Cost price" means the actual cost of an item or article of tangible personal property computed in the same manner as the sales price as defined in this section without any deductions therefrom on account of the cost of materials used, labor, or service costs, transportation charges, or any expenses whatsoever.

"Custom program" means a computer program that is specifically designed and developed only for one customer. The combining of two or more prewritten programs does not constitute a custom computer program. A prewritten program that is modified to any degree remains a prewritten program and does not become custom.

"Discount room charge" means the full amount charged by the accommodations provider to the accommodations intermediary, or an affiliate thereof, for furnishing the accommodations.

"Distribution" means the transfer or delivery of tangible personal property for use, consumption, or storage by the distributee, and the use, consumption, or storage of tangible personal property by a person that has processed, manufactured, refined, or converted such property, but does not include the transfer or delivery of tangible personal property for resale or any use, consumption, or storage otherwise exempt under this chapter.

"Gross proceeds" means the charges made or voluntary contributions received for the lease or rental of tangible personal property or for furnishing services, computed with the same deductions, where applicable, as for sales price as defined in this section over the term of the lease, rental, service, or use, but not less frequently than monthly. "Gross proceeds" does not

Amendments to SB 800 (as Introduced)

include finance charges, carrying charges, service charges, or interest from credit extended on the lease or rental of tangible personal property under conditional lease or rental contracts or other conditional contracts providing for the deferred payments of the lease or rental price.

"Gross sales" means the sum total of all retail sales of tangible personal property or services as defined in this chapter, without any deduction, except as provided in this chapter. "Gross sales" does not include the federal retailers' excise tax or the federal diesel fuel excise tax imposed in § 4091 of the Internal Revenue Code if the excise tax is billed to the purchaser separately from the selling price of the article, or the Virginia retail sales or use tax, or any sales or use tax imposed by any county or city under § 58.1-605 or 58.1-606.

"Import" and "imported" are words applicable to tangible personal property imported into the Commonwealth from other states as well as from foreign countries, and "export" and "exported" are words applicable to tangible personal property exported from the Commonwealth to other states as well as to foreign countries.

"In this Commonwealth" or "in the Commonwealth" means within the limits of the Commonwealth of Virginia and includes all territory within these limits owned by or ceded to the United States of America.

"Integrated process," when used in relation to semiconductor manufacturing, means a process that begins with the research or development of semiconductor products, equipment, or processes, includes the handling and storage of raw materials at a plant site, and continues to the point that the product is packaged for final sale and either shipped or conveyed to a warehouse. Without limiting the foregoing, any semiconductor equipment, fuel, power, energy, supplies, or other tangible personal property shall be deemed used as part of the integrated process if its use contributes, before, during, or after production, to higher product quality, production yields, or process efficiencies. Except as otherwise provided by law, "integrated process" does not mean general maintenance or administration.

"Internet" means, collectively, the myriad of computer and telecommunications facilities, which comprise the interconnected worldwide network of computer networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor to such protocol, to communicate information of all kinds by wire or radio.

"Internet service" means a service that enables users to access content, information, and other services offered over the Internet.

Amendments to SB 800 (as Introduced)

"Lease or rental" means the leasing or renting of tangible personal property and the possession or use thereof by the lessee or renter for a consideration, without transfer of the title to such property.

"Manufacturing, processing, refining, or conversion" includes the production line of the plant starting with the handling and storage of raw materials at the plant site and continuing through the last step of production where the product is finished or completed for sale and conveyed to a warehouse at the production site, and also includes equipment and supplies used for production line testing and quality control. "Manufacturing" also includes the necessary ancillary activities of newspaper and magazine printing when such activities are performed by the publisher of any newspaper or magazine for sale daily or regularly at average intervals not exceeding three months.

The determination of whether any manufacturing, mining, processing, refining or conversion activity is industrial in nature shall be made without regard to plant size, existence or size of finished product inventory, degree of mechanization, amount of capital investment, number of employees or other factors relating principally to the size of the business. Further, "industrial in nature" includes, but is not limited to, those businesses classified in codes 10 through 14 and 20 through 39 published in the Standard Industrial Classification Manual for 1972 and any supplements issued thereafter.

