

2020 SESSION

VIRGINIA ACTS OF ASSEMBLY - CHAPTER

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Enrolled

An Act to amend and reenact Chapter 854 of the 2019 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2019, and the thirtieth day of June, 2020; and a BILL to amend and reenact § 58.1-638 of the Code of Virginia and to repeal the fifth enactment of Chapter 17 and the fifth enactment of Chapter 18 of the Acts of Assembly of 2019.

[H 29]

Approved

9 Be it enacted by the General Assembly of Virginia:

10 1. That Items 4, 6, 40, 41, 42, 51, 58, 80, 81, 83, 103, 105, 126, 129, 135, 136, 195, 227, 234, 242, 259, 265, 266, 279, 281, 282, 297,
11 302, 303, 305, 307, 309, 310, 311, 312, 316, 317, 321, 325, 328, 339, 340, 341, 342, 343, 344, 345, 346, 348, 352, 355, 358, 363, 370,
12 371, 372, 373, 377, 385, 390, 439, 448, 449, 450, 451, 452, 453, 454, 455, 474, 475, 481, 482, 488, § 2-0, C-6.20, C-19, C-22.50, C-
13 46, C-47, C-48, C-48.10, C-50, C-53, § 3-1.01, C 3-2.03, § 3-4.01, § 3-5.03, § 3-5.09, § 3-5.14, § 3-5.21, § 4-2.01, § 4-2.02, § 4-5.04,
14 § 4-5.10, § 4-6.01, and § 4-14.00 of Chapter 854 of the 2019 Acts of Assembly, be hereby amended and reenacted and that the cited
15 chapter be further amended by adding Items C-13.05 and C-33.10, and that the cited chapter be further amended by striking therefrom
16 § 4-5.11.

17 2. §1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the
18 purposes stated and for the years indicated:

19 A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close
20 of business on the last day of the previous biennium, on the final records of the State Comptroller; and

21 B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury
22 prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds,
23 including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived
24 from proposed legislation contingent upon General Assembly passage.

25 § 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other
26 funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the
27 general fund of the state treasury.

28 § 3. The appropriations made in this act from the general fund are based upon the following:

	First Year	Second Year	Total
29 Unreserved Balance, June 30,			
30 2018	\$1,229,941,000	\$0	\$1,229,941,000
31		\$1,930,619,607	\$3,160,560,607
32		-\$336,198,952	(\$387,076,554)
33 Additions to Balance	(\$723,275,506)	(\$1,304,398,888)	(\$2,027,674,934)
34		-\$21,556,728,000	\$42,085,395,750
35 Official Revenue Estimates	\$20,528,667,750	\$21,972,000,000	\$42,500,667,750
36		-\$635,773,381	\$1,274,868,418
37 Transfer	\$639,095,037	\$701,725,756	\$1,340,820,793
38			
39 Total General Fund Resources			
40 Available for			
41 Appropriation	\$21,674,428,281	-\$22,528,700,333	\$44,203,128,614
42		\$23,299,946,475	\$44,974,374,756

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

	First Year	Second Year	Total
44 Balance, June 30, 2018	\$6,342,196,144	\$0	\$6,342,196,144
45 Official Revenue Estimates	\$31,403,525,053	\$35,070,229,412	\$66,473,754,465
46		\$36,178,116,162	\$67,581,641,215
47			

1	Lottery Proceeds Fund	\$632,398,647	\$628,830,501	\$1,261,229,148
2			\$613,449,864	\$1,245,848,511
3	Internal Service Fund	\$2,099,646,770	\$2,071,214,416	\$4,170,861,186
4			\$2,070,676,464	\$4,170,323,234
5	Bond Proceeds	\$1,112,897,936	\$1,243,269,436	\$2,356,167,372
6			\$1,319,737,172	\$2,432,635,108
7	Total Nongeneral Fund Revenues			
8	Available for			
9	Appropriation	\$41,590,664,550	\$39,013,543,765	\$80,604,208,315
10			\$40,181,979,662	\$81,772,644,212
11	TOTAL PROJECTED			
12	REVENUES	\$63,265,092,831	\$61,542,244,098	\$124,807,336,929
13			\$63,481,926,137	\$126,747,018,968

14 § 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts
15 respectively establishing them.

16 § 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

17 § 6. When used in this act the term:

18 A. "Current biennium" means the period from the first day of July two thousand eighteen, through the thirtieth day of June two
19 thousand twenty, inclusive.

20 B. "Previous biennium" means the period from the first day of July two thousand sixteen, through the thirtieth day of June two
21 thousand eighteen, inclusive.

22 C. "Next biennium" means the period from the first day of July two thousand twenty, through the thirtieth day of June two thousand
23 twenty-two, inclusive.

24 D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the
25 legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and
26 which is designated in this act by title and a three-digit agency code.

27 E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

28 F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations
29 are shown.

30 G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the
31 appropriations are shown.

32 H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent
33 employment.

34 I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation
35 Act if required to carry out the purpose for which the appropriation is made.

36 J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for
37 information reference only.

38 K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the
39 instructions for preparation of the Executive Budget.

40 § 7. The total appropriations from all sources in this act have been allocated as follows:

41	BIENNIUM 2018-20			
42		General Fund	Nongeneral Fund	Total
43	OPERATING EXPENSES	\$44,190,797,183	\$76,379,925,389	\$120,570,722,572
44		\$44,277,786,511	\$77,018,877,527	\$121,296,664,038
45	LEGISLATIVE	\$195,122,878	\$7,878,620	\$203,001,498
46	DEPARTMENT	\$195,757,878	\$8,092,048	\$203,849,926

1	JUDICIAL DEPARTMENT	\$1,002,962,598	\$67,346,128	\$1,070,308,726
2		\$1,007,462,598		\$1,074,808,726
3	EXECUTIVE DEPARTMENT	\$42,992,244,014	\$74,322,965,586	\$117,315,209,600
4		\$43,074,098,342	\$74,960,655,296	\$118,034,753,638
5	INDEPENDENT AGENCIES	\$467,693	\$1,981,735,055	\$1,982,202,748
6			\$1,982,784,055	\$1,983,251,748
7	STATE GRANTS TO			
8	NONSTATE AGENCIES	\$0	\$0	\$0
9	CAPITAL OUTLAY			
10	EXPENSES	\$4,704,000	\$2,798,237,302	\$2,802,941,302
11		\$4,824,000	\$2,878,705,038	\$2,883,529,038
12	TOTAL	\$44,195,501,183	\$79,178,162,691	\$123,373,663,874
13		\$44,282,610,511	\$79,897,582,565	\$124,180,193,076

14 § 8. This chapter shall be known and may be cited as the "2020 Amendments to the 2019 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)		
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	PART 1: OPERATING EXPENSES				
2	LEGISLATIVE DEPARTMENT				
3	1.	Not set out.			
4	2.	Not set out.			
5	3.	Not set out.			
6	§ 1-1. DIVISION OF CAPITOL POLICE (961)				
7	4.	Administrative and Support Services (39900).....		\$10,831,214	\$10,580,214
8					\$11,215,214
9		Security Services (39923).....	\$10,831,214	\$10,580,214	\$11,215,214
10					
11		Fund Sources: General.....	\$10,831,214	\$10,580,214	\$11,215,214
12					
13		Authority: Title 30, Chapter 3.1, Code of Virginia.			
14		A. Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol			
15		Police, \$120,000 from July 1, 2018 to June 30, 2019 and \$120,000 from July 1, 2019 to June			
16		30, 2020.			
17		Total for Division of Capitol Police.....		\$10,831,214	\$10,580,214
18					\$11,215,214
19		General Fund Positions.....	108.00	109.00	
20		Position Level.....	108.00	109.00	
21		Fund Sources: General.....	\$10,831,214	\$10,580,214	
22					\$11,215,214
23	5.	Not set out.			
24	§ 1-2. DIVISION OF LEGISLATIVE SERVICES (107)				
25	6.	Legislative Research and Analysis (78400).....		\$7,147,757	\$6,884,115
26					\$7,097,543
27		Bill Drafting and Preparation (78401).....	\$7,147,757	\$6,884,115	
28					\$7,097,543
29		Fund Sources: General.....	\$6,864,081	\$6,864,081	
30		Special.....	\$283,676	\$20,034	
31					\$233,462
32		Authority: Title 30, Chapter 2.2, Code of Virginia.			
33		A. Out of this appropriation shall be paid the annual salary of the Director, Division of			
34		Legislative Services, \$157,374 from July 1, 2018 to June 24, 2019 and \$157,374 from June			
35		25, 2019, to June 30, 2020.			
36		B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint			
37		Rules may establish a salary range for the Director, Division of Legislative Services.			
38		C. The Division of Legislative Services shall continue to provide administrative support to			
39		include payroll processing, accounting, and travel expense processing at no charge to the			
40		Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia			
41		Commission on Youth, and the Virginia State Crime Commission.			

ITEM 6.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	D. Out of this appropriation, \$250,000 the first year from the general fund is provided to				
2	support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study				
3	Mental Health Services in the Commonwealth in the 21st Century. The funding may be				
4	used to contract for expertise and assistance in its work to evaluate the community-based				
5	system of service delivery or other related topics as required by the work of the Joint				
6	Subcommittee. Any contractor hired shall evaluate the current system along with				
7	alternative delivery systems to provide the necessary information and assistance to the				
8	subcommittee in determining the most appropriate delivery system, or modifications to the				
9	current delivery system, that ensures access, quality, consistency, and accountability. Any				
10	remaining balance at year-end shall be carried forward to the subsequent fiscal year.				
11	E. Included in this item is \$263,642 in the first year <i>and</i> \$213,428 in the second year from				
12	dedicated special revenue to implement the recommendations of the Chesapeake Bay				
13	Restoration Fund Advisory Committee.				
14	F. Out of the amounts re-appropriated to the Division of Legislative Services from prior				
15	year unexpended balances, an amount estimated at \$250,000 shall be available to cover				
16	expenses incurred for legislative redistricting, which is required after the 2020 Census.				
17	Total for Division of Legislative Services.....			\$7,147,757	\$6,884,115
18					\$7,097,543
19	General Fund Positions.....	56.00	56.00		
20	Position Level.....	56.00	56.00		
21	Fund Sources: General.....	\$6,864,081	\$6,864,081		
22	Special.....	\$283,676	\$20,034		
23			\$233,462		
24	7. Not set out.				
25	8. Not set out.				
26	9. Not set out.				
27	10. Not set out.				
28	11. Not set out.				
29	12. Not set out.				
30	13. Not set out.				
31	14. Not set out.				
32	15. Not set out.				
33	16. Not set out.				
34	17. Not set out.				
35	18. Not set out.				
36	19. Not set out.				
37	20. Not set out.				
38	21. Not set out.				
39	22. Not set out.				

ITEM 23.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	23.	Not set out.		
2	24.	Not set out.		
3	25.	Not set out.		
4	26.	Not set out.		
5	26.10	Not set out.		
6		Grand Total for Division of Legislative Services.....	\$9,048,480	\$8,784,838
7				\$8,998,266
8		General Fund Positions.....	67.50	67.50
9		Position Level.....	67.50	67.50
10		Fund Sources: General.....	\$8,740,709	\$8,740,709
11		Special.....	\$307,771	\$44,129
12				\$257,557
13	27.	Not set out.		
14	28.	Not set out.		
15	29.	Not set out.		
16	30.	Not set out.		
17	31.	Not set out.		
18	32.	Not set out.		
19	33.	Not set out.		
20	34.	Not set out.		
21		TOTAL FOR LEGISLATIVE DEPARTMENT.....	\$101,685,070	\$101,316,428
22				\$102,164,856
23		General Fund Positions.....	597.50	600.50
24		Nongeneral Fund Positions.....	32.50	32.50
25		Position Level.....	630.00	633.00
26		Fund Sources: General.....	\$97,738,939	\$97,383,939
27				\$98,018,939
28		Special.....	\$3,689,533	\$3,675,891
29				\$3,889,319
30		Trust and Agency.....	\$118,945	\$118,945
31		Federal Trust.....	\$137,653	\$137,653

ITEM 35.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	JUDICIAL DEPARTMENT			
2	§ 1-3. SUPREME COURT (111)			
3	35.	Not set out.		
4	36.	Not set out.		
5	37.	Not set out.		
6	38.	Not set out.		
7	39.	Not set out.		
8	Circuit Courts (113)			
9	40.	Pre-Trial, Trial, and Appellate Processes (32100)....		\$113,976,455
10		Trial Processes (32103).....	\$49,546,226	\$52,434,446
11		Other Court Costs And Allowances (Criminal		
12		Fund) (32104).....	\$64,430,229	\$64,590,229
13		Fund Sources: General.....	\$113,971,455	\$117,019,675
14		Special.....	\$5,000	\$5,000
15	Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-			
16	163, Code of Virginia.			
17	A. Out of the amounts in this Item for Trial Processes shall be paid:			
18	1. The annual salaries of Circuit Court judges, each at \$171,120 from July 1, 2018 to June			
19	9, 2019, \$174,542 from June 10, 2019 to June 30, 2020. Such salaries shall represent the			
20	total compensation from all sources for Circuit Court judges.			
21	2. Expenses necessarily incurred for the position of judge of the Circuit Court, including			
22	clerk hire not exceeding \$1,500 a year for each judge.			
23	3. The state's share of expenses incident to the prosecution of a petition for a writ of			
24	habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the			
25	Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit			
26	Court.			
27	4. A circuit court judge shall only be reimbursed for mileage for commuting if the judge			
28	has to travel to a courthouse in a county or city other than the one in which the judge			
29	resides and the distance between the judge's residence and the courthouse is greater than			
30	25 miles.			
31	B. The Chief Circuit Court Judge shall restrict the appointment of special justices to			
32	conduct involuntary mental commitment hearings to those unusual instances when no			
33	General District Court or Juvenile and Domestic Relations District Court Judge can be			
34	made available or when the volume of the hearings would require more than eight hours a			
35	week.			
36	C. There is hereby reappropriated the unexpended balance remaining at the close of			
37	business on June 30, 2018, in the appropriation made in Item 42, Chapter 836, Acts of			
38	Assembly of 2017, in the item detail Other Court Costs and Allowances (Criminal Fund)			
39	and the balance remaining in this item detail on June 30, 2019.			
40	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund)			
41	shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.			
42	E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund)			

ITEM 40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	total \$ 124,909,073 the first year and \$ 124,909,073 \$129,409,073 the second year in this Item			
2	and Items 35, 39, 41, 42 and 43.			
3	2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts			
4	appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated,			
5	consistent with statutory provisions in the Code of Virginia. Funds within these appropriations			
6	are to be used to fund fully the statutory caps on compensation applicable to attorneys			
7	appointed by the court to defend criminal charges. Should this appropriation not be sufficient			
8	to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of			
9	Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the			
10	most serious noncapital felonies and then, should funds still remain in this appropriation, to			
11	the other statutory caps, in declining order of the severity of the charges to which each cap is			
12	applicable.			
13	3. Out of the amount appropriated from the general fund for Other Court Costs and			
14	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed			
15	\$880,000 the first year and not to exceed \$880,000 the second year to the Criminal Injuries			
16	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for			
17	the administration of the physical evidence recovery kit (PERK) program.			
18	4. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of			
19	compensation allowed to counsel appointed by the court to defend a felony charge that may			
20	be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme			
21	Court of Virginia.			
22	F.1. For any hearing conducted pursuant to § 19.2-306, Code of Virginia, the circuit court			
23	shall have presented to it a sentencing revocation report prepared on a form designated by the			
24	Virginia Criminal Sentencing Commission indicating the condition or conditions of the			
25	suspended sentence, good behavior, or probation supervision that the defendant has allegedly			
26	violated.			
27	2. For any hearing conducted pursuant to § 19.2-306 in which the defendant is cited for			
28	violation of a condition or conditions other than a new criminal offense conviction, the court			
29	shall also have presented to it the applicable probation violation guideline worksheets			
30	established pursuant to Chapter 1042 of the Acts of Assembly 2003. The court shall review			
31	and consider the suitability of the discretionary probation violation guidelines. Before			
32	imposing sentence, the court shall state for the record that such review and consideration have			
33	been accomplished and shall make the completed worksheets a part of the record of the case			
34	and open for inspection. In hearings in which the court imposes a sentence that is either			
35	greater or less than that indicated by the discretionary probation violation guidelines, the court			
36	shall file with the record of the case a written explanation of such departure.			
37	3. Following any hearing conducted pursuant to § 19.2-306 and the entry of a final order, the			
38	clerk of the circuit court in which the hearing was held shall cause a copy of such order or			
39	orders, the original sentencing revocation report, any applicable probation violation guideline			
40	worksheets prepared in the case, and a copy of any departure explanation prepared pursuant to			
41	subsection F.2., to be forwarded to the Virginia Criminal Sentencing Commission within 30			
42	days.			
43	4. The failure to follow any or all of the provisions specified in F.1. through F.3 or the failure			
44	to follow any or all of these provisions in the prescribed manner shall not be reviewable on			
45	appeal or the basis of any other post-hearing relief.			
46	G. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of			
47	Virginia, or otherwise, including any new construction, shall be delayed at the request of the			
48	local governing body in which the court is located until June 30, 2020. The provisions of this			
49	item shall not apply to facilities that were subject to litigation on or before November 30,			
50	2008.			
51	H. In order to reduce expenditures through the Criminal Fund for court-appointed counsel,			
52	effective July 1, 2014, compensation paid to attorneys appointed pursuant to Virginia Code §			
53	53.1-40 shall be limited to \$55 per hour, with a maximum per diem compensation of \$200,			
54	plus reasonable expenses, to be paid from the Criminal Fund.			

ITEM 40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	I.I. Notwithstanding the provisions of § 19.2-155, Code of Virginia, in cases where an			
2	Attorney for the Commonwealth must recuse himself from a case or a special prosecutor			
3	must be appointed, the circuit court judge must appoint an Attorney for the			
4	Commonwealth or an Assistant Attorney for the Commonwealth from another			
5	jurisdiction. If the circuit court judge determines that the appointment of such Attorney for			
6	the Commonwealth or such Assistant Attorney for the Commonwealth is not appropriate			
7	or that such an attorney or assistant is unavailable then the judge must request approval			
8	from the Executive Secretary of the Supreme Court for an exception to this requirement.			
9	2. The Executive Secretary of the Supreme Court shall include in the annual report			
10	required in paragraph A. of Item 38 information on the number of exceptions granted			
11	related to special prosecutors and the related expenditures.			
12	J. Notwithstanding any other provisions of Chapter 23 of Title 8.1 of the Code of Virginia,			
13	a reasonable fee not to exceed \$150 may be charged by Commissioners of Accounts for			
14	any foreclosures on a timeshare estate to reimburse them for the reasonable costs			
15	associated therewith.			
16	K. Sufficient funding is provided in the second year appropriation for this item to fill all			
17	circuit court judgeships authorized pursuant to § 17.1-507, Code of Virginia, as of July 1,			
18	2019.			
19	Total for Circuit Courts.....		\$113,976,455	\$117,024,675
20	General Fund Positions.....	165.00	165.00	
21	Position Level.....	165.00	165.00	
22	Fund Sources: General.....	\$113,971,455	\$117,019,675	
23	Special.....	\$5,000	\$5,000	
24	General District Courts (114)			
25	41. Pre-Trial, Trial, and Appellate Processes (32100)....		\$117,958,469	\$120,337,475
26				\$122,587,475
27	Trial Processes (32103).....	\$96,960,139	\$99,339,145	
28	Other Court Costs And Allowances (Criminal			
29	Fund) (32104).....	\$15,069,165	\$15,069,165	
30			\$17,319,165	
31	Involuntary Mental Commitments (32105).....	\$5,929,165	\$5,929,165	
32	Fund Sources: General.....	\$117,958,469	\$120,337,475	
33			\$122,587,475	
34	Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137,			
35	19.2-163 and 37.2-809 et seq., Code of Virginia.			
36	A. Out of the amounts in this Item for Trial Processes shall be paid:			
37	1. The annual salaries of all General District Court judges, \$154,017 from July 1, 2018 to			
38	June 9, 2019, \$ 157,097 from June 10, 2019 to June 30, 2020. Such salary shall be 90			
39	percent of the annual salary fixed by law for judges of the Circuit Courts and shall			
40	represent the total compensation for General District Court Judges and incorporate all			
41	supplements formerly paid by the various localities.			
42	2. The salaries of substitute judges and court personnel.			
43	B. There is hereby reappropriated the unexpended balances remaining at the close of			
44	business on June 30, 2018, in the appropriation made in Item 43, Chapter 836, Acts of			
45	Assembly of 2017 in the item details Other Court Costs and Allowances (Criminal Fund)			
46	and Involuntary Mental Commitments and the balances remaining in these item details on			
47	June 30, 2019.			
48	C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments,			
49	may be transferred between Items 41, 42, 43, and 300, as needed, to cover any deficits			
50	incurred for Involuntary Mental Commitments by the Supreme Court or the Department of			
51	Medical Assistance Services.			

ITEM 41.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall					
2	be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.					
3	E. Out of the amount appropriated from the general fund for Other Court Costs and					
4	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed					
5	\$40,000 the first year and not to exceed \$40,000 the second year to the Criminal Injuries					
6	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for					
7	the administration of the physical evidence recovery kit (PERK) program.					
8	F. A district court judge shall only be reimbursed for mileage for commuting if the judge has					
9	to travel to a courthouse in a county or city other than the one in which the judge resides and					
10	the distance between the judge's residence and the courthouse is greater than 25 miles.					
11	G. Upon the retirement or separation from employment of any chief general district court					
12	clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk					
13	positions in excess of one chief clerk for each general district court shall be reallocated by the					
14	Committee on District Courts to district courts with the highest documented unmet staffing					
15	requirements.					
16	H. Sufficient funding is provided in the second year appropriation for this item to fill all					
17	general district court judgeships authorized pursuant to § 16.1-69.6:1, Code of Virginia, as of					
18	July 1, 2019.					
19	Total for General District Courts.....			\$117,958,469	\$120,337,475	
20					\$122,587,475	
21	General Fund Positions.....	1,056.10	1,056.10			
22	Position Level.....	1,056.10	1,056.10			
23	Fund Sources: General.....	\$117,958,469	\$120,337,475			
24			\$122,587,475			
25	Juvenile and Domestic Relations District Courts (115)					
26	42. Pre-Trial, Trial, and Appellate Processes (32100).....			\$98,711,729	\$102,676,739	
27					\$104,926,739	
28	Trial Processes (32103).....	\$66,639,631	\$70,604,641			
29	Other Court Costs And Allowances (Criminal Fund)					
30	(32104).....	\$31,807,351	\$31,807,351			
31			\$34,057,351			
32	Involuntary Mental Commitments (32105).....	\$264,747	\$264,747			
33	Fund Sources: General.....	\$98,711,729	\$102,676,739			
34			\$104,926,739			
35	Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58,					
36	16.1-226 through 16.1-334, 19.2-163 and 37.2-809 through 37.2-813., Code of Virginia.					
37	A. Out of the amounts in this Item for Trial Processes shall be paid:					
38	1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges,					
39	\$154,017 from July 1, 2018 to June 9, 2019, \$ 157,097 from June 10, 2019 to June 30, 2020.					
40	Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit					
41	Courts and shall represent the total compensation for Juvenile and Domestic Relations District					
42	Court Judges.					
43	2. The salaries of substitute judges and court personnel.					
44	B. There is hereby reappropriated the unexpended balances remaining at the close of business					
45	on June 30, 2018, in the appropriation made in Item 44, Chapter 836, Acts of Assembly of					
46	2017, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary					
47	Mental Commitments and the balances remaining in these item details on June 30, 2019.					
48	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may					
49	be transferred between Items 41, 42, 43, and 300, as needed, to cover any deficits incurred for					
50	Involuntary Mental Commitments by the Supreme Court or the Department of Medical					

ITEM 42.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Assistance Services.				
2	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund)				
3	shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
4	E. Out of the amount appropriated from the general fund for Other Court Costs and				
5	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to				
6	exceed \$870,000 the first year and not to exceed \$870,000 the second year to the Criminal				
7	Injuries Compensation Fund, administered by the Virginia Workers' Compensation				
8	Commission for the administration of the physical evidence recovery kit (PERK) program.				
9	F. Sufficient funding is provided in the second year appropriation for this item to fill all				
10	juvenile and domestic relations court judgeships authorized pursuant to § 16.1-69.6:1,				
11	Code of Virginia, as of July 1, 2019.				
12	Total for Juvenile and Domestic Relations District				
13	Courts.....			\$98,711,729	\$102,676,739
14					\$104,926,739
15	General Fund Positions.....	617.10	617.10		
16	Position Level.....	617.10	617.10		
17	Fund Sources: General.....	\$98,711,729	\$102,676,739		
18			\$104,926,739		
19	43. Not set out.				
20	44. Not set out.				
21	Grand Total for Supreme Court.....			\$447,109,202	\$456,789,726
22					\$461,289,726
23	General Fund Positions.....	2,708.71	2,708.71		
24	Nongeneral Fund Positions.....	8.00	8.00		
25	Position Level.....	2,716.71	2,716.71		
26	Fund Sources: General.....	\$437,825,226	\$447,505,750		
27			\$452,005,750		
28	Special.....	\$308,655	\$308,655		
29	Dedicated Special Revenue.....	\$7,675,321	\$7,675,321		
30	Federal Trust.....	\$1,300,000	\$1,300,000		
31	45. Not set out.				
32	46. Not set out.				
33	47. Not set out.				
34	48. Not set out.				
35	49. Not set out.				
36	50. Not set out.				
37	TOTAL FOR JUDICIAL DEPARTMENT.....			\$529,358,799	\$540,949,927
38					\$545,449,927
39	General Fund Positions.....	3,267.71	3,287.71		
40	Nongeneral Fund Positions.....	106.00	106.00		
41	Position Level.....	3,373.71	3,393.71		
42	Fund Sources: General.....	\$495,685,735	\$507,276,863		
43			\$511,776,863		
44	Special.....	\$9,457,292	\$9,457,292		

ITEM 50.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Dedicated Special Revenue.....	\$22,915,772	\$22,915,772		
2	Federal Trust.....	\$1,300,000	\$1,300,000		

ITEM 51.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	EXECUTIVE DEPARTMENT			
2	EXECUTIVE OFFICES			
3	§ 1-4. OFFICE OF THE GOVERNOR (121)			
4	51. Administrative and Support Services (79900).....		\$4,345,601	\$4,345,601
5				\$4,311,895
6	General Management and Direction (79901).....	\$4,345,601	\$4,345,601	
7				\$4,311,895
8	Fund Sources: General.....	\$4,345,601	\$4,345,601	
9				\$4,311,895
10	Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.			
11	A. Out of this appropriation shall be paid the salary of the Governor, \$175,000 the first			
12	year and \$175,000 the second year.			
13	B. Out of the amounts for General Management and Direction, \$75,000 each year is			
14	included for the Governor's discretionary expenses.			
15	52. Not set out.			
16	53. Not set out.			
17	54. Not set out.			
18	Total for Office of the Governor.....		\$5,626,050	\$5,626,050
19				\$5,592,344
20	General Fund Positions.....	42.67	42.67	
21				38.67
22	Nongeneral Fund Positions.....	1.33	1.33	
23	Position Level.....	44.00	44.00	
24				40.00
25	Fund Sources: General.....	\$5,468,474	\$5,468,474	
26				\$5,434,768
27	Commonwealth Transportation.....	\$157,576	\$157,576	
28	55. Not set out.			
29	§ 1-5. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)			
30	56. Not set out.			
31	57. Not set out.			
32	58. Regulation of Business Practices (55200).....		\$3,486,677	\$3,486,677
33				\$3,736,677
34	Regulatory and Consumer Advocacy (55201).....	\$3,486,677	\$3,486,677	
35				\$3,736,677
36	Fund Sources: General.....	\$2,067,020	\$2,067,020	
37	Special.....	\$1,419,657	\$1,419,657	
38				\$1,669,657
39	Authority: Title 2.2, Chapter 5, Code of Virginia.			
40	Included in this Item is \$750,000 the first year and \$750,000 \$1,000,000 the second year			
41	from special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement			
42	Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly			

ITEM 58.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	1994 and amended herein. The Department of Law is authorized to deposit to the fund any				
2	fees, civil penalties, costs, recoveries, or other moneys which from time to time may become				
3	available as a result of regulatory and consumer advocacy litigation, litigation in which the				
4	Office of the Attorney General participates, or civil enforcement efforts including, but not				
5	limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et				
6	seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also				
7	authorized to deposit to the fund any attorneys' fees which from time to time may be obtained.				
8	Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided,				
9	however, that any amounts contained in the fund that exceed \$750,000 on the final day of the				
10	fiscal year ending June 30, 2019 and \$1,250,000 on the final day of the fiscal year ending				
11	June 30, 2020 shall be deposited to the credit of the general fund. In addition to the uses of the				
12	fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be				
13	used to pay costs associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et				
14	seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia,				
15	costs associated with litigation initiated by the Office of the Attorney General, and costs				
16	associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code				
17	of Virginia.				
18	59. Not set out.				
19	60. Not set out.				
20	Total for Attorney General and Department of Law....			\$53,648,013	\$52,854,456
21					\$53,104,456
22	General Fund Positions.....	236.75	236.75		
23	Nongeneral Fund Positions.....	203.25	203.25		
24	Position Level.....	440.00	440.00		
25	Fund Sources: General.....	\$24,121,382	\$24,121,382		
26	Special.....	\$16,802,756	\$16,802,756		
27			\$17,052,756		
28	Federal Trust.....	\$12,723,875	\$11,930,318		
29	61. Not set out.				
30	Grand Total for Attorney General and Department of			\$56,403,460	\$55,609,903
31	Law.....				\$55,859,903
32					
33	General Fund Positions.....	236.75	236.75		
34	Nongeneral Fund Positions.....	230.25	230.25		
35	Position Level.....	467.00	467.00		
36	Fund Sources: General.....	\$24,121,382	\$24,121,382		
37	Special.....	\$19,558,203	\$19,558,203		
38			\$19,808,203		
39	Federal Trust.....	\$12,723,875	\$11,930,318		
40	62. Not set out.				
41	63. Not set out.				
42	64. Not set out.				
43	TOTAL FOR EXECUTIVE OFFICES.....			\$71,694,622	\$70,901,065
44					\$71,117,359
45	General Fund Positions.....	324.42	324.42		
46			320.42		
47	Nongeneral Fund Positions.....	247.58	247.58		
48	Position Level.....	572.00	572.00		
49			568.00		

ITEM 64.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: General.....	\$36,949,238	\$36,949,238		
2			\$36,915,532		
3	Special.....	\$19,840,593	\$19,840,593		
4			\$20,090,593		
5	Commonwealth Transportation.....	\$2,087,938	\$2,087,938		
6	Dedicated Special Revenue.....	\$92,978	\$92,978		
7	Federal Trust.....	\$12,723,875	\$11,930,318		

ITEM 65.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF ADMINISTRATION			
2	65.	Not set out.		
3	66.	Not set out.		
4	67.	Not set out.		
5	68.	Not set out.		
6	69.	Not set out.		
7	70.	Not set out.		
8	71.	Not set out.		
9	72.	Not set out.		
10	73.	Not set out.		
11	§ 1-6. DEPARTMENT OF GENERAL SERVICES (194)			
12	74.	Not set out.		
13	75.	Not set out.		
14	76.	Not set out.		
15	77.	Not set out.		
16	78.	Not set out.		
17	79.	Not set out.		
18	80.	Administrative and Support Services (79900).....		\$4,735,525
19				\$4,835,525
20		General Management and Direction (79901).....	\$2,740,684	\$2,840,684
21				\$2,874,390
22		Information Technology Services (79902).....	\$1,994,841	\$1,994,841
23		Fund Sources: General.....	\$4,735,525	\$4,835,525
24				\$4,869,231
25	Authority: Title 2.2, Chapter 11 and Chapter 24, Article 1, Code of Virginia.			
26	A. The Department of General Services (DGS) shall conduct a review of current Virginia law			
27	and best practices as it relates to the statute of limitations on state contracts for construction			
28	services and its fiscal implications, consistent with recommendations made by the Joint			
29	Legislative Audit and Review Commission (JLARC) in its June 2016 "Development and			
30	Management of State Contracts" report. DGS shall conduct this review in consultation with			
31	state and local government public bodies, the Office of the Attorney General, and			
32	representatives from the private sector construction community, to include contractors,			
33	insurers, and legal representatives. DGS shall report its findings and recommendations to the			
34	Chairmen of the House Appropriations and Senate Finance Committees, and the Governor by			
35	December 31, 2019. JLARC shall provide oversight of, and assistance as needed to, DGS			
36	pursuant to the review and completion of the report.			
37	B. Out of the amounts in this item, \$33,706 in the second year from the general fund is			
38	provided to support the personnel costs of the Governor's Executive Mansion staff.			