"Modular building" means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.) as regulated by the Virginia Department of Housing and Community Development, and shipped with most permanent components in place to the site of final assembly. For purposes of this chapter, "modular building" does not include a mobile office as defined in § 58.1-2401 or any manufactured building subject to and certified under the provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.).

"Modular building manufacturer" means a person that owns or operates a manufacturing facility and is engaged in the fabrication, construction and assembling of building supplies and materials into modular buildings, as defined in this section, at a location other than at the site where the modular building will be assembled on the permanent foundation and may or may not be engaged in the process of affixing the modules to the foundation at the permanent site.

Amendments to SB 800 (as Introduced)

"Modular building retailer" means any person that purchases or acquires a modular building from a modular building manufacturer, or from another person, for subsequent sale to a customer residing within or outside of the Commonwealth, with or without installation of the modular building to the foundation at the permanent site.

"Motor vehicle" means a "motor vehicle" as defined in § 58.1-2401, taxable under the provisions of the Virginia Motor Vehicles Sales and Use Tax Act (§ 58.1-2400 et seq.) and upon the sale of which all applicable motor vehicle sales and use taxes have been paid.

"Occasional sale" means a sale of tangible personal property not held or used by a seller in the course of an activity for which it is required to hold a certificate of registration, including the sale or exchange of all or substantially all the assets of any business and the reorganization or liquidation of any business, provided that such sale or exchange is not one of a series of sales and exchanges sufficient in number, scope and character to constitute an activity requiring the holding of a certificate of registration.

"Open video system" means an open video system authorized pursuant to 47 U.S.C. § 573 and, for purposes of this chapter only, also includes Internet service regardless of whether the provider of such service is also a telephone common carrier.

"Person" includes any individual, firm, copartnership, cooperative, nonprofit membership corporation, joint venture, association, corporation, estate, trust, business trust, trustee in bankruptcy, receiver, auctioneer, syndicate, assignee, club, society, or other group or combination acting as a unit, body politic or political subdivision, whether public or private, or quasi-public, and the plural of "person" means the same as the singular.

"Prewritten program" means a computer program that is prepared, held or existing for general or repeated sale or lease, including a computer program developed for in-house use and subsequently sold or leased to unrelated third parties.

~~"Qualifying locality" means Charlotte County, Gloucester County, Halifax County, Henry County, Mecklenburg County, Northampton County, Patrick County, Pittsylvania County, or the City of Danville.~~

Amendments to SB 800 (as Introduced)

"Railroad rolling stock" means locomotives, of whatever motive power, autocars, railroad cars of every kind and description, and all other equipment determined by the Tax Commissioner to constitute railroad rolling stock.

"Remote seller" means any dealer deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-613 under the criteria specified in subdivision C 10 or 11 of § 58.1-612 or any software provider acting on behalf of such dealer.

"Retail sale" or a "sale at retail" means a sale to any person for any purpose other than for resale in the form of tangible personal property or services taxable under this chapter, and shall include any such transaction as the Tax Commissioner upon investigation finds to be in lieu of a sale. All sales for resale must be made in strict compliance with regulations applicable to this chapter. Any dealer making a sale for resale which is not in strict compliance with such regulations shall be personally liable for payment of the tax.

The terms "retail sale" and a "sale at retail" specifically include the following: (i) the sale or charges for any accommodations furnished to transients for less than 90 continuous days; (ii) sales of tangible personal property to persons for resale when because of the operation of the business, or its very nature, or the lack of a place of business in which to display a certificate of registration, or the lack of a place of business in which to keep records, or the lack of adequate records, or because such persons are minors or transients, or because such persons are engaged in essentially service businesses, or for any other reason there is likelihood that the Commonwealth will lose tax funds due to the difficulty of policing such business operations; (iii) the separately stated charge made for automotive refinish repair materials that are permanently applied to or affixed to a motor vehicle during its repair; and (iv) the separately stated charge for equipment available for lease or purchase by a provider of satellite television programming to the customer of such programming. Equipment sold to a provider of satellite television programming for subsequent lease or purchase by the customer of such programming shall be deemed a sale for resale. The Tax Commissioner is authorized to promulgate regulations requiring vendors of or sellers to such persons to collect the tax imposed by this chapter on the cost price of such tangible personal property to such persons and may refuse to issue certificates of registration to such persons. The terms "retail sale" and a "sale at retail" also specifically include the separately stated charge made for supplies used during automotive repairs whether or not there is transfer of title or possession of the supplies and whether or not the supplies are attached to the automobile. The purchase of such supplies by an automotive repairer for sale to the customer of such repair services shall be deemed a sale for resale.

The term "transient" does not include a purchaser of camping memberships, time-shares, condominiums, or other similar contracts or interests that permit the use of, or constitute an

Amendments to SB 800 (as Introduced)

interest in, real estate, however created or sold and whether registered with the Commonwealth or not. Further, a purchaser of a right or license which entitles the purchaser to use the amenities and facilities of a specific real estate project on an ongoing basis throughout its term shall not be deemed a transient, provided, however, that the term or time period involved is for seven years or more.

The terms "retail sale" and "sale at retail" do not include a transfer of title to tangible personal property after its use as tools, tooling, machinery or equipment, including dies, molds, and patterns, if (i) at the time of purchase, the purchaser is obligated, under the terms of a written contract, to make the transfer and (ii) the transfer is made for the same or a greater consideration to the person for whom the purchaser manufactures goods.

"Retailer" means every person engaged in the business of making sales at retail, or for distribution, use, consumption, or storage to be used or consumed in the Commonwealth.

"Room charge" means the full retail price charged to the customer for the use of the accommodations before taxes. "Room charge" includes any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name. The room charge shall be determined in accordance with 23VAC10-210-730 and the related rulings of the Department on the same.

"Sale" means any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property and any rendition of a taxable service for a consideration, and includes the fabrication of tangible personal property for consumers who furnish, either directly or indirectly, the materials used in fabrication, and the furnishing, preparing, or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing, or serving such tangible personal property. A transaction whereby the possession of property is transferred but the seller retains title as security for the payment of the price shall be deemed a sale.

"Sales price" means the total amount for which tangible personal property or services are sold, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and includes any amount for which credit is given to the purchaser, consumer, or lessee by the dealer, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, losses or any other expenses whatsoever. "Sales price" does not include (i) any cash discount allowed and taken; (ii) finance charges, carrying charges, service charges or interest from credit extended on sales of tangible personal

Amendments to SB 800 (as Introduced)

property under conditional sale contracts or other conditional contracts providing for deferred payments of the purchase price; (iii) separately stated local property taxes collected; (iv) that portion of the amount paid by the purchaser as a discretionary gratuity added to the price of a meal; or (v) that portion of the amount paid by the purchaser as a mandatory gratuity or service charge added by a restaurant to the price of a meal, but only to the extent that such mandatory gratuity or service charge does not exceed 20 percent of the price of the meal. Where used articles are taken in trade, or in a series of trades as a credit or part payment on the sale of new or used articles, the tax levied by this chapter shall be paid on the net difference between the sales price of the new or used articles and the credit for the used articles.

"Semiconductor cleanrooms" means the integrated systems, fixtures, piping, partitions, flooring, lighting, equipment, and all other property used to reduce contamination or to control airflow, temperature, humidity, vibration, or other environmental conditions required for the integrated process of semiconductor manufacturing.

"Semiconductor equipment" means (i) machinery or tools or repair parts or replacements thereof; (ii) the related accessories, components, pedestals, bases, or foundations used in connection with the operation of the equipment, without regard to the proximity to the equipment, the method of attachment, or whether the equipment or accessories are affixed to the realty; (iii) semiconductor wafers and other property or supplies used to install, test, calibrate or recalibrate, characterize, condition, measure, or maintain the equipment and settings thereof; and (iv) equipment and supplies used for quality control testing of product, materials, equipment, or processes; or the measurement of equipment performance or production parameters regardless of where or when the quality control, testing, or measuring activity takes place, how the activity affects the operation of equipment, or whether the equipment and supplies come into contact with the product.

"Short-term rental" means the same as such term is defined in § 15.2-983.

"Storage" means any keeping or retention of tangible personal property for use, consumption or distribution in the Commonwealth, or for any purpose other than sale at retail in the regular course of business.

"Tangible personal property" means personal property that may be seen, weighed, measured, felt, or touched, or is in any other manner perceptible to the senses. "Tangible personal property" does not include stocks, bonds, notes, insurance or other obligations or securities. "Tangible personal property" includes (i) telephone calling cards upon their initial sale, which shall be exempt from all other state and local utility taxes, and (ii) manufactured signs.