ITEM 80.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Total for Department of General Services.....			\$243,208,475	\$247,629,561
2					\$247,663,267
3	General Fund Positions.....	240.50	243.50		
4			247.50		
5	Nongeneral Fund Positions.....	426.50	430.50		
6	Position Level.....	667.00	674.00		
7			678.00		
8	Fund Sources: General.....	\$21,193,500	\$21,882,941		
9			\$21,916,647		
10	Special.....	\$8,886,310	\$8,977,920		
11	Enterprise.....	\$35,900,025	\$36,785,640		
12	Internal Service.....	\$170,033,262	\$172,787,682		
13	Federal Trust.....	\$7,195,378	\$7,195,378		
14	§ 1-7. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)				
15	81. Personnel Management Services (70400).....			\$103,100,826	\$108,364,532
16					\$108,076,580
17	Agency Human Resource Services (70401).....	\$1,452,709	\$1,677,709		
18			\$1,927,709		
19	Human Resource Service Center (70402).....	\$1,362,447	\$1,286,809		
20	Health Benefits Services (70406).....	\$6,859,837	\$6,868,079		
21	Personnel Development Services (70409).....	\$678,686	\$678,686		
22	Personnel Management Information System				
23	(70410).....	\$1,827,972	\$1,861,248		
24			\$1,323,296		
25	Equal Employment and Dispute Resolution				
26	Services (70413).....	\$1,822,940	\$1,895,766		
27	State Employee Program Services (70417).....	\$2,139,084	\$2,139,084		
28	State Employee Workers' Compensation Services				
29	(70418).....	\$86,414,323	\$91,414,323		
30	Administrative and Support Services (70419).....	\$542,828	\$542,828		
31	Fund Sources: General.....	\$5,207,112	\$5,429,300		
32			\$5,679,300		
33	Special.....	\$1,272,515	\$1,272,515		
34	Enterprise.....	\$2,519,448	\$2,519,448		
35	Internal Service.....	\$7,338,929	\$7,372,205		
36			\$6,834,253		
37	Trust and Agency.....	\$86,762,822	\$91,771,064		
38	Authority: Title 2.2, Chapters 12 and 28, 29, 30, and 32, Code of Virginia.				
39	A. The Department of Human Resource Management shall report any proposed changes in				
40	premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of				
41	the House Appropriations and Senate Finance Committees at least sixty days prior to				
42	implementation.				
43	B.1. The Department of Human Resource Management shall operate a human resource				
44	service center to support the human resource needs of those agencies identified by the				
45	Secretary of Administration in consultation with the Department of Planning and Budget.				
46	The agencies identified shall cooperate with the Department of Human Resource				
47	Management by transferring such records and functions as may be required.				
48	2. Out of this appropriation, \$622,898 the first year and \$622,898 the second year from the				
49	general fund shall be used to support the human resource service center.				
50	3. Nothing in this paragraph shall prohibit additional agencies from using the services of				
51	the center; however, these additional agencies' use of the human resource service center				
52	shall be subject to approval by the affected cabinet secretary and the Secretary of				
53	Administration.				

ITEM 81.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	4. a. Agencies that are partially or fully funded with nongeneral funds that receive approval by				
2	the affected cabinet secretary and the Secretary of Administration to join the human resource				
3	service center, on or after July 1, 2014, shall pay the Department of Human Resource				
4	Management the costs to support the human resource service center. The agency's share of the				
5	costs to support the human resource service center shall be based on the agency's applicable				
6	nongeneral fund expenditures as set out in § 4-5.03 of this act.				
7	b. The rates required to recover the costs of the human resource service center shall be				
8	provided by the Department of Human Resource Management to the Department of Planning				
9	and Budget by September 1 each year for review and approval of the subsequent fiscal year's				
10	rate in accordance with § 4-5.03 of this act.				
11	c. The rates for the human resource service center shall be \$625.00 per full-time equivalent				
12	and \$225.00 per wage employee the first year and \$900.00 per full-time equivalent and				
13	\$325.00 per wage employee the second year.				
14	C. The institutions of higher education shall be exempt from the centralized advertising				
15	requirements identified in Executive Order 73 (01).				
16	D.1. To ensure fair and equitable performance reviews, the Department of Human Resource				
17	Management, within available resources, is directed to provide performance management				
18	training to agencies and institutions of higher education with classified employees.				
19	2. Agency heads in the Executive Department are directed to require appropriate performance				
20	management training for all agency supervisors and managers.				
21	E. The Department of Human Resource Management shall take into account the claims				
22	experience of each agency and institution when setting premiums for the workers'				
23	compensation program.				
24	F.1. The Department of Human Resource Management shall report to the Governor and				
25	Chairmen of the House Appropriations and Senate Finance Committees by October 30 of				
26	each year, on its recommended workers' compensation premiums for state agencies for the				
27	following biennium. This report shall also include the basis for the department's				
28	recommendations; the status and recommendations of the loss control program authorized in				
29	paragraph F. 2; the number and amount of workers' compensation settlements concluded in				
30	the previous fiscal year, inclusive of those authorized in paragraph F. 3.a; and the impact of				
31	those settlements on the workers' compensation program's reserves.				
32	2. Beginning July 1, 2015, the Department of Human Resource Management shall conduct an				
33	annual review of each state agency's loss control history, to include the severity of workers'				
34	compensation claims, experience modification factor, and frequency normalized by payroll.				
35	Based on the annual review, state agencies deemed by the Department of Human Resource				
36	Management as having higher than normal loss history shall be required to participate in a				
37	loss control program. All executive, judicial, legislative, and independent agencies required to				
38	participate in the loss control program shall fully cooperate with the Department of Human				
39	Resource Management's review.				
40	3. a. A working capital advance of up to \$20,000,000 shall be provided to the Department of				
41	Human Resource Management to identify and potentially settle certain workers' compensation				
42	claims open for more than one year but less than 10 years. The Department of Human				
43	Resource Management shall pay back the working capital advance from annual premiums				
44	over a seven-year period.				
45	b. The Secretary of Finance and Secretary of Administration shall approve the drawdowns				
46	from this working capital advance prior to the expenditure of funds. The State Comptroller				
47	shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance				
48	Committees of any approved drawdowns.				
49	G. The Department of Human Resource Management shall report to the Governor and				
50	Chairmen of the House Appropriations and Senate Finance Committees, by October 15 of				
51	each year, on the renewal cost of the state employee health insurance program premiums that				
52	will go into effect on July 1 of the following year. This report shall include the impact of the				
53	renewal cost on employee and employer premiums and a valuation of liabilities as required by				
54	Other Post Employment Benefits reporting standards.				

ITEM 81.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	H. Out of this appropriation, \$606,439 the first year and \$606,439 the second year from			
2	the general fund is provided for the time, attendance and leave system.			
3	I. The Department of Human Resource Management shall develop and distribute			
4	instructions and guidelines to all executive department agencies for the provision of an			
5	annual statement of total compensation for each classified employee. The statement			
6	should account for the full cost to the Commonwealth and the employee of cash			
7	compensation as well as Social Security, Medicare, retirement, deferred compensation,			
8	health insurance, life insurance, and any other benefits. The Director, Department of			
9	Human Resource Management, shall ensure that all executive department agencies			
10	provide this notice to each employee. The Department of Accounts and the Virginia			
11	Retirement System shall provide assistance upon request. Further, the Director of the			
12	Department of Human Resource Management shall provide instructions and guidelines for			
13	the development notices of total compensation to all independent, legislative, and judicial			
14	agencies, and institutions of higher education for preparation of annual statements to their			
15	employees.			
16	J. 1. The appropriation for the Personnel Management Information System (PMIS) is a			
17	sum sufficient and amounts shown are estimates from an internal service fund which shall			
18	be paid solely from revenues derived from charges to participating agencies, identified by			
19	the Department of Human Resource Management and approved by the Department of			
20	Planning and Budget, to support the operation of PMIS and its subsystems authorized in			
21	this Item.			
22	2.a. The rate for agencies to support PMIS and its subsystems, operated and maintained by			
23	the Department of Human Resource Management, shall be \$16.20 per position the first			
24	year and no more than \$17.03 \$10.82 per position the second year. The rate is based upon			
25	the higher of the agency's maximum employment level as of July 1, 2017, and filled wage			
26	positions as of June 30, 2017, or the total number of filled classified and wage positions as			
27	of June 30, 2017.			
28	b. The rates authorized to support the operation of PMIS and its subsystems shall be			
29	provided by the Department of Human Resource Management and approved by the			
30	Department of Planning and Budget by September 1 each year for review and approval of			
31	the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.			
32	3. The State Comptroller shall recover the cost of services provided for the administration			
33	of the internal service fund through interagency transactions as determined by the State			
34	Comptroller.			
35	K. Out of the amounts appropriated for this Item to support the Commission on Employee			
36	Retirement Security and Pension Reform, the Department of Human Resource			
37	Management is authorized to spend an amount estimated at \$75,000 each year on the			
38	development and maintenance of an employee exit survey and an amount estimated at			
39	\$20,000 per year to subscribe to Occupationally Based Data Services focused on total			
40	compensation and evaluation of peer employers.			
41	L. The Department of Human Resource Management shall work with the Virginia			
42	Information Technologies Agency to develop a pilot program, beginning in July of 2019,			
43	utilizing a currently available electronic platform, to track and evaluate the productivity			
44	contract staff when teleworking or working in an office that is not part of the agency for			
45	which they work or for which they have a contract. The Departments shall identify			
46	specific executive branch agencies which have a significant number of such contractors			
47	and work with these agencies to develop the pilot project. The Departments shall report to			
48	the Chairmen of the House Appropriations and Senate Finance Committees on the results			
49	of the pilot program by November 15, 2020.			
50	M.1. The Department of Human Resource Management shall convene a workgroup to			
51	develop a methodology that can be used to determine (i) the amount of funding that should			
52	be appropriated for state employee salary increases each year and (ii) how to distribute			
53	that funding to address state agencies' most significant workforce challenges.			
54	2. The methodology should be data-driven and include (i) recruitment and retention trends			
55	for each job role in the state workforce, (ii) how salaries and total compensation for each			

ITEM 81.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	job role compare to similar jobs at other employers, (iii) the extent to which recruitment and					
2	retention challenges can be addressed by salary increases, and (iv) the impact of recruitment					
3	and retention challenges in each job role on state agency operations.					
4	3. In developing the methodology, the workgroup shall incorporate data from the Personnel					
5	Management Information System, the Department of Human Resource Management's					
6	employee exit survey, and data from Occupationally Based Data Services.					
7	4. The workgroup shall include representatives from the Department of Human Resource					
8	Management, the Department of Planning and Budget, House Appropriations Committee					
9	staff, Senate Finance Committee staff, and human resources staff from multiple state					
10	agencies.					
11	5. The methodology developed by the workgroup shall be used to develop the biennial report					
12	required by House Bill 2055 of the 2019 General Assembly Session. Notwithstanding the					
13	provisions of House Bill 2055, the first biennial report using this methodology shall be due by					
14	December 1, 2019.					
15	N. The Department of Human Resource Management shall work with the Department of					
16	Veterans Services to identify and promote policies to support the hiring and continued					
17	employment of disabled veterans in the state workforce. The Departments shall submit any					
18	recommendations for state workforce policy changes to the Chairmen of the House					
19	Appropriations and Senate Finance Committees by November 15, 2019.					
20	Total for Department of Human Resource					
21	Management.....			\$103,100,826	\$108,364,532	
22					\$108,076,580	
23	General Fund Positions.....	49.96	49.96			
24	Nongeneral Fund Positions.....	66.04	66.04			
25	Position Level.....	116.00	116.00			
26	Fund Sources: General.....	\$5,207,112	\$5,429,300			
27			\$5,679,300			
28	Special.....	\$1,272,515	\$1,272,515			
29	Enterprise.....	\$2,519,448	\$2,519,448			
30	Internal Service.....	\$7,338,929	\$7,372,205			
31			\$6,834,253			
32	Trust and Agency.....	\$86,762,822	\$91,771,064			
33	82. Not set out.					
34	Grand Total for Department of Human Resource					
35	Management.....			\$2,188,546,893	\$2,218,810,599	
36					\$2,218,522,647	
37	General Fund Positions.....	49.96	49.96			
38	Nongeneral Fund Positions.....	66.04	66.04			
39	Position Level.....	116.00	116.00			
40	Fund Sources: General.....	\$5,207,112	\$5,429,300			
41			\$5,679,300			
42	Special.....	\$1,272,515	\$1,272,515			
43	Enterprise.....	\$536,569,692	\$536,569,692			
44	Internal Service.....	\$1,526,534,752	\$1,551,568,028			
45			\$1,551,030,076			
46	Trust and Agency.....	\$118,962,822	\$123,971,064			
47	§ 1-8. DEPARTMENT OF ELECTIONS (132)					
48	83. Electoral Services (72300).....			\$12,116,786	\$16,114,173	
49					\$26,142,576	
50	Electoral Administration, Uniformity, Legality, and					
51	Quality Assurance Services (72302).....	\$1,285,140	\$2,098,443			
52			\$1,951,135			

ITEM 83.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Statewide Voter Registration System and				
2	Associated Information Technology Services	\$8,872,492	\$12,169,925		
3	(72304).....		\$22,345,636		
4	Campaign Finance Disclosure Administration				
5	Services (72309).....	\$181,282	\$181,282		
6	Voter Services and Communications (72311).....	\$703,944	\$483,944		
7	Administrative Services (72312).....	\$1,073,928	\$1,180,579		
8	Fund Sources: General.....	\$12,064,536	\$13,061,923		
9			\$12,914,615		
10	Special.....	\$52,250	\$52,250		
11	Trust and Agency.....	\$0	\$3,000,000		
12			\$13,175,711		
13	Authority: Title 24.2, Chapter 1, Code of Virginia.				
14	A. It is the intention of the General Assembly that all local precincts, other than central				
15	absentee precincts established under § 24.2-712, Code of Virginia, will use electronic				
16	pollbooks for elections held beginning in November, 2010.				
17	B. Any locality using paper pollbooks for elections held beginning in November, 2010,				
18	shall be responsible for entering voting credit as provided in § 24.2-668. Additionally, any				
19	locality using paper pollbooks for elections held after November, 2010 may be required to				
20	reimburse the Department of Elections for state costs associated with providing paper				
21	pollbooks.				
22	C. Municipalities will pay all expenses associated with May elections after June 30, 2009,				
23	including those costs incurred by the Department of Elections.				
24	D. The State Board of Elections shall by regulation provide for an administrative fee up to				
25	\$25 for each non-electronic report filed with the State Board under § 24.2-947.5. The				
26	regulation shall provide for waiver of the fee based upon indigence.				
27	E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to				
28	interest, the administrative collection fee and late penalties authorized in the Virginia Debt				
29	Collection Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.				
30	F. Out of this appropriation, \$212,687 the first year and \$212,687 the second year from the				
31	general fund is provided for voter outreach and education required to inform voters about				
32	the photo identification requirements pursuant to Chapter 725 of the Acts of Assembly of				
33	2013. It is the intent of the General Assembly that registration cards containing the voter's				
34	photograph and signature be provided free to any eligible voter upon request to the general				
35	registrar.				
36	G. Out of this appropriation, \$212,423 the first year and \$212,423 the second year from				
37	the general fund is provided for conducting list maintenance mailings as required by the				
38	National Voter Registration Act.				
39	H. No funds available within this appropriation shall be expended to substantially rebuild				
40	the Virginia Election & Registration Information System (VERIS) until such time as the				
41	Department of Elections, in consultation with the Virginia Information Technologies				
42	Agency (VITA), has (i) solicited feedback from the GR/EB Duties Workgroup; (ii)				
43	developed a product requirements document; and (iii) developed a draft request for				
44	proposals document for a potential replacement to the VERIS system. The Department				
45	shall submit a report to the Chairmen of the House Appropriations and Senate Finance				
46	Committees by December 1, 2019; including the completed product requirements				
47	document and draft request for proposals document; as well as an assessment by the				
48	Department regarding the options of replacing or rebuilding the VERIS system; including				
49	the use of third-party vendors.				
50	I. The Department of Elections, in collaboration with the Compensation Board, shall				
51	conduct a comparison of General Registrars' salaries, in relation to other local				
52	constitutional officers' salaries, between the years 1981 and 2018. Additionally, the				
53	Department shall prepare an analysis detailing the duties and job responsibilities for				
54	general registrars. The Department shall submit this information to the Chairmen of the				