Amendments to SB 800 (as Introduced)

"Use" means the exercise of any right or power over tangible personal property incident to the ownership thereof, except that it does not include the sale at retail of that property in the regular course of business. "Use" does not include the exercise of any right or power, including use, distribution, or storage, over any tangible personal property sold to a nonresident donor for delivery outside of the Commonwealth to a nonresident recipient pursuant to an order placed by the donor from outside the Commonwealth via mail or telephone. "Use" does not include any sale determined to be a gift transaction, subject to tax under § 58.1-604.6.

"Use tax" refers to the tax imposed upon the use, consumption, distribution, and storage as defined in this section.

"Used directly," when used in relation to manufacturing, processing, refining, or conversion, refers to those activities that are an integral part of the production of a product, including all steps of an integrated manufacturing or mining process, but not including ancillary activities such as general maintenance or administration. When used in relation to mining, "used directly" refers to the activities specified in this definition and, in addition, any reclamation activity of the land previously mined by the mining company required by state or federal law.

"Video programmer" means a person that provides video programming to end-user subscribers.

"Video programming" means video and/or information programming provided by or generally considered comparable to programming provided by a cable operator, including, but not limited to, Internet service.

§ 58.1-605. To what extent and under what conditions cities and counties may levy local sales taxes; collection thereof by Commonwealth and return of revenue to each city or county entitled thereto.

A. No county, city or town shall impose any local general sales or use tax or any local general retail sales or use tax except as authorized by this section or § 58.1-605.1.

B. The council of any city and the governing body of any county may levy a general retail sales tax at the rate of one percent to provide revenue for the general fund of such city or county. Such tax shall be added to the rate of the state sales tax imposed by §§ 58.1-603 and 58.1-604 and shall be subject to all the provisions of this chapter and the rules and regulations published

Amendments to SB 800 (as Introduced)

with respect thereto. No discount under § 58.1-622 shall be allowed on a local sales tax.

C. 1. The council of any city and the governing body of any county desiring to impose a local sales tax under this section may do so by the adoption of an ordinance stating its purpose and referring to this section, and providing that such ordinance shall be effective on the first day of a month at least 60 days after its adoption. A certified copy of such ordinance shall be forwarded to the Tax Commissioner so that it will be received within five days after its adoption.

2. Prior to any change in the rate of any local sales and use tax, the Tax Commissioner shall provide remote sellers with at least 30 days' notice. Any change in the rate of any local sales and use tax shall only become effective on the first day of a calendar quarter. Failure to provide notice pursuant to this section shall require the Commonwealth and the locality to apply the preceding effective rate until 30 days after notification is provided.

D. Any local sales tax levied under this section shall be administered and collected by the Tax Commissioner in the same manner and subject to the same penalties as provided for the state sales tax.

E. All local sales tax moneys collected by the Tax Commissioner under this section shall be paid into the state treasury to the credit of a special fund which is hereby created on the Comptroller's books under the name "Collections of Local Sales Taxes." Such local sales tax moneys shall be credited to the account of each particular city or county levying a local sales tax under this section. The basis of such credit shall be the city or county in which the sales were made as shown by the records of the Department and certified by it monthly to the Comptroller, namely, the city or county of location of each place of business of every dealer paying the tax to the Commonwealth without regard to the city or county of possible use by the purchasers. If a dealer has any place of business located in more than one political subdivision by reason of the boundary line or lines passing through such place of business, the amount of sales tax paid by such a dealer with respect to such place of business shall be treated for the purposes of this section as follows: one-half shall be assignable to each political subdivision where two are involved, one-third where three are involved, and one-fourth where four are involved.

F. As soon as practicable after the local sales tax moneys have been paid into the state treasury in any month for the preceding month, the Comptroller shall draw his warrant on the Treasurer of Virginia in the proper amount in favor of each city or county entitled to the monthly return of its local sales tax moneys, and such payments shall be charged to the account of each such city or county under the special fund created by this section. If errors are made in any such payment,

Amendments to SB 800 (as Introduced)

or adjustments are otherwise necessary, whether attributable to refunds to taxpayers, or to some other fact, the errors shall be corrected and adjustments made in the payments for the next two months as follows: one-half of the total adjustment shall be included in the payments for the next two months. In addition, the payment shall include a refund of amounts erroneously not paid to the city or county and not previously refunded during the three years preceding the discovery of the error. A correction and adjustment in payments described in this subsection due to the misallocation of funds by the dealer shall be made within three years of the date of the payment error.