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Senate Finance and House Appropriations Committees by September 1, 2019.			
2	J. Out of this appropriation, \$147,308 the second year from the general fund is provided to			
3	fund expenses incurred by the Department associated with the 2020 presidential primary.			
4	K. It is the intent of the General Assembly that the Department of Elections release a Request			
5	for Information in fiscal year 2020 related to the replacement of the Virginia Election and			
6	Registration Information System (VERIS). The Department shall provide an update to the			
7	Chairs of the House Appropriations Committee and the Senate Finance and Appropriations			
8	Committee on the options and potential costs for replacing VERIS on or before October 1,			
9	2020.			
10	L.1. It is the intent of the General Assembly that federal awards from the Help America Vote			
11	Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and			
12	Registration Information System (VERIS) by July 1, 2022. Out of the amounts included in this			
13	item, \$10,175,711 in the second year from nongeneral fund HAVA grants is provided to the			
14	Department of Elections.			
15	2. The State Comptroller shall not release the nongeneral funds appropriated in this			
16	paragraph until the Department of Elections has submitted a plan outlining the use of funds to			
17	the Elections Assistance Commission (EAC), on or before May 1, 2020. The Department shall			
18	also submit this plan to the Director of the Department of Planning and Budget, and the			
19	Chairs of the House Appropriations Committee and the Senate Finance and Appropriations			
20	Committee on or before May 1, 2020.			
21	3. The Department of Elections, may consider utilizing HAVA funding to assist localities in			
22	complying with election security standards established by Chapter 426 of the Acts of			
23	Assembly of 2019, if the cost estimates from the Request for Information (RFI) for the			
24	replacement of the Virginia Election Registration Information System (VERIS) are less than			
25	the total amounts appropriated in this item.			
26	84.	Not set out.		
27		Total for Department of Elections.....		\$18,074,622
28				\$22,072,009
29		General Fund Positions.....	43.00	49.00
30		Position Level.....	43.00	49.00
31		Fund Sources: General.....	\$18,022,372	\$19,019,759
32				\$18,872,451
33		Special.....	\$52,250	\$52,250
34		Trust and Agency.....	\$0	\$3,000,000
35				\$13,175,711
36	84.10	Not set out.		
37	84.20	Not set out.		
38	84.30	Not set out.		
39	84.40	Not set out.		
40	84.50	Not set out.		
41	84.60	Not set out.		
42	84.70	Not set out.		
43		TOTAL FOR OFFICE OF ADMINISTRATION.....		\$3,571,663,488
44				\$3,553,556,906
				\$3,563,331,063

ITEM 84.70.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	General Fund Positions.....	368.46	377.46		
2			381.46		
3	Nongeneral Fund Positions.....	731.54	737.94		
4	Position Level.....	1,100.00	1,115.40		
5			1,119.40		
6	Fund Sources: General.....	\$736,141,756	\$739,964,258		
7			\$740,100,656		
8	Special.....	\$20,756,576	\$20,487,686		
9	Enterprise.....	\$572,469,717	\$573,355,332		
10	Internal Service.....	\$2,072,535,537	\$2,043,345,975		
11			\$2,042,808,023		
12	Trust and Agency.....	\$126,963,534	\$134,971,776		
13			\$145,147,487		
14	Dedicated Special Revenue.....	\$35,346,638	\$34,236,501		
15	Federal Trust.....	\$7,449,730	\$7,195,378		

ITEM 85.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF AGRICULTURE AND FORESTRY			
2	85.	Not set out.		
3	86.	Not set out.		
4	87.	Not set out.		
5	88.	Not set out.		
6	89.	Not set out.		
7	90.	Not set out.		
8	91.	Not set out.		
9	92.	Not set out.		
10	93.	Not set out.		
11	94.	Not set out.		
12	95.	Not set out.		
13	96.	Not set out.		
14	97.	Not set out.		
15	98.	Not set out.		
16	99.	Not set out.		
17	100.	Not set out.		
18	101.	Not set out.		
19	TOTAL FOR OFFICE OF AGRICULTURE AND			
20	FORESTRY.....		\$111,373,547	\$111,502,547
21	General Fund Positions.....	498.59	498.59	
22	Nongeneral Fund Positions.....	337.41	337.41	
23	Position Level.....	836.00	836.00	
24	Fund Sources: General.....	\$56,854,686	\$56,968,686	
25	Special.....	\$19,959,447	\$19,959,447	
26	Trust and Agency.....	\$7,170,138	\$7,170,138	
27	Dedicated Special Revenue.....	\$10,810,980	\$10,810,980	
28	Federal Trust.....	\$16,578,296	\$16,593,296	

ITEM 102.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF COMMERCE AND TRADE			
2	§ 1-9. SECRETARY OF COMMERCE AND TRADE (192)			
3	102.	Not set out.		
4	Economic Development Incentive Payments (312)			
5	103.	Economic Development Services (53400).....		\$47,964,808
6				\$93,823,498
7		Financial Assistance for Economic Development		
8		(53410).....	\$47,964,808	\$93,823,498
9				\$94,823,498
10		Fund Sources: General.....	\$41,684,808	\$87,912,498
11		Special.....	\$6,130,000	\$5,761,000
12		Dedicated Special Revenue.....	\$150,000	\$150,000
13				\$1,150,000
14	Authority: Discretionary Inclusion.			
15	A.1. Out of the appropriation for this Item, \$19,750,000 the first year and \$19,750,000 the			
16	second year from the general fund shall be deposited to the Commonwealth's			
17	Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds			
18	shall be used at the discretion of the Governor, subject to prior consultation with the			
19	Chairmen of the House Appropriations and Senate Finance Committees, to attract			
20	economic development prospects to locate or expand in Virginia. If the Governor,			
21	pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is			
22	of regional or statewide interest and elects to waive the requirement for a local matching			
23	contribution, such action shall be included in the report on expenditures from the			
24	Commonwealth's Development Opportunity Fund required by § 2.2-115, F., Code of			
25	Virginia. Such report shall include an explanation on the jobs anticipated to be created, the			
26	capital investment made for the project, and why the waiver was provided.			
27	2. The Governor may allocate these funds as grants or loans to political subdivisions.			
28	Loans shall be approved by the Governor and made in accordance with procedures			
29	established by the Virginia Economic Development Partnership and approved by the State			
30	Comptroller. Loans shall be interest-free unless otherwise determined by the Governor			
31	and shall be repaid to the general fund of the state treasury. The Governor may establish			
32	the interest rate to be charged, otherwise, any interest charged shall be at market rates as			
33	determined by the State Treasurer and shall be indicative of the duration of the loan. The			
34	Virginia Economic Development Partnership shall be responsible for monitoring			
35	repayment of such loans and reporting the receivables to the State Comptroller as			
36	required.			
37	3. Funds may be used for public and private utility extension or capacity development on			
38	and off site; road, rail, or other transportation access costs beyond the funding capability			
39	of existing programs; site acquisition; grading, drainage, paving, and other activity			
40	required to prepare a site for construction; construction or build-out of publicly-owned			
41	buildings; grants or loans to an industrial development authority, housing and			
42	redevelopment authority, or other political subdivision pursuant to their duties or powers;			
43	training; or anything else permitted by law.			
44	4. Consideration should be given to economic development projects that 1) are in areas of			
45	high unemployment; 2) link commercial development along existing transportation/transit			
46	corridors within regions; and 3) are located near existing public infrastructure.			
47	5. It is the intent of the General Assembly that the Virginia Economic Development			
48	Partnership shall work with localities awarded grants from the Commonwealth's			
49	Development Opportunity Fund to recover such moneys when the economic development			
50	projects fail to meet minimal agreed-upon capital investment and job creation targets. All			
51	such recoveries shall be deposited and credited to the Commonwealth's Development			

ITEM 103.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Opportunity Fund.				
2	6. Up to \$5,000,000 of previously awarded funds and funds repaid by political subdivisions or				
3	business beneficiaries and deposited to the Commonwealth's Development Opportunity Fund				
4	may be used to assist Prince George County with site improvements related to the location of				
5	a major aerospace engine manufacturer to the Commonwealth.				
6	7. Up to \$2,675,000 of previously awarded funds and funds repaid by political subdivisions or				
7	business beneficiaries and deposited to the Commonwealth's Development Opportunity Fund				
8	may be reallocated to the Virginia Jobs Investment Program Fund and made available for				
9	eligible businesses under the Virginia Jobs Investment Program subject to the conditions set				
10	forth in § 2.2-2240.3, Code of Virginia.				
11	B.1. Out of the appropriation for this Item, \$4,609,210 the first year and \$5,236,900 the				
12	second year from the general fund shall be deposited to the Investment Performance Grant				
13	subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment				
14	performance grants in accordance with § 2.2-5101, Code of Virginia.				
15	2. Consideration should be given to economic development projects that 1) are in areas of				
16	high unemployment; 2) link commercial development along existing transportation/transit				
17	corridors within regions; and 3) are located near existing public infrastructure.				
18	D. Out of the appropriation for this Item, \$3,000,000 the first year and \$3,000,000 the second				
19	year from the general fund and an amount estimated at \$150,000 the first year and \$150,000				
20	the second year from nongeneral funds shall be deposited to the Governor's Motion Picture				
21	Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund				
22	revenues shall be deposited to the fund from revenues generated by the digital media fee				
23	established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the				
24	discretion of the Governor to attract film industry production activity to the Commonwealth.				
25	E. Out of the appropriation for this Item, \$5,500,000 the first year and \$5,500,000 the second				
26	year from the Aerospace Manufacturing Performance Grant Fund and \$630,000 the first year				
27	and \$261,000 the second year from the Aerospace Manufacturer Workforce Training Grant				
28	Fund is hereby appropriated. These funds shall be used for grants in accordance with §§ 59.1-				
29	284.20 and 59.1-284.22, Code of Virginia. The Director, Department of Planning and Budget				
30	shall transfer these funds to the impacted state agencies upon request to the Director,				
31	Department of Planning and Budget by the respective state agency.				
32	F.1. Out of the appropriation for this Item, \$4,400,000 the first year and \$3,000,000 the				
33	second year from the general fund shall be deposited to the Virginia Economic Development				
34	Incentive Grant subfund of the Virginia Investment Partnership Grant Fund, and \$1,000,000				
35	the second year from the Virginia Economic Development Incentive Grant Fund is hereby				
36	appropriated. The appropriation is to be used to pay investment performance grants in				
37	accordance with § 2.2-5102.1, Code of Virginia.				
38	2. Consideration should be given to economic development projects that 1) are in areas of				
39	high unemployment; 2) link commercial development along existing transportation/transit				
40	corridors within regions; and 3) are located near existing public infrastructure.				
41	3. Notwithstanding § 2.2-5102.1.E. or any other provision of law, and subject to appropriation				
42	by the General Assembly, up to \$8,000,000 in economic development incentive grants is				
43	authorized for eligible projects to be awarded on or after July 1, 2017, but before June 30,				
44	2019. Any eligible project awarded such grants shall be subject to the conditions set forth in §				
45	2.2-5102.1. Any additional grant awards not authorized by this act, including any awards after				
46	June 30, 2019, shall require separate legislation.				
47	G.1. Out of the appropriation for this Item, \$3,750,000 the first year and \$3,750,000 the				
48	second year from the general fund shall be provided for the Virginia Biosciences Health				
49	Research Corporation (VBHRC), a non-stock corporation research consortium initially				
50	comprised of the University of Virginia, Virginia Commonwealth University, Virginia				
51	Polytechnic Institute and State University, George Mason University and the Eastern Virginia				
52	Medical School. The consortium will contract with private entities, foundations and other				
53	governmental sources to capture and perform research in the biosciences, as well as promote				
54	the development of bioscience infrastructure tools which can be used to facilitate additional				

ITEM 103.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	research activities. The Director, Department of Planning and Budget, is authorized to			
2	provide these funds to the non-stock corporation research consortium referenced in this			
3	paragraph upon request filed with the Director, Department of Planning and Budget by			
4	VBHRC.			
5	2. Of the amounts provided in G.1. for the research consortium, up to \$3,750,000 the first			
6	year and \$3,750,000 the second year may be used to develop or maintain investments in			
7	research infrastructure tools to facilitate bioscience research.			
8	3. The remaining funding shall be used to capture and perform research in the biosciences			
9	and must be matched at least dollar-for-dollar by funding provided by such private			
10	entities, foundations and other governmental sources. No research will be funded by the			
11	consortium unless at least two of the participating institutions, including the five founding			
12	institutions and any other institutions choosing to join, are actively and significantly			
13	involved in collaborating on the research. No research will be funded by the consortium			
14	unless the research topic has been vetted by a scientific advisory board and holds potential			
15	for high impact near-term success in generating other sponsored research, creating spin-			
16	off companies or otherwise creating new jobs. The consortium will set guidelines to			
17	disburse research funds based on advisory board findings. The consortium will have near-			
18	term sustainability as a goal, along with corporate-sponsored research gains, new Virginia			
19	company start-ups, and job creation milestones.			
20	4. Other publicly-supported institutions of higher education in the Commonwealth may			
21	choose to join the consortium as participating institutions. Participation in the consortium			
22	by the five founding institutions and by other participating institutions choosing to join			
23	will require a cash contribution from each institution in each year of participation of at			
24	least \$50,000.			
25	5. Of these funds, up to \$500,000 the first year and \$500,000 the second year may be used			
26	to pay the administrative, promotional and legal costs of establishing and administering			
27	the consortium, including the creation of intellectual property protocols, and the			
28	publication of research results.			
29	6. The Virginia Economic Development Partnership, in consultation with the publicly-			
30	supported institutions of higher education in the Commonwealth participating in the			
31	consortium, shall provide to the Governor, and the Chairmen of the Senate Finance and			
32	House Appropriations committees, by November 1 of each year a written report			
33	summarizing the activities of the consortium, including, but not limited to, a summary of			
34	how any funds disbursed to the consortium during the previous fiscal year were spent, and			
35	the consortium's progress during the fiscal year in expanding upon existing research			
36	opportunities and stimulating new research opportunities in the Commonwealth.			
37	7. The accounts and records of the consortium shall be made available for review and			
38	audit by the Auditor of Public Accounts upon request.			
39	8. Up to \$2,500,000 of the funds managed by the Commonwealth Health Research Board			
40	(CHRB), created pursuant to § 32.1-162.23, Code of Virginia, shall be directed toward			
41	collaborative research projects, approved by the boards of the VBHRC and CHRB, to			
42	support Virginia's core bioscience strengths, improve human health, and demonstrate			
43	commercial viability and a high likelihood of creating new companies and jobs in			
44	Virginia.			
45	H. Out of the appropriation for this Item, \$5,669,833 the first year and \$2,669,833 the			
46	second year from the general fund shall be available for eligible businesses under the			
47	Virginia Jobs Investment Program. Pursuant to § 2.2-1611, Code of Virginia, the			
48	appropriation provided for the Virginia Jobs Investment Program for eligible businesses			
49	shall be deposited to the Virginia Jobs Investment Program Fund.			
50	I. Out of the appropriation for this Item, \$500,000 the first year and \$500,000 the second			
51	year from the general fund may be provided to the Virginia Economic Development			
52	Partnership to facilitate additional domestic and international marketing and trade			
53	missions approved by the Governor. The Director, Department of Planning and Budget, is			
54	authorized to provide these funds to the Virginia Economic Development Partnership			
55	upon written approval of the Governor.			