G. Such payments to counties are subject to the qualification that in any county wherein is situated any incorporated town constituting a special school district and operated as a separate school district under a town school board of three members appointed by the town council, the county treasurer shall pay into the town treasury for general governmental purposes the proper proportionate amount received by him in the ratio that the school age population of such town bears to the school age population of the entire county. If the school age population of any town constituting a separate school district is increased by the annexation of territory since the last estimate of school age population provided by the Weldon Cooper Center for Public Service, such increase shall, for the purposes of this section, be added to the school age population of such town as shown by the last such estimate and a proper reduction made in the school age population of the county or counties from which the annexed territory was acquired.

H. One-half of such payments to counties are subject to the further qualification, other than as set out in subsection G, that in any county wherein is situated any incorporated town not constituting a separate special school district that has complied with its charter provisions providing for the election of its council and mayor for a period of at least four years immediately prior to the adoption of the sales tax ordinance, the county treasurer shall pay into the town treasury of each such town for general governmental purposes the proper proportionate amount received by him in the ratio that the school age population of each such town bears to the school age population of the entire county, based on the latest estimate provided by the Weldon Cooper Center for Public Service. The preceding requirement pertaining to the time interval between compliance with election provisions and adoption of the sales tax ordinance shall not apply to a tier-city. If the school age population of any such town not constituting a separate special school district is increased by the annexation of territory or otherwise since the last estimate of school age population provided by the Weldon Cooper Center for Public Service, such increase shall, for the purposes of this section, be added to the school age population of such town as shown by the last such estimate and a proper reduction made in the school age population of the county or counties from which the annexed territory was acquired.

I. Notwithstanding the provisions of subsection H, the board of supervisors of a county may, in its discretion, appropriate funds to any incorporated town not constituting a separate school

Amendments to SB 800 (as Introduced)

district within such county that has not complied with the provisions of its charter relating to the elections of its council and mayor, an amount not to exceed the amount it would have received from the tax imposed by this chapter if such election had been held; ~~however, Charlotte County, Gloucester County, Halifax County, Henry County, Mecklenburg County, Northampton County, Patrick County, and Pittsylvania County may appropriate any amount to any such incorporated town.~~

J. It is further provided that if any incorporated town which would otherwise be eligible to receive funds from the county treasurer under subsection G or H be located in a county that does not levy a general retail sales tax under the provisions of this law, such town may levy a general retail sales tax at the rate of one percent to provide revenue for the general fund of the town, subject to all the provisions of this section generally applicable to cities and counties. Any tax levied under the authority of this subsection shall in no case continue to be levied on or after the effective date of a county ordinance imposing a general retail sales tax in the county within which such town is located.

§ 58.1-605.1. Additional local sales tax in certain localities; use of revenues for construction or renovation of schools.

A. 1. In addition to the sales tax authorized under § 58.1-605, ~~a qualifying locality~~ *any county or city* may levy a general retail sales tax at a rate not to exceed one percent as determined by its governing body to provide revenue solely for capital projects for the construction or renovation of schools in each such ~~locality~~ *county or city*. Such tax shall be added to the rates of the state and local sales tax imposed by this chapter and shall be subject to all the provisions of this chapter and the rules and regulations published with respect thereto. No discount under § 58.1-622 shall be allowed on this local sales tax.

2. Any tax imposed pursuant to this section shall expire (i) if the capital projects for the construction or renovation of schools are to be financed by bonds or loans, on the date by which such bonds or loans shall be repaid or (ii) if the capital projects for the construction or renovation of schools are not to be financed by bonds or loans, on a date chosen by the governing body and specified in any resolution passed pursuant to the provisions of subdivision B 1. Such expiration date shall not be more than 20 years after the date of the resolution passed pursuant to the provisions of subdivision B 1.

B. 1. This tax may be levied only if the tax is approved in a referendum within the ~~qualifying locality~~ *county or city* held in accordance with § 24.2-684 and initiated by a resolution of the local governing body. Such resolution shall state (i) if the capital projects for the construction or

Amendments to SB 800 (as Introduced)

renovation of schools are to be financed by bonds or loans, the date by which such bonds or loans shall be repaid or (ii) if the capital projects for the construction or renovation of schools are not to be financed by bonds or loans, a specified date on which the sales tax shall expire.