ITEM 103.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	J. Out of the amounts in this item, \$50,000,000 the second year from the general fund shall be				
2	deposited to the Semiconductor Manufacturing Grant Fund for the award of grants to a				
3	qualified semiconductor manufacturing company in a qualified locality in accordance with				
4	legislation enacted by the 2019 General Assembly and subject to performance metrics agreed				
5	to in a memorandum of understanding with the Commonwealth.				
6	Total for Economic Development Incentive				
7	Payments.....			\$47,964,808	\$93,823,498
8					\$94,823,498
9	Fund Sources: General.....	\$41,684,808	\$87,912,498		
10	Special.....	\$6,130,000	\$5,761,000		
11	Dedicated Special Revenue.....	\$150,000	\$150,000		
12			<i>\$1,150,000</i>		
13	Grand Total for Secretary of Commerce and Trade.....			\$48,900,993	\$94,899,683
14					\$95,899,683
15	General Fund Positions.....	9.00	9.00		
16	Position Level.....	9.00	9.00		
17	Fund Sources: General.....	\$42,620,993	\$88,988,683		
18	Special.....	\$6,130,000	\$5,761,000		
19	Dedicated Special Revenue.....	\$150,000	\$150,000		
20			<i>\$1,150,000</i>		
21	104. Not set out.				
22	§ 1-10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)				
23	105. Housing Assistance Services (45800).....			\$71,902,939	\$69,673,655
24					\$76,673,655
25	Housing Assistance (45801).....	\$40,321,044	\$36,321,044		
26			<i>\$43,321,044</i>		
27	Homeless Assistance (45804).....	\$13,037,143	\$13,141,193		
28	Financial Assistance for Housing Services (45805)....	\$18,544,752	\$20,211,418		
29	Fund Sources: General.....	\$24,880,355	\$22,651,071		
30			<i>\$29,651,071</i>		
31	Special.....	\$344,537	\$344,537		
32	Dedicated Special Revenue.....	\$100,000	\$100,000		
33	Federal Trust.....	\$46,578,047	\$46,578,047		
34	Authority: Title 36, Chapters 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code				
35	of Virginia.				
36	A. Out of the amounts in this Item, \$3,482,705 from the general fund, \$100,000 from				
37	dedicated special revenue, and \$3,427,000 from federal trust funds the first year and				
38	\$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000				
39	from federal trust funds the second year shall be provided to support services for persons at				
40	risk of or experiencing homelessness and housing for populations with special needs, and				
41	\$4,050,000 the first year and \$4,050,000 the second year from the general fund shall be				
42	provided for homeless prevention. Of the general fund amount provided, the department is				
43	authorized to use up to two percent in each year for program administration. The amounts				
44	allocated for services for persons at risk of or experiencing homelessness shall be matched				
45	through local or private sources. Any balances for the purposes specified in this paragraph				
46	which are unexpended on June 30, 2019, and June 30, 2020, shall not revert to the general				
47	fund but shall be carried forward and reappropriated.				
48	B. The department shall report to the Chairmen of the Senate Finance, the House				
49	Appropriations Committees, and the Director, Department of Planning and Budget, by				
50	November 4 of each year on the state's homeless programs, including, but not limited to, the				
51	number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room				
52	occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention				
53	programs, and (vi) the number of homeless individuals supported by the permanent housing				

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	state funding on a locality and statewide basis and the accomplishments achieved by the			
2	additional state funding provided to the program in the first year. The report shall also			
3	include the number of Virginians served by these programs, the costs of the programs, and			
4	the financial and in-kind support provided by localities and nonprofit groups in these			
5	programs. In preparing the report, the department shall consult with localities and			
6	community-based groups.			
7	C. Out of the amounts in this Item, \$1,100,000 the first year and \$1,100,000 the second			
8	year from the general fund shall be provided for rapid re-housing efforts. In keeping with			
9	the specific goals of the Balance of State Continuum of Care, \$200,000 of this amount in			
10	each year shall be focused on ensuring that no veteran is homeless or in a shelter for more			
11	than 30 days. These funds shall be used to supplement other state and federal programs,			
12	shall be directed to areas throughout the state where federal funds are not available, and			
13	shall be used to serve those veterans ineligible for federal benefits.			
14	D. The department shall continue to collaborate with the Department of Veteran Services			
15	to ensure coordinated efforts towards reducing homelessness among veterans.			
16	E.1. Out of the amounts in this Item, \$11,000,000 the first year and			
17	\$7,000,000 \$14,000,000 the second year from the general fund shall be deposited to the			
18	Virginia Housing Trust Fund, established pursuant to § 36-142 et seq., Code of Virginia.			
19	Notwithstanding § 36-142, Code of Virginia, when awarding grants through eligible			
20	organizations for targeted efforts to reduce homelessness, priority consideration shall be			
21	given to efforts to reduce the number of homeless youth and families.			
22	2. As part of the plan required by § 36-142 E., Code of Virginia, the department shall also			
23	report on the impact of the loans and grants awarded through the fund, including but not			
24	limited to: (i) the number of affordable rental housing units repaired or newly constructed,			
25	(ii) the number of individuals receiving down payments and/or closing assistance, and (iii)			
26	the progress and accomplishments in reducing homelessness achieved by the additional			
27	support provided through the fund.			
28	F. Out of the amounts in this Item, \$15,800,000 the first year and \$15,800,000 the second			
29	year from federal trust funds shall be provided to support Virginia affordable housing			
30	programs and the Indoor Plumbing Program.			
31	G. Out of the amounts in this Item, \$50,000 the first year and \$50,000 the second year			
32	from the general fund and one position shall be provided to support the administrative			
33	costs associated with administering the tax credits authorized pursuant to § 58.1-435,			
34	Code of Virginia.			
35	H. The department shall develop and implement strategies, that may include potential			
36	Medicaid financing, for housing individuals with serious mental illness. The department			
37	shall include other agencies in the development of such strategies including the Virginia			
38	Housing Development Authority, Department of Behavioral Health and Developmental			
39	Services, Department of Aging and Rehabilitative Services, Department of Medical			
40	Assistance Services, and Department of Social Services. The department shall also include			
41	stakeholders whose constituents have an interest in expanding supportive housing for			
42	people with serious mental illness, including the National Alliance on Mental Illness			
43	Virginia, the Virginia Housing Alliance and the Virginia Sheriff's Association. An annual			
44	report on such strategies and the progress on implementation shall be provided to the			
45	Chairmen of the House Appropriations and Senate Finance Committees by the first day of			
46	each General Assembly Regular Session.			
47	I. The Department of Housing and Community Development shall work with the Virginia			
48	Housing Commission to identify the impact of legislation that passed the 2019 session of			
49	the General Assembly that is designed to mitigate eviction rates and recommend if any			
50	further action is necessary to complement these efforts. The Department shall consider			
51	current federal, state and local resources, including but not limited to the following: (a)			
52	current counseling and social services provided by state agencies and authorities; (b) the			
53	potential needs of the cities of Richmond, Newport News, Hampton, Norfolk, and			
54	Chesapeake, as well as eviction prevention and diversion programs established in the			
55	cities of Arlington and Richmond; (c) data collected pursuant to Senate Bill 1450; and, (d)			
56	eviction prevention and diversion programs in other states. The Department shall analyze			

ITEM 105.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	and recommend how to better coordinate current public and private resources and programs to				
2	reduce eviction rates in Virginia, as well as how current prevention efforts can coordinate				
3	with existing and newly created eviction diversion laws and programs.				
4	106. Not set out.				
5	107. Not set out.				
6	108. Not set out.				
7	109. Not set out.				
8	110. Not set out.				
9	Total for Department of Housing and Community				
10	Development.....			\$161,990,156	\$182,110,872
11					\$189,110,872
12	General Fund Positions.....	60.25	61.25		
13			63.25		
14	Nongeneral Fund Positions.....	51.75	51.75		
15	Position Level.....	112.00	113.00		
16			115.00		
17	Fund Sources: General.....	\$88,905,720	\$109,026,436		
18			\$116,026,436		
19	Special.....	\$3,144,570	\$3,144,570		
20	Trust and Agency.....	\$150,000	\$150,000		
21	Dedicated Special Revenue.....	\$400,000	\$400,000		
22	Federal Trust.....	\$69,389,866	\$69,389,866		
23	111. Not set out.				
24	112. Not set out.				
25	113. Not set out.				
26	114. Not set out.				
27	115. Not set out.				
28	116. Not set out.				
29	117. Not set out.				
30	118. Not set out.				
31	119. Not set out.				
32	120. Not set out.				
33	121. Not set out.				
34	122. Not set out.				
35	123. Not set out.				
36	124. Not set out.				

ITEM 125.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	125.	Not set out.				
2		§ 1-11. VIRGINIA TOURISM AUTHORITY (320)				
3	126.	Tourist Promotion (53600).....		\$21,035,424	\$21,235,424	
4					\$21,335,424	
5		Tourist Promotion Services (53607).....		\$21,035,424	\$21,235,424	
6					\$21,335,424	
7		Fund Sources: General.....		\$21,035,424	\$21,235,424	
8					\$21,335,424	
9		Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.				
10		A.1. The Department of Transportation shall pay to the Virginia Tourism Authority				
11		\$1,200,000 each year for continued operation of the Welcome Centers. The Department of				
12		Transportation shall fund maintenance at each facility based on the agreed-upon service				
13		levels contained in the Memorandum of Agreement between the Virginia Tourism				
14		Authority and the Department of Transportation. Included in the amounts in this paragraph				
15		is \$100,000 each year for maintenance of the Danville Welcome Center.				
16		2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia				
17		Tourism Authority is authorized to collect fees paid by businesses for display space at the				
18		Welcome Centers.				
19		B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer				
20		funds appropriated to it by this act to a nonstock corporation.				
21		C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the				
22		Chairmen of the House Appropriations and Senate Finance Committees and the Director,				
23		Department of Planning and Budget a report of its operating plan. Prior to September 1 of				
24		each fiscal year, the authority shall provide to the Chairmen of the House Appropriations				
25		and Senate Finance Committees and the Director, Department of Planning and Budget a				
26		detailed expenditure report and a listing of the salaries and bonuses for all authority				
27		employees for the prior fiscal year. All three reports shall be prepared in the formats as				
28		previously approved by the Department of Planning and Budget.				
29		D. The State Comptroller shall disburse the first and second year appropriations in twelve				
30		equal monthly installments. The Director, Department of Planning and Budget may				
31		authorize an increase in disbursements for any month, not to exceed the total appropriation				
32		for the fiscal year, if such an advance is necessary to meet payment obligations.				
33		E.1. Out of the amounts in this Item, \$2,475,000 the first year and \$2,875,000 the second				
34		year from the general fund is provided for grants to regional and local tourism authorities				
35		and other tourism entities to support their efforts. From the grants provided from the				
36		amounts included in this paragraph, priority consideration shall be given to funding for the				
37		Daniel Boone Visitor Center, as well as \$100,000 the first year and \$200,000 the second				
38		year to the Coalfield Regional Tourism Authority, and \$50,000 the first year and \$50,000				
39		the second year for events sponsored by Special Olympics Virginia, \$550,000 the first				
40		year and \$850,000 the second year to the Southwest Virginia Regional Recreation				
41		Authority for the Spearhead Trails initiative, and \$125,000 the first year and \$125,000 the				
42		second year to the City of Virginia Beach for a regional tourism entity.				
43		2. Out of the amounts in this paragraph provided for the Southwest Virginia Regional				
44		Recreation Authority, up to \$25,000 the second year from the general fund, shall be				
45		provided to establish a peer-support program for Virginia veterans in partnership with the				
46		Spearhead Trails initiative. The Virginia Department of Behavioral Health and				
47		Developmental Services and the Virginia Department of Veterans Services shall provide				
48		assistance in establishing such program upon the request of the board of the Southwest				
49		Regional Recreation Authority.				
50		F. The Virginia Tourism Authority shall place a high priority on marketing rural areas of				
51		the state.				
52		G. Out of the amounts in this Item, \$3,100,000 in the first year and \$3,100,000 in the				

ITEM 126.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	second year from the general fund is provided to supplement appropriations to promote			
2	Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at			
3	least \$1,000,000 the first year and \$1,000,000 the second year shall be used to support a			
4	cooperative advertising program to partner with private sector tourism businesses and regional			
5	tourism entities to advertise Virginia as a tourism destination. The state dollars shall be used			
6	to incentivize private and regional tourism marketing funds on a \$1.00 for \$1.00 basis			
7	whereby the Virginia Tourism Corporation shall enter into agreements to undertake joint			
8	advertising purchases to promote Virginia and specific facilities with private sector and			
9	regional partners.			
10	H. Out of the amounts in this Item, \$330,012 the first year and \$330,012 the second year from			
11	the general fund is provided to promote and advertise tourism in Virginia. These amounts			
12	include \$130,012 in the first year and \$130,012 in the second year for "See Virginia First," a			
13	partnership operated by the Virginia Association of Broadcasters to advertise Virginia			
14	Tourism, provided the Association contributes a total of at least \$390,036 in television and			
15	radio advertising value to promote tourism in Virginia in the first year and \$390,036 in the			
16	second year. Also included in these amounts is \$100,000 the first year and \$100,000 the			
17	second year to promote Virginia Parks, and \$100,000 the first year and \$100,000 the second			
18	year to promote Virginia's wineries.			
19	I. Out of the amounts in this Item, \$497,544 the first year and \$497,544 the second year from			
20	the general fund is provided to purchase media in the Washington, D.C., Virginia, and			
21	Baltimore, Maryland markets through the "See Virginia First," a partnership operated by the			
22	Virginia Association of Broadcasters, in association with its affiliates in other states in the			
23	region, provided that the Association can obtain contributions of at least \$1,492,632 the first			
24	year and \$1,492,632 the second year in television, radio and station-related internet			
25	advertising value to promote tourism in Virginia.			
26	J. Out of the amounts in this Item, \$400,000 the first year and \$450,000 the second year from			
27	the general fund is provided as an incentive to establish nonstop air service between Indira			
28	Gandhi International Airport and Washington Dulles International Airport in accordance with			
29	a signed agreement entered into with the Virginia Tourism Corporation. Such agreement shall			
30	include provisions requiring a minimum of three nonstop round-trip flights per week, a load			
31	factor, and that the incentive payments be repaid or reduced proportionately if such conditions			
32	are not met.			
33	K. Out of the amounts in this Item, \$150,000 the first year and \$150,000 the second year from			
34	the general fund is provided to support a tourism development initiative in the County of			
35	Henrico.			
36	L. Out of the amounts in this item, \$250,000 the first year from the general fund is provided			
37	as the state's contribution towards infrastructure costs in order to host the FEI Nation's Cup of			
38	Eventing at Great Meadow, The Plains.			
39	M. Out of the amounts in this item, \$25,000 the first year and \$25,000 the second year from			
40	the general fund is provided to support the Carver Price Legacy Museum.			
41	N. With such funds as are available, the Virginia Tourism Authority shall collaborate with			
42	"Opening Doors for Virginians with Disabilities" to maintain and update the Opening Doors			
43	for Virginians with Disabilities travel guide and establish a more user-friendly link to this			
44	information on the Virginia Tourism Corporation website home page.			
45	<i>O. Out of the amounts in this item, \$100,000 the second year from the general fund is</i>			
46	<i>provided to the City of Portsmouth to support a marketing and promotional awareness</i>			
47	<i>campaign for the 40th anniversary of the Children's Museum of Virginia.</i>			
48	Total for Virginia Tourism Authority.....		\$21,035,424	\$21,235,424
49				\$21,335,424
50	Fund Sources: General.....	\$21,035,424	\$21,235,424	
51			\$21,335,424	
52	126.10	Not set out.		