2. The clerk of the circuit court shall publish notice of the referendum in a newspaper of general circulation in the ~~qualifying locality~~ *county or city* once a week for three consecutive weeks prior to the election. The question on the ballot for the referendum shall include language stating (i) that the revenues from the sales tax shall be used solely for capital projects for the construction or renovation of schools and (ii) the date on which the sales tax shall expire.

C. The governing body of the ~~qualifying locality~~ *county or city*, if it elects to impose a local sales tax under this section after approval at a referendum as provided in subsection B shall do so by the adoption of an ordinance stating its purpose and referring to this section and providing that such ordinance shall be effective on the first day of a month at least 120 days after its adoption. Such ordinance shall state the date on which the sales tax shall expire. A certified copy of such ordinance shall be forwarded to the Tax Commissioner so that it will be received within five days after its adoption.

D. Any local sales tax levied under this section shall be administered and collected by the Tax Commissioner in the same manner and subject to the same exemptions and penalties as provided for the state sales tax; however, the local sales tax levied under this section shall not be levied on food purchased for human consumption or essential personal hygiene products, as such terms are defined in § 58.1-611.1.

E. All local sales tax moneys collected by the Tax Commissioner under this section shall be paid into the state treasury to the credit of a special fund that is hereby created on the Comptroller's books for each ~~qualifying locality~~ *county or city* under the name "Collections of Additional Local Sales Taxes in ____ (INSERT NAME OF THE ~~QUALIFYING LOCALITY COUNTY OR CITY~~)." Each fund shall be administered as provided in § 58.1-605. A separate fund shall be created for each ~~qualifying locality~~ *county or city*. Only local sales tax moneys collected in that ~~qualifying locality~~ *county or city* shall be deposited in that ~~locality's~~ *county's or city's* fund.

F. As soon as practicable after the local sales tax moneys have been paid into the state treasury in any month for the preceding month, the Comptroller shall draw his warrant on the State Treasurer in the proper amount in favor of each ~~qualifying locality~~ *county or city*, and such payments shall be charged to the account of the ~~qualifying locality~~ *county or city* under its special fund created by this section. If errors are made in any such payment, or adjustments are

Amendments to SB 800 (as Introduced)

otherwise necessary, whether attributable to refunds to taxpayers or to some other fact, the errors shall be corrected and adjustments made in the payments for the next two months as follows: one-half of the total adjustment shall be included in the payment for each of the next two months. In addition, the payment shall include a refund of amounts erroneously not paid to each ~~qualifying locality~~ *county or city* and not previously refunded during the three years preceding the discovery of the error. A correction and adjustment in payments described in this subsection due to the misallocation of funds by the dealer shall be made within three years of the date of the payment error.

G. The revenues from this tax shall be used solely for capital projects for new construction or major renovation of schools in the ~~qualifying locality~~ *county or city*, including bond and loan financing costs related to such construction or renovation.

§ 58.1-606.1. Additional local use tax in certain localities; use of revenues for construction or renovation of schools.

A. 1. The governing body of a ~~qualifying locality~~ *county or city* may levy a use tax at the rate of such sales tax under § 58.1-605.1 to provide revenue for capital projects for the construction or renovation of schools in such ~~locality~~ *county or city*. Such tax shall be added to the rates of the state and local use tax imposed by this chapter and shall be subject to all the provisions of this chapter, and all amendments thereof, and the rules and regulations published with respect thereto, except that no discount under § 58.1-622 shall be allowed on a local use tax.

2. Any tax imposed pursuant to this section shall expire (i) if the capital projects for the construction or renovation of schools are to be financed by bonds or loans, on the date by which such bonds or loans shall be repaid or (ii) if the capital projects for the construction or renovation of schools are not to be financed by bonds or loans, on a date chosen by the governing body and specified in any resolution passed pursuant to the provisions of subsection B. Such expiration date shall not be more than 20 years after the date of the resolution passed pursuant to the provisions of subsection B.