ITEM 126.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	TOTAL FOR OFFICE OF COMMERCE AND				
2	TRADE.....			\$931,595,985	\$996,220,261
3					\$1,004,320,261
4	General Fund Positions.....	370.34	371.34		
5			373.34		
6	Nongeneral Fund Positions.....	1,307.66	1,307.66		
7	Position Level.....	1,678.00	1,679.00		
8			1,681.00		
9	Fund Sources: General.....	\$231,498,812	\$302,298,973		
10			\$309,398,973		
11	Special.....	\$27,524,327	\$26,920,327		
12	Commonwealth Transportation.....	\$1,592,572	\$1,592,572		
13	Trust and Agency.....	\$554,835,319	\$549,635,319		
14	Dedicated Special Revenue.....	\$25,848,945	\$25,477,060		
15			\$26,477,060		
16	Federal Trust.....	\$90,296,010	\$90,296,010		

ITEM 127.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	OFFICE OF EDUCATION					
2	127.	Not set out.				
3	§ 1-12. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)					
4	128.	Not set out.				
5	129.	Special Education and Student Services (18200).....			\$16,492,613	\$16,985,368
6		Special Education Instructional Services (18201).....	\$9,907,986	\$9,907,986		
7		Special Education Administration and Assistance				
8		Services (18202).....	\$1,043,459	\$1,043,459		
9		Special Education Compliance and Monitoring				
10		Services (18203).....	\$3,058,297	\$3,551,052		
11		Student Assistance and Guidance Services (18204)....	\$2,482,871	\$2,482,871		
12		Fund Sources: General.....	\$1,903,579	\$2,396,334		
13		Special.....	\$120,000	\$120,000		
14		Federal Trust.....	\$14,469,034	\$14,469,034		
15		Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-				
16		253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446,				
17		Federal Code.				
18		Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-				
19		253.13:8, Code of Virginia; P.L. 108-446, Federal Code.				
20		Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221, 22.1-				
21		253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446,				
22		Federal Code.				
23		Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2,				
24		22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.2, Code of				
25		Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.				
26		A. The Department of Education, in collaboration with the Office of Children's Services, shall				
27		provide training to local staff serving on Family Assessment and Planning Teams and				
28		Community Policy and Management Teams. Training shall include, but need not be limited				
29		to, the federal and state requirements pertaining to the provision of the special education				
30		services funded under § 2.2-5211, Code of Virginia. The training shall also include written				
31		guidance concerning which services remain the financial responsibility of the local school				
32		divisions. In addition, the Department of Education shall provide ongoing local oversight of				
33		its federal and state requirements related to the provision of services funded under § 2.2-5211,				
34		Code of Virginia.				
35		B. The Board of Education shall consider the caseload standards for speech-language				
36		pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code				
37		of Virginia.				
38		C. The Board of Education shall consider the inclusion of instructional positions needed for				
39		blind and visually impaired students enrolled in public schools and shall consider developing				
40		a caseload requirement for these instructional positions as part of its review of the Standards				
41		of Quality, pursuant to § 22.1-18.01, Code of Virginia.				
42		D. Out of this appropriation, \$447,416 the first year and \$447,416 the second year from the				
43		general fund is provided to the Department of Education to provide training, technical				
44		assistance, and on-site coaching to public school teachers and administrators on				
45		implementation of a positive behavioral interventions and supports program with the goal of				
46		improving school climate and reducing disruptive behavior in the classroom. Such training				
47		and other assistance may be provided as part of the Department's ongoing efforts to assist				
48		schools with implementation of a tiered system of supports that addresses both academic and				
49		behavioral needs.				

ITEM 129.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	E. Out of this appropriation, \$290,000 the first year and \$290,000 the second year from				
2	the general fund and \$290,000 the first year and \$290,000 the second year from federal				
3	funds shall be used for Multisensory Structured Literacy teacher training.				
4	F. Out of this appropriation, \$492,755 the second year from the general fund is provided				
5	to support statewide training and assistance for local school divisions to implement the				
6	Board of Education's Regulations Governing the Use of Seclusion and Restraint in Public				
7	Elementary and Secondary Schools in Virginia. <i>Any state funds provided to local school</i>				
8	<i>divisions in fiscal year 2020 to implement the Board of Education's Regulations</i>				
9	<i>Governing the Use of Seclusion and Restraint in Public Elementary and Secondary</i>				
10	<i>Schools in Virginia that are unexpended as of June 30, 2020, shall be carried on the books</i>				
11	<i>of the locality to be appropriated to the school division the following year to be used for</i>				
12	<i>the same purpose.</i>				
13	G.1. The Department of Education shall serve as the lead agency to collect and report data				
14	that succinctly measures the progress and outcomes of students that are placed in private				
15	provider settings by such student's public school of residence in Virginia or have been				
16	placed in a private provider facility by other legal means for which the Commonwealth is				
17	responsible for providing education. In keeping with the November 1, 2018, Private Day				
18	Special Education Outcomes report's findings and recommendations, the data shall include				
19	at least student attendance rates, graduation rates, individual student progress				
20	improvement rates relative to student individual education plans, standardized test scores,				
21	return to public school setting percentages, suspension and expulsion rates, transition to				
22	enrolling in post-secondary education percentages, and parental and student perspectives.				
23	2. The Department of Education, in collaboration with the Office of Children's Services,				
24	shall establish an implementation advisory group to assist in refining the outcome				
25	measures contained in paragraph G.1 of this item and the collection of any additional				
26	information that is beneficial in determining and measuring outcomes of such students in				
27	private day school settings that ensure a consistent set of comparable and compatible data				
28	relative to such data of students enrolled in the public schools in Virginia and who have an				
29	individualized education plan. The advisory workgroup shall include a representative				
30	number of various stakeholders that includes, but is not limited to, private day schools,				
31	local school divisions, associations that represent private providers, and others as				
32	necessary. The advisory group shall assist in the development of data collection protocols,				
33	requirements, and outcome reporting mechanisms. The relevant data shall be provided to				
34	the department annually by each private provider that receives state funding for the				
35	purpose of providing services as prescribed in such student's individualized education				
36	plan.				
37	3. The department shall begin collecting outcome data for private day special education				
38	schools in the 2019-2020 school year, if possible, but no later than the 2020-2021 school				
39	year. If warranted, other state agencies shall provide appropriate support to facilitate the				
40	collection of such data. All public school divisions that have students enrolled in such a				
41	private provider facility shall include in their contract for services with the private				
42	provider a requirement for the department to receive the data necessary to satisfy the data				
43	collections and subsequent reporting requirements. The department shall report annually				
44	on the outcome data for students enrolled in special education private day schools to				
45	Chairmen of the House Appropriations, House Education, Senate Finance, and Senate				
46	Education and Health Committees by the first day of the regular General Assembly				
47	Session.				
48	4. The Department of Education shall enter into a data sharing Memorandum of				
49	Understanding with the Office of Children's Services to allow linkage of specific student				
50	data to specific private day schools.				
51	5. The Department of Education and the Office of Children's Services shall have authority				
52	to implement these changes effective July 1, 2019, and prior to the completion of any				
53	regulatory process undertaken in order to effect such changes.				
54	130. Not set out.				
55	131. Not set out.				

ITEM 131.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	132.	Not set out.		
2	133.	Not set out.		
3	134.	Not set out.		
4	Total for Department of Education, Central Office			
5	Operations.....		\$108,665,168	\$121,138,531
6	General Fund Positions.....		144.00	149.00
7	Nongeneral Fund Positions.....		185.50	185.50
8	Position Level.....		329.50	334.50
9	Fund Sources: General.....		\$61,947,187	\$64,519,602
10	Special.....		\$5,159,353	\$5,159,353
11	Commonwealth Transportation.....		\$270,419	\$270,419
12	Trust and Agency.....		\$679,563	\$679,563
13	Federal Trust.....		\$40,608,646	\$50,509,594
14	Direct Aid to Public Education (197)			
15	135.	Financial Assistance for Educational, Cultural,		
16		Community, and Artistic Affairs (14300).....	\$32,171,945	\$33,324,222
17				\$35,165,708
18		Financial Assistance for Supplemental Education		
19		(14304).....	\$32,171,945	\$33,324,222
20				\$35,165,708
21		Fund Sources: General.....	\$32,171,945	\$33,324,222
22				\$35,165,708
23	Authority: Discretionary Inclusion.			
24	Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)			
25	Supplemental Education Assistance		FY 2019	FY 2020
26	Programs (14304)			
27	Academies of Hampton		\$0	\$500,763
28	Achievable Dream		\$500,000	\$500,000
29	<i>American Civil War Museum</i>		\$0	\$1,000,000
30	<i>Black History Museum and Cultural</i>		\$0	\$1,200,000
31	<i>Center of Virginia</i>			
32	Career and Technical Education Regional		\$660,000	\$660,000
33	Centers			
34	Career and Technical Education - Emil		\$250,000	\$250,000
35	and Grace Shihaden Innovation Center			
36	Career and Technical Education Resource		\$298,021	\$298,021
37	Center			
38	Career Council at Northern Neck Career		\$60,300	\$60,300
39	& Technical Center			
40	Charter School Supplement		\$100,000	\$100,000
41	College Partnership Laboratory School		\$50,000	\$50,000
42	Communities in Schools (CIS)		\$1,244,400	\$1,244,400
43	Computer Science Teacher Training		\$550,000	\$550,000
44	Great Aspirations Scholarship Program		\$400,000	\$500,000
45	(GRASP)			
46	High School Program Innovation		\$500,000	\$500,000
47	Jobs for Virginia Graduates (JVG)		\$573,776	\$573,776
48	National Board Certification Program		\$5,250,000	\$5,393,514

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1				\$5,035,000
2	Newport News Aviation Academy -	\$100,000		\$100,000
3	STEM Program			
4	Petersburg Executive Leadership	\$350,000		\$350,000
5	Recruitment Incentives			
6	Positive Behavioral Interventions &	\$1,598,000		\$1,598,000
7	Support (PBIS)			
8	Praxis and Virginia Communication and	\$50,000		\$50,000
9	Literacy Assessment Assistance for			
10	Provisionally Licensed Minority			
11	Teachers			
12	Project Discovery	\$962,500		\$962,500
13	Robots for Autism Pilot Program	\$0		\$200,000
14	Small School Division Assistance	\$145,896		\$145,896
15	Southside Virginia Regional	\$108,905		\$108,905
16	Technology Consortium			
17	Southwest Virginia Public Education	\$124,011		\$124,011
18	Consortium			
19	STEM Program / Research Study (VA	\$681,975		\$681,975
20	Air & Space Center)			
21	STEM Competition Team Grants	\$200,000		\$200,000
22	Targeted Extended/Enriched School	\$7,763,312		\$7,763,312
23	Year and Year-round School Grants			
24	Targeted Joint Consolidation School	\$0		\$400,000
25	Division Incentive			
26	Teach for America	\$500,000		\$500,000
27	Teacher Improvement Funding Initiative	\$15,000		\$15,000
28	Teacher Recruitment & Retention Grant	\$2,123,000		\$2,181,000
29	Programs			
30	Teacher Residency Program	\$2,000,000		\$1,750,000
31	Van Gogh Outreach Program	\$71,849		\$71,849
32	Virginia Early Childhood Foundation	\$2,750,000		\$2,750,000
33	(VECF)			
34	Virginia Reading Corps	\$600,000		\$600,000
35	Virginia Student Training and	\$300,000		\$300,000
36	Refurbishment (VA STAR) Program			
37	Vision Screening Grants	\$391,000		\$391,000
38	Vocational Lab Pilot	\$175,000		\$175,000
39	Wolf Trap Model STEM Program	\$725,000		\$725,000
40	Total	\$32,171,945		\$33,324,222
41				\$35,165,708
42	A. Out of this appropriation, the Department of Education shall provide \$573,776 the first			
43	year and \$573,776 the second year from the general fund for the Jobs for Virginia			
44	Graduates initiative.			
45	B. Out of this appropriation, the Department of Education shall provide \$124,011 the first			
46	year and \$124,011 the second year from the general fund for the Southwest Virginia			
47	Public Education Consortium at the University of Virginia's College at Wise. An			
48	additional \$71,849 the first year and \$71,849 the second year from the general fund is			
49	provided to the Consortium to continue the Van Gogh Outreach program with Lee and			
50	Wise County Public Schools and expand the program to the twelve school divisions in			
51	Southwest Virginia.			
52	C. This appropriation includes \$108,905 the first year and \$108,905 the second year from			
53	the general fund for the Southside Virginia Regional Technology Consortium to expand			
54	the research and development phase of a technology linkage.			

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1	D. An additional state payment of \$145,896 the first year and \$145,896 the second year from				
2	the general fund is provided as a Small School Division Assistance grant for the City of				
3	Norton. To receive these funds, the local school board shall certify to the Superintendent of				
4	Public Instruction that its division has entered into one or more educational, administrative or				
5	support service cost-sharing arrangements with another local school division.				
6	E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the				
7	general fund shall be allocated for the Career and Technical Education Resource Center to				
8	provide vocational curriculum and resource instructional materials free of charge to all school				
9	divisions.				
10	F. It is the intent of the General Assembly that the Department of Education provide bonuses				
11	from state funds to classroom teachers in Virginia's public schools who hold certification				
12	from the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000				
13	the first year of the certificate and \$2,500 annually thereafter for the life of the certificate.				
14	This appropriation includes an amount estimated at \$5,250,000 the first year and \$5,393,514				
15	\$5,035,000 the second year from the general fund for the purpose of paying these bonuses. By				
16	October 15 of each year, school divisions shall notify the Department of Education of the				
17	number of classroom teachers under contract for that school year that hold such certification.				
18	G. This appropriation includes \$2,123,000 the first year and \$2,181,000 the second year from				
19	the general fund for grants, scholarships, and incentive payments to attract, recruit, and retain				
20	high-quality teachers and fill critical teacher shortage disciplines in Virginia's public schools.				
21	1. Out of this appropriation, \$708,000 the first year and \$708,000 the second year from the				
22	general fund is provided for teaching scholarship loans. These scholarships shall be for				
23	undergraduate students in college with a cumulative grade point average of at least 2.7, who				
24	are nominated by their college, and who meet the criteria and qualifications, pursuant to §				
25	22.1-290.01 , Code of Virginia, except as provided herein. Awards shall be made to students				
26	who are enrolled full-time or part-time in approved undergraduate or graduate teacher				
27	education programs for the top five critical teacher shortage disciplines, however minority				
28	students may be enrolled in any content area for teacher preparation. Scholarship recipients				
29	may fulfill the teaching obligation by accepting a teaching position, and teaching for at least				
30	two years in a school division where 50 percent or more of the students are eligible for free				
31	and reduced price lunch. Scholarship recipients who only complete one year of the teaching				
32	obligation shall be forgiven for one-half of the scholarship loan amount. Scholarship amounts				
33	are based on up to \$10,000 per year for full-time students, and shall be prorated for part-time				
34	students based on the number of credit hours. The Department of Education shall report				
35	annually on the critical shortage teaching areas in Virginia.				
36	a. The Department of Education shall make payments on behalf of the scholarship recipients				
37	directly to the Virginia institution of higher education where the scholarship recipient is				
38	enrolled full-time or part-time in an approved undergraduate or graduate teacher education				
39	program.				
40	b. The Department of Education is authorized to recover total funds awarded as scholarships,				
41	or the appropriate portion thereof, in the event that scholarship recipients fail to honor the				
42	stipulated teaching obligation.				
43	c. Within the fiscal year, any funds not awarded from this program may be applied toward the				
44	other teacher preparation, recruitment, and retention programs under paragraph G.				
45	2. Out of this appropriation, \$1,000,000 the first year and \$808,000 the second year from the				
46	general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach				
47	science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and				
48	high schools experiencing difficulty in recruiting qualified teachers. A teacher employed full-				
49	time in a Virginia school division who has been issued a five-year Virginia teaching license				
50	with an endorsement in Middle Education 6-8: Mathematic, Mathematics-Algebra-I,				
51	mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science,				
52	physics, or technology education and assigned to a teaching position in a corresponding				
53	STEM subject area in a hard-to-staff school is eligible to receive a \$5,000 incentive award				
54	after the completion of the first, second, and third year of teaching at a hard-to-staff school				
55	with a satisfactory performance evaluation and a signed contract in the same school division				