B. The governing body of the ~~qualifying locality~~ *county or city*, if it elects to impose a local use tax under this section may do so only if it has previously imposed the local sales tax authorized by § 58.1-605.1, by the adoption of an ordinance stating its purpose and referring to this section and providing that the local use tax shall become effective on the first day of a month at least 120 days after its adoption. Such ordinance shall state the date on which the use tax shall expire. A certified copy of such ordinance shall be forwarded to the Tax Commissioner so that it will be received within five days after its adoption.

Amendments to SB 800 (as Introduced)

C. Any local use tax levied under this section shall be administered and collected by the Tax Commissioner in the same manner and subject to the same exemptions and penalties as provided for the state use tax; however, the local use tax levied under this section shall not be levied on food purchased for human consumption or essential personal hygiene products, as such terms are defined in § 58.1-611.1.

D. The local use tax authorized by this section shall not apply to transactions to which the sales tax applies, the situs of which for state and local sales tax purposes is the ~~locality~~ *county or city* of location of each place of business of every dealer paying the tax to the Commonwealth without regard to the ~~locality~~ *county or city* of possible use by the purchasers. However, the local use tax authorized by this section shall apply to tangible personal property purchased outside the Commonwealth for use or consumption within the ~~locality~~ *county or city* imposing the local use tax, or stored within the ~~locality~~ *county or city* for use or consumption, where the property would have been subject to the sales tax if it had been purchased within the Commonwealth. The local use tax shall also apply to leases or rentals of tangible personal property where the place of business of the lessor is outside the Commonwealth and such leases or rentals are subject to the state tax. Moreover, the local use tax shall apply in all cases in which the state use tax applies.

E. Out-of-state dealers who hold certificates of registration to collect the use tax from their customers for remittance to the Commonwealth shall, to the extent reasonably practicable, in filing their monthly use tax returns with the Tax Commissioner, break down their shipments into the Commonwealth by counties and cities so as to show the county or city of destination. If, however, the out-of-state dealer is unable accurately to assign any shipment to a particular county or city, the local use tax on the tangible personal property involved shall be remitted to the Commonwealth by such dealer without attempting to assign the shipment to any county or city.

F. Local use tax revenue shall be deposited in the special fund established pursuant to subsection E of § 58.1-605.1. The Comptroller shall distribute the revenue to the ~~qualifying~~ *locality* *county or city*.

G. All revenue from this local use tax revenue shall be used solely for capital projects for new construction or major renovation of schools in the ~~qualifying~~ *locality* *county or city*, including bond and loan financing costs related to such construction or renovation."

Explanation:

Amendments to SB 800 (as Introduced)

(This amendment authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum.)

Item 4-14 #3s

Effective Date

Language

Language:

Page 730, after line 11, insert:

"22. That the provisions of Chapters 8 and 9 of the Acts of Assembly of 2022, Special Session I, shall become effective upon passage of this act."

Explanation:

(This amendment clarifies the effective date for Chapters 8 and 9 from the 2022 Special Session I, which establishes the School Construction Fund for the deposit of casino tax revenue.)

Item 4-14 #4s

Effective Date

Language

Language:

Page 730, after line 12, insert:

"23. That the second enactment of Chapter 808 of the Acts of Assembly of 2019 is amended and reenacted as follows:

2. That the provisions of this act shall apply to taxable years beginning on and after January 1, 2019, but before January 1, ~~2024~~2028."

Explanation:

(This amendment extends the definition of an eligible student with a disability for an Education Improvement Scholarship Tax Credit that was set to expire beginning on or after January 1, 2024 to beginning on or after January 1, 2028.)

Item 4-14 #5s

Effective Date

Language

Language:

Page 730, after line 11, insert:

"24. That, notwithstanding the twentieth enactment of this act or any other provision of law, the nineteenth enactment of § 4-14 of Chapter 2 of the Acts of Assembly of 2022, Special Session I, and the twentieth enactment of this act are repealed."

Explanation:

(This amendment repeals enactments related to modifying the definition of college lab schools.)

Item 4-14 #6s

Effective Date

Language

Language:

Page 760, line 49, strike "31" and insert "25".

Page 760, line 50, strike "32" and insert "26".

Page 761, line 1, strike "33" and insert "27".

Page 761, strikes lines 3 and 4, and insert "and twenty-fourth enactments of this act shall have no expiration date."

Explanation:

(This is a technical amendment to reflect, which enactments shall have no expiration date.)