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1	for the following school year. The maximum incentive award for each eligible teacher is			
2	\$15,000. Eligibility for access to these incentives shall be determined through an			
3	application process whereby school divisions shall apply to the Department of Education.			
4	Priority for distribution of these incentives shall be to school divisions experiencing the			
5	most acute difficulties in recruiting qualified teachers, as determined using Department of			
6	Education criteria. School divisions that have been approved shall advertise the incentive			
7	for eligible vacancies and award such funds in accordance with this paragraph. For the			
8	purpose of the award of the additional \$1,000 to individuals who received funds under this			
9	program prior to July 1, 2018, the criteria provided in Chapter 836 of the 2017 Acts of			
10	Assembly shall continue to apply. Within the fiscal year, any funds not awarded from this			
11	program may be applied toward the other teacher preparation, recruitment, and retention			
12	programs under paragraph G.			
13	3. Out of this appropriation, \$415,000 the first year and \$415,000 the second year from the			
14	general fund is provided to help school divisions recruit and retain qualified middle-school			
15	mathematics teachers. Within the fiscal year, any funds not awarded from this program			
16	may be applied toward the other teacher preparation, recruitment, and retention programs			
17	under paragraph G.			
18	4. Out of this appropriation, \$250,000 the second year from the general fund is provided			
19	for tuition scholarships to be specifically allocated solely for licensed public high school			
20	teachers pursuing additional credentialing requirements necessary to be considered faculty			
21	who are qualified to teach dual enrollment courses in high schools in their local school			
22	division. The Department of Education shall make payments on behalf of the scholarship			
23	recipients directly to the Virginia institution of higher education where the scholarship			
24	recipient is enrolled full-time or part-time in an approved undergraduate or graduate			
25	teacher education program applicable to dual enrollment course curriculum available for			
26	public high school students. The lifetime maximum dual enrollment tuition scholarship			
27	award for each approved eligible teacher is \$7,500. Eligibility for access to these dual			
28	enrollment tuition scholarship awards shall be determined through an application process			
29	whereby school divisions shall apply to the Department of Education. In the application			
30	process, the applying school division shall include: i) an explanation of why such dual			
31	enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that			
32	shall be offered by the scholarship recipient's high school and taught by the recipient upon			
33	the recipient's successful completion of required coursework for appropriate credentialing			
34	to teach such dual enrollment courses, and iii) the projected student enrollment in the			
35	recipient taught public high school dual enrollment courses. The Department of Education			
36	shall compile and report the application information for each applying school division, and			
37	shall also report the number of recipients and amount of tuition awarded to each school			
38	division, the institution of higher education receiving tuition, the credentialing area			
39	pursued by recipients, and dual enrollment courses offered after the recipient's successful			
40	completion of the pursued credentialing. The Department shall submit the report by June			
41	30, 2020, and annually thereafter, to the House Committees on Education and			
42	Appropriations and the Senate Committees on Finance and Education and Health.			
43	H. Out of this appropriation, \$400,000 the first year and \$500,000 the second year from			
44	the general fund shall be distributed to the Great Aspirations Scholarship Program			
45	(GRASP) to provide students and families in need access to financial aid, scholarships,			
46	and counseling to maximize educational opportunities for students.			
47	I.1. Out of this appropriation, the Department of Education shall provide \$1,244,400 the			
48	first year and \$1,244,400 the second year from the general fund to Communities in			
49	Schools. These funds will be used to continue existing Communities in Schools			
50	programming in Petersburg and Richmond City, expand programming to all Petersburg			
51	schools, and expand the Pathways to Parents as Partners program to two additional			
52	Richmond City elementary schools. Further, Communities in Schools is directed to assist			
53	the Community School organization with the developing opportunities to establish a			
54	Community School program in interested school divisions.			
55	2. The Department of Education, in consultation with Communities In Schools of Virginia			
56	and other relevant stakeholders, shall develop, distribute to each local school division, and			
57	report to the Governor and General Assembly, no later than November 1, 2019, guidance			
58	on best practices for local school divisions to transition existing schools to community			

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1	schools. Such guidance shall include best practices for removing nonacademic barriers to				
2	learning as a means to enhance student academic success in public elementary and secondary				
3	schools throughout the Commonwealth.				
4	J. This appropriation includes \$100,000 the first year and \$100,000 the second year from the				
5	general fund for the Superintendent of Public Education to award supplemental grants to				
6	charter schools.				
7	K. Out of this appropriation, the Department of Education shall provide \$962,500 the first				
8	year and \$962,500 the second year from the general fund for Project Discovery. These funds				
9	are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria,				
10	Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland,				
11	Danville/Pittsylvania, Fairfax, Franklin/Patrick, Fredericksburg/Spotsylvania,				
12	Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City,				
13	Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a				
14	fiscal officer for Project Discovery. The Department of Education shall administer the Project				
15	Discovery funding distributions to each community action agency. Distributions to each				
16	community action agency shall be based on performance measures established by the Board				
17	of Directors of Project Discovery. The contract with Project Discovery should specify the				
18	allocations to each local program and require the submission of a financial and budget report				
19	and program evaluation performance measures.				
20	2. Each participating community action agency shall submit annual performance metrics for				
21	services provided through the Project Discovery program that provide measurable evaluations				
22	and outcomes of participating students. Such performance metrics shall include evidenced-				
23	based data that effectively measure academic improvement outcomes. In addition, the				
24	performance metrics shall also include evidenced-based data to evaluate the specific				
25	effectiveness of the program for participating students on a longitudinal basis. Further, the				
26	performance metrics shall include the coordination and collaboration efforts the program staff				
27	regularly have with the school-based personnel, such as teachers and guidance counselors,				
28	that support and maximize opportunities of participating students to successfully graduate				
29	from high school and then to enroll and graduate from an institution of higher learning.				
30	Project Discovery shall submit a comprehensive and cumulative program performance				
31	metrics evaluation to the Department of Education and the Chairmen of the House				
32	Appropriations and Senate Finance Committees no later than October 1, 2016.				
33	L. Out of this appropriation, the Department of Education shall provide \$300,000 the first				
34	year and \$300,000 the second year from the general fund for the Virginia Student Training				
35	and Refurbishment Program.				
36	M. Out of this appropriation, \$1,598,000 the first year and \$1,598,000 the second year from				
37	the general fund is provided to expand the number of schools implementing a system of				
38	positive behavioral interventions and supports with the goal of improving school climate and				
39	reducing disruptive behavior in the classroom. Such a system may be implemented as part of				
40	a tiered system of supports that utilizes evidence-based, system-wide practices to provide a				
41	response to academic and behavioral needs. Any school division which desires to apply for				
42	this competitive grant must submit a proposal to the Department of Education by June 1				
43	preceding the school-year in which the program is to be implemented. The proposal must				
44	define student outcome objectives including, but not limited to, reductions in disciplinary				
45	referrals and out-of-school suspension rates. In making the competitive grant awards, the				
46	Department of Education shall give priority to school divisions proposing to serve schools				
47	identified by the Department as having high suspension rates. No funds awarded to a school				
48	division under this grant may be used to supplant funding for schools already implementing				
49	the program.				
50	N. Targeted Extended/Enriched School Year and Year-round School Grants Payments				
51	1. Out of this appropriation, \$7,150,000 the first year and \$7,150,000 the second year from the				
52	general fund is provided for a targeted extended/enriched school year or year-round school				
53	incentive in order to improve student achievement. Annual start-up grants of up to \$300,000				
54	per school may be awarded for a period of up to two years after the initial implementation				
55	year. The per school amount may be up to \$400,000 in the case of schools that have an				
56	Accredited with Conditions status and are rated at Level Three in two or more Academic				
57	Achievement for All Students school quality indicators, or schools that had an Accredited				

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1	with Conditions status and were rated at Level Three in two or more Academic			
2	Achievement for All Students school quality indicators when the initial application was			
3	made. Schools that qualified for the per school grant up to \$400,000 under the previous			
4	Standards of Accreditation Denied Accreditation status remain eligible for funding for the			
5	initial three year period; after that period, such schools are subject to eligibility under the			
6	current Standards of Accreditation . After the third consecutive year of successful			
7	participation, an eligible school's grant amount shall be based on a shared split of the grant			
8	between the state and participating school division's local composite index. Such			
9	continuing schools shall remain eligible to receive a grant based on the 2012 JLARC			
10	Review of Year Round Schools' researched base findings.			
11	2. Except for school divisions with schools that are in an Accredited with Conditions			
12	status and are rated at Level Three in two or more Academic Achievement for All			
13	Students school quality indicators or in a Denied Accreditation status, any other school			
14	division applying for such a grant shall be required to provide a twenty percent local			
15	match to the grant amount received from either an extended/enriched school year or year-			
16	round school start-up or planning grant.			
17	3. In the case of any school division with schools that are in an Accredited with			
18	Conditions status and are rated at Level Three in two or more Academic Achievement for			
19	All Students school quality indicators or in a Denied Accreditation status that apply for			
20	funds, the school division shall also consult with the Superintendent of Public Instruction			
21	or designee on all recommendations regarding instructional programs or instructional			
22	personnel prior to submission to the local board for approval.			
23	4. Out of this appropriation, \$613,312 the first year and \$613,312 the second year from the			
24	general fund is provided for planning grants of no more than \$50,000 each for local school			
25	divisions pursuing the creation of new extended/enriched school year or year-round school			
26	programs for divisions or individual schools in support of the findings from the 2012			
27	JLARC Review of Year Round Schools. School divisions must submit applications to the			
28	Department of Education by August 1 of each year. Priority shall be given to schools			
29	based on need, relative to the state accreditation ratings or similar federal designations.			
30	Applications shall include evidence of commitment to pursue implementation in the			
31	upcoming school year. If balances exist, existing extended school year programs may be			
32	eligible to apply for remaining funds.			
33	5. A school division that has been awarded an extended/enriched school year or year-			
34	round school start-up grant or planning grant for the development of an extended/enriched			
35	school year or year-round school program may spend the awarded grant over two			
36	consecutive fiscal years.			
37	6. a) Any such school division receiving funding from a Targeted Extended/Enriched			
38	School Year and Year-round School grant shall provide an annual progress report to the			
39	Department of Education that evaluates end of year success of the extended/enriched			
40	school year or year-round school model implemented as compared to the prior school year			
41	performance as measured by an appropriate evaluation matrix no later than September 1			
42	each year.			
43	b) The Department of Education shall develop such evaluation matrix that would be			
44	appropriate for a comprehensive evaluation for such models implemented. Further, the			
45	Department of Education is directed to submit the annual progress reports from the			
46	participating school divisions and an executive summary of the program's overall status			
47	and levels of measured success to the Chairmen of House Appropriations and Senate			
48	Finance Committees no later than November 1 each year.			
49	7. Any funds remaining in this paragraph following grant awards may be disbursed by the			
50	Department of Education as grants to school divisions to support innovative approaches to			
51	instructional delivery or school governance models.			
52	O. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from			
53	the general fund is provided through grants or contracts for the cost of fees and financial			
54	incentives associated with hiring teachers in challenged schools. These funds may be used			
55	for grants or contracts awarded and expenses associated with supporting the Teach for			
56	America program. School divisions or their partners may apply for those funds through			

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1	applications submitted to the Department of Education. Applications must be submitted to the				
2	Department of Education by September 1 each year. Within the fiscal year, any unobligated				
3	balance may be used for the Teacher Residency program.				
4	P. Out of this appropriation, \$725,000 the first year and \$725,000 the second year from the				
5	general fund is provided for the Accomack, Albemarle, Arlington, Chesterfield, Fairfax,				
6	Henrico, Loudoun, Norfolk, Petersburg, Richmond City, Suffolk, and Wythe Public Schools				
7	to support expansion of a STEM model program for kindergarten and preschool students.				
8	Each developed model will focus on enhancing children's learning experiences through the				
9	arts.				
10	Q. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the				
11	general fund is provided for the Achievable Dream partnership with Newport News School				
12	Division.				
13	R. Out of this appropriation, \$2,000,000 the first year and \$1,750,000 the second year from				
14	the general fund is provided for grants for teacher residency partnerships between university				
15	teacher preparation programs and the Petersburg, Norfolk, and Richmond City school				
16	divisions and any other university teacher preparation programs and hard-to-staff school				
17	divisions to help improve new teacher training and retention for hard-to-staff schools. The				
18	grants will support a site-specific residency model program for preparation, planning,				
19	development and implementation, including possible stipends in the program to attract				
20	qualified candidates and mentors. Applications must be submitted to the Department of				
21	Education by August 1 each year.				
22	Partner school divisions shall provide at least one-third of the cost of each program and shall				
23	provide data requested by the university partner in order to evaluate program effectiveness by				
24	the mutually agreed upon timelines. Each university partner shall report annually, no later				
25	than June 30, to the Department of Education on available outcome measures, including				
26	student performance indicators, as well as additional data needs requested by the Department				
27	of Education. The Department of Education shall provide, directly to the university partners,				
28	relevant longitudinal data that may be shared. The Department of Education shall consolidate				
29	all submissions from the participating university partners and school divisions and submit such				
30	consolidated annual report to the Chairmen of the House Appropriations and Senate Finance				
31	Committees no later than November 1 each year.				
32	S. Out of this appropriation, \$60,300 the first year and \$60,300 the second year from the				
33	general fund is provided to the Northern Neck Regional Technical Center to expand the				
34	workforce readiness education and industry based skills and certification development efforts				
35	supporting that region in the state. These funds support the Center's programs that serve high				
36	school students from the surrounding counties of Essex, Lancaster, Northumberland,				
37	Rappahannock, Westmoreland and Colonial Beach.				
38	T. Out of this appropriation, \$2,750,000 the first year and \$2,750,000 the second year from				
39	the general fund is provided to the Virginia Early Childhood Foundation.				
40	1. Of this amount, \$250,000 the first year and \$250,000 the second year is provided for				
41	general operations of the Foundation's grant program to strengthen the capacity of local				
42	communities to promote school readiness for young children through innovative regional				
43	partnerships.				
44	2. Of this amount, \$1,000,000 the first year and \$1,000,000 the second year is provided to				
45	operate a scholarship program to increase the skills of Virginia's early education workforce.				
46	3. Of this amount, \$1,500,000 the first year and \$1,500,000 the second year is provided to				
47	pilot an initiative to promote public-private delivery of pre-kindergarten services to high-risk				
48	children and communities. In determining these grant awards, the Virginia Early Childhood				
49	Foundation shall offer an award to a private-provider that has submitted application				
50	applicable to a partnership with Richmond City for a mixed delivery pre-kindergarten				
51	program, provided that the application is of high quality and is competitive with other				
52	submitted applications received for such an award.				
53	4. Notwithstanding any provisions of § 22.1-199.6 or § 22.1-299, and in order to achieve the				
54	priorities of the Joint Subcommittee on Virginia Preschool Initiative for exploring the				

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1	feasibility of and barriers to mixed delivery preschool systems in Virginia, recipients of a				
2	Mixed-Delivery Preschool grant shall be provided maximum flexibility within their				
3	respective pilot initiative in order to fully implement the associated goals and objectives of				
4	the pilot. Recipients of a Mixed-Delivery Preschool grant and divisions participating in				
5	such grant pilot activities shall be exempted from all regulatory and statutory provisions				
6	related to teacher licensure requirements and qualifications when paid by public funds				
7	within the confines of the Mixed-Delivery Preschool pilot initiative.				
8	In the case of new pilot grants awarded beginning in the second year, in addition to the				
9	provisions of § 22.1-199.6 E., grants shall be awarded to recipients that offer high quality				
10	preschool experience to participating enrolled at-risk four-year-old children.				
11	U. This appropriation includes \$500,000 the first year and \$500,000 the second year from				
12	the general fund to support ten competitive grants, not to exceed \$50,000 each, for				
13	planning the implementation of systemic High School Program Innovation by either				
14	individual school divisions or consortia of school divisions or implementing a plan for				
15	High School Program Innovation previously approved by the Department of Education.				
16	The local applicant(s) selected to conduct this systemic approach to high school reform, in				
17	consultation with the Department of Education, will develop and plan or implement				
18	innovative approaches to engage and to motivate students through personalized learning				
19	and instruction leading to demonstrated mastery of content, as well as skills development				
20	of career readiness. Essential elements of high school innovation include: (1) student				
21	centered learning, with progress based on student demonstrated proficiency; (2) 'real-				
22	world' connections that promote alignment with community work-force needs and				
23	emphasize transition to college and/or career; and (3) varying models for educator				
24	supports and staffing. Individual school divisions or consortia will be invited to apply on a				
25	competitive basis by submitting a grant application that includes descriptions of key				
26	elements of innovations, a detailed budget, expectations for outcomes and student				
27	achievement benefits, evaluation methods, and plans for sustainability. The Department of				
28	Education will make the final determination of which individual school divisions or				
29	consortia of divisions will receive the year-long planning grant for High School				
30	Innovation or a grant to implement a High School Program Innovation plan previously				
31	approved by the Department of Education. Any school division or consortium of divisions				
32	which desires to apply for this competitive grant must submit a proposal to the				
33	Department of Education by June 1 preceding the school year in which the planning or				
34	implementation for systemic high school innovation is to take place.				
35	V. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
36	the general fund is provided to support the Newport News Aviation Academy's four-year				
37	high school STEM program, which focuses on piloting, aircraft maintenance, engineering,				
38	computers, and electronics.				
39	W. Out of this appropriation, \$15,000 the first year and \$15,000 the second year is				
40	provided for grants to school divisions of up to \$5,000 each to explore alternative teacher				
41	compensation approaches that move away from tenure-based step increases toward				
42	compensation systems based on teacher performance and student progress. Priority will be				
43	given to school divisions that have not previously explored alternative compensation				
44	approaches and have schools not achieving full accreditation, or that have high numbers of				
45	at-risk students needing qualified teachers in hard-to-staff subjects.				
46	X. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from				
47	the general fund is provided for STEM Competition Team Grants. Notwithstanding §				
48	22.1-362 , Code of Virginia, Paragraph B, grants may not exceed \$5,000 each.				
49	Y. Out of this appropriation, \$681,975 the first year and \$681,975 the second year from				
50	the general fund is provided to support a multi-platform STEM education engagement				
51	program and research study, via the Virginia Air & Space Center.				
52	Z. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from				
53	the general fund is provided for executive leadership incentives in the Petersburg City				
54	Public Schools to strengthen the impact of division and school level executive leadership				
55	on student achievement in the school division. Such incentives may include, but not be				
56	limited to, supplements to locally funded salaries, deferred salary compensation, bonuses,				
57	housing and commuting supplements, and professional development supplements. The				

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1	Department of Education shall provide such executive management incentive payments				
2	directly to the Petersburg City Public Schools accounts pursuant to a Memorandum of				
3	Understanding entered into between the Board of Education and the Petersburg City School				
4	Board. Such Agreement shall be approved by both parties by July 1, 2016, shall cover no less				
5	than both years of the biennium, and may be amended with the consent of both parties. Such				
6	Agreement shall include operational and student achievement metrics and include provisions				
7	for the achievement of such metrics as a condition of payment of the incentive funds by the				
8	Department of Education. The Department of Education shall provide updates on				
9	implementation of the Agreement to the Chairmen of the Senate Finance and House				
10	Appropriations Committees.				
11	AA. Out of this amount, \$600,000 the first year and \$600,000 the second year from the				
12	general fund shall be reserved for school divisions to partner with the Virginia Reading Corps				
13	program. The implementation partner shall determine and select partner school divisions. The				
14	Virginia Reading Corps shall report annually to the school divisions and Department of				
15	Education on the outcomes of this program.				
16	BB. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
17	general fund is provided for Chesterfield County Public Schools to partner and plan with				
18	Virginia State University for the continued development of a College Partnership Laboratory				
19	School in support of Etrick Elementary School.				
20	CC. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the				
21	general fund is provided to establish a Career and Technical Education Vocational Laboratory				
22	pilot that will be located within the Virginia Aviation Academy located in the Newport News				
23	school division. This vocational-based lab will be developed and focused on advanced,				
24	augmented and virtual reality related education.				
25	DD. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
26	general fund is provided for praxis assistance and Virginia Communication and Literacy				
27	Assessment assistance for provisionally licensed minority teachers seeking full licensure in				
28	Virginia. Grants of up to \$10,000 shall be awarded to school divisions, teacher preparation				
29	programs, or nonprofit organizations in all regions of the state to subsidize test fees and the				
30	cost of tutoring for provisionally licensed minority teachers seeking full licensure in Virginia.				
31	EE. Out of this appropriation, \$391,000 the first year and \$391,000 the second year from the				
32	general fund is provided to school divisions to pay for a portion of the vision screening of				
33	students in kindergarten, grade two or three and grades seven and ten, pursuant to Chapter				
34	312, 2017 Session Acts of Assembly. Eligible school divisions may receive the state's share of				
35	\$7.00 for each student reported in average daily membership and enrolled in kindergarten,				
36	grades three, seven and ten and who has received such vision screening test. The Department				
37	of Education shall administrator and distribute reimbursements to school divisions and the				
38	funding shall be prorated if needed, such that the appropriation is not exceeded. Prioritization				
39	shall be given the schools that would most benefit from state assistance in order to provide				
40	such vision screening service to students that are eligible for free lunch.				
41	FF. Out of this appropriation, \$660,000 the first year and \$660,000 the second year from the				
42	general fund is provided for annual grants of \$60,000 to each of the nine regional career and				
43	technical centers, Winchester Public Schools' Innovation Center and Norfolk Public Schools'				
44	Norfolk Technical Center, to expand workforce readiness education and industry based skills.				
45	GG. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the				
46	general fund is provided to Winchester Public Schools to match private support provided for				
47	the renovation of the Emil and Grace Shihadeh Innovation Center.				
48	HH. Out of this appropriation, \$200,000 the second year from the general fund is provided to				
49	encourage the use of robots to aid in the education of students on the autism spectrum. Any				
50	school division that desires to apply for this competitive grant must submit a proposal to the				
51	Department of Education outlining the intended use of funds and a projected number of				
52	students who will be served. The Department of Education shall establish criteria by which to				
53	award these funds to school divisions. Local school divisions may use the funds to purchase				
54	robotic devices with proven effectiveness for aiding in the academic and social-emotional				
55	learning of students on the autism spectrum.				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	II. In the case of and in recognition of the current deliberations and on-going joint efforts				
2	of the Alleghany County School Board, Alleghany County Board of Supervisors,				
3	Covington City School Board and the Covington City Council toward investigating and				
4	determining benefits of operating a joint school division, that each respective entity has				
5	approved two members to serve on the established Committee to facilitate such activities.				
6	Out of this appropriation, \$400,000 the second year from the general fund is included in				
7	this item's appropriation and is provided to Alleghany County Public School Division for				
8	the express purpose of using such funds as incentive funding to support costs incurred by				
9	such joint efforts of Alleghany County School Board, Alleghany County Board of				
10	Supervisors, Covington City School Board and the City of Covington City Council toward				
11	investigating and determining benefits of operating a joint school division. In the event				
12	that such Committee does not come up with a plan for Alleghany County Public Schools				
13	and Covington City Schools, the remainder of the incentive money will be allocated and				
14	used to support Alleghany County and Covington City public school divisions' jointly				
15	operated career and technical center, Jackson River Technical Center.				
16	JJ. Out of this appropriation, \$500,763 the second year from the general fund is provided				
17	to Hampton City school division for its Academies of Hampton which focuses on				
18	preparing students to be career ready or better equipped to enter into post-secondary				
19	education.				
20	KK. 1. Out of this appropriation, \$550,000 the first year and \$550,000 the second year				
21	from the general fund is provided to CodeVA for the development, marketing, and				
22	implementation of high-quality and effective computer science training and professional				
23	development activities for public school teachers throughout the Commonwealth for the				
24	purpose of improving the computer science literacy of all public school students in the				
25	Commonwealth using the Computer Science Standards of Learning For Virginia Public				
26	Schools, which were reviewed and endorsed by the Virginia Board of Education in				
27	November 2017. The provided funds may be utilized for planning, preparing and materials				
28	needed for teacher training sessions provided during the biennium.				
29	2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House				
30	Education and Senate Education & Health Committees, Secretary of Education and the				
31	Superintendent of Public Instruction on its activities in the previous year to support				
32	computer science teacher training and curriculum development, including on collaboration				
33	with other stakeholders to avoid duplication of efforts.				
34	LL. Out of this appropriation, \$1,000,000 the second year from the general fund is				
35	provided to the American Civil War Museum to support the advancement of experiential				
36	learning opportunities for K-12 students. These funds are intended to support high-				
37	quality, off-site learning experiences for students to engage in educational content,				
38	aligned to Virginia's Standards of Learning, related to the history of the American Civil				
39	War.				
40	MM. Out of this appropriation, \$1,200,000 the second year from the general fund is				
41	provided to the Black History Museum and Cultural Center of Virginia to support the				
42	advancement of experiential learning opportunities for K-12 students. These funds are				
43	intended to support high-quality, off-site learning experiences and traveling exhibitions				
44	for students to engage in educational content, aligned to Virginia's Standards of Learning,				
45	related to African American History.				
46	136. State Education Assistance Programs (17800).....			\$6,973,289,154	\$7,251,757,923
47					\$7,274,474,887
48	Standards of Quality for Public Education (SOQ)				
49	(17801).....	\$6,152,892,137	\$6,196,871,983		
50			\$6,229,954,926		
51	Financial Incentive Programs for Public Education				
52	(17802).....	\$129,662,004	\$367,471,676		
53			\$372,789,157		
54	Financial Assistance for Categorical Programs				
55	(17803).....	\$58,336,366	\$58,583,763		
56			\$58,280,940		
57	Distribution of Lottery Funds (17805).....	\$632,398,647	\$628,830,501		
58			\$613,449,864		

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: General.....	\$6,226,545,937	\$6,483,582,852		
2			\$6,521,680,453		
3	Special.....	\$895,000	\$895,000		
4	Commonwealth Transportation.....	\$2,100,000	\$2,100,000		
5	Trust and Agency.....	\$743,748,217	\$765,180,071		
6			\$749,799,434		
7	Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2,				
8	Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-				
9	198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-				
10	253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2,				
11	7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142,				
12	as amended; P.L. 98-524, as amended, Federal Code.				
13	Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through				
14	22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642,				
15	as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.				
16	Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of				
17	1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-108, 22.1-199 through 22.1-212.2:2,				
18	22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of Virginia; P.L. 89-				
19	10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as				
20	amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as				
21	amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as				
22	amended, Federal Code.				
23	Distribution of Lottery Funds (17805): §§ 58.1-4022 and 58.1-4022.1, Code of Virginia				
24	Appropriation Detail of Education				
25	Assistance Programs (17800)				
26	Standards of Quality (17801)		FY 2019		FY 2020
27	Basic Aid		\$3,320,204,988		\$3,295,069,550
28					\$3,294,521,798
29	Sales Tax		\$1,421,600,000		\$1,486,302,403
30					\$1,514,900,000
31	Textbooks		\$70,008,927		\$70,023,715
32					\$70,297,768
33	Vocational Education		\$58,212,575		\$57,930,204
34					\$58,140,646
35	Gifted Education		\$35,280,085		\$35,314,827
36					\$35,448,902
37	Special Education		\$395,781,461		\$396,092,863
38					\$397,401,799
39	Prevention, Intervention, and		\$112,645,717		\$112,320,130
40	Remediation				\$112,916,008
41	English as a Second Language		\$59,957,366		\$62,519,408
42					\$65,356,159
43	VRS Retirement (includes RHCC)		\$441,069,956		\$442,260,022
44					\$443,927,229
45	Social Security		\$199,902,693		\$200,465,243
46					\$201,220,925
47	Group Life		\$13,570,212		\$13,596,751
48					\$13,647,928
49	Remedial Summer School		\$24,658,157		\$24,976,867
50					\$22,175,764
51	Total		\$6,152,892,137		\$6,196,871,983
52					\$6,229,954,926

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Incentive Programs (17802)				
2	Compensation Supplement		\$0	\$201,975,291	
3				\$200,676,881	
4	Governor's Schools	\$17,572,420		\$18,560,517	
5				\$18,482,116	
6	At-Risk Add-On (split funded)	\$10,468,261		\$34,468,409	
7				\$52,248,780	
8	Clinical Faculty	\$318,750		\$318,750	
9	Career Switcher Mentoring Grants	\$279,983		\$279,983	
10	Special Education - Endorsement	\$437,186		\$437,186	
11	Program				
12	Special Education – Vocational	\$200,089		\$200,089	
13	Education				
14	Virginia Workplace Readiness Skills	\$308,655		\$308,655	
15	Assessment				
16	Math/Reading Instructional Specialists	\$1,834,538		\$1,834,538	
17	Initiative				
18	Early Reading Specialists Initiative	\$1,476,790		\$1,476,790	
19	Breakfast After the Bell Incentive	\$1,074,000		\$1,074,000	
20	Special Education - Regional Tuition	\$89,503,626		\$100,397,909	
21				\$92,993,005	
22	Small School Division Enrollment Loss	\$6,112,706		\$0	
23	Virginia Preschool Initiative - Develop	\$75,000		\$0	
24	Assessment Plan				
25	Virginia Preschool Initiative Plus		\$0	\$6,139,559	
26				\$2,458,384	
27	Total	\$129,662,004		\$367,471,676	
28				\$372,789,157	
29	Categorical Programs (17803)				
30	Adult Education	\$1,051,800		\$1,051,800	
31	Adult Literacy	\$2,480,000		\$2,480,000	
32	Virtual Virginia	\$5,025,808		\$5,175,808	
33	American Indian Treaty Commitment	\$37,219		\$38,954	
34	School Lunch Program	\$5,801,932		\$5,801,932	
35	Special Education - Homebound	\$4,844,198		\$4,867,702	
36				\$4,888,196	
37	Special Education - Jails	\$3,507,385		\$3,507,385	
38				\$3,380,544	
39	Special Education - State Operated	\$35,588,024		\$35,660,182	
40	Programs			\$35,463,706	
41	Total	\$58,336,366		\$58,583,763	
42				\$58,280,940	
43	Lottery Funded Programs (17805)				
44	At-Risk Add-On (split funded)	\$100,114,539		\$86,482,069	
45				\$69,406,736	
46	Foster Care	\$9,615,192		\$10,387,961	
47				\$10,152,360	
48	Virginia Preschool Initiative - Per Pupil	\$70,049,572		\$72,351,058	
49	Amount			\$73,290,301	
50	Virginia Preschool Initiative -	\$304,088		\$306,100	
51	Provisional Teacher Licensure				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Early Reading Intervention	\$23,578,891	\$23,571,284	
2			\$27,670,562	
3	Mentor Teacher	\$1,000,000	\$1,000,000	
4	K-3 Primary Class Size Reduction	\$125,175,585	\$128,005,970	
5			\$125,226,194	
6	School Breakfast Program	\$6,287,789	\$7,439,888	
7			\$6,519,175	
8	SOL Algebra Readiness	\$13,099,389	\$13,061,697	
9			\$13,633,162	
10	Supplemental Lottery Per Pupil	\$253,190,472	\$255,531,948	
11	Allocation		\$255,533,690	
12	Regional Alternative Education	\$8,767,652	\$9,434,794	
13			\$9,403,886	
14	Individualized Student Alternative	\$2,247,581	\$2,247,581	
15	Education Program (ISAEP)			
16	Career and Technical Education –	\$12,400,829	\$12,400,829	
17	Categorical			
18	Project Graduation	\$1,387,240	\$1,387,240	
19	Race to GED (NCLB/EFAL)	\$2,410,988	\$2,410,988	
20	Path to Industry Certification	\$1,831,464	\$1,831,464	
21	(NCLB/EFAL)			
22	Supplemental Basic Aid	\$937,376	\$979,630	
23			\$1,029,596	
24	Total	\$632,398,647	\$628,830,501	\$613,449,864
25				
26	Technology – VPSA	\$57,017,700	\$58,612,800	
27			\$56,264,400	
28	Security Equipment - VPSA	\$6,000,000	\$12,000,000	
29	Payments out of the above amounts shall be subject to the following conditions:			
30	A. Definitions			
31	1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school			
32	division's average daily membership for grades K-12 including (1) handicapped students ages			
33	5-21 and (2) students for whom English is a second language who entered school for the first			
34	time after reaching their twelfth birthday, and who have not reached twenty-two years of age			
35	on or before August 1 of the school year, for the first seven (7) months (or equivalent period)			
36	of the school year through March 31 in which state funds are distributed from this			
37	appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.			
38	a. School divisions shall take a count of September 30 fall membership and report this			
39	information to the Department of Education no later than October 15 of each year.			
40	b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the			
41	Department of Education shall be calculated using March 31 ADM unadjusted for half-day			
42	kindergarten programs, estimated at 1,245,570.50 the first year and 1,248,165.55			
43	1,251,668.01 the second year. March 31 ADM for half-day kindergarten shall be adjusted at			
44	85 percent.			
45	c. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction			
46	pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis			
47	in any mathematics, science, English, history, social science, vocational education, health			
48	education or physical education, fine arts or foreign language course, or receiving special			
49	education services required by a student's individualized education plan, shall be counted in			
50	the funded fall membership and March 31 ADM of the responsible school division. Each			
51	course shall be counted as 0.25, up to a cap of 0.5 of a student.			

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	d. Students enrolled in an Individualized Student Alternative Education Program (ISAEP)			
2	pursuant to § 22.1-254 E shall be counted in the March 31 Average Daily Membership of			
3	the responsible school division. School divisions shall report these students separately in			
4	their March 31 reports of Average Daily Membership.			
5	2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as			
6	prescribed by the Board of Education subject to revision by the General Assembly.			
7	3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of			
8	instructional personnel required by the Standards of Quality for each school division with			
9	a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate			
10	number thereof, in March 31 ADM for the same fiscal year for which the costs are			
11	computed, and including provision for driver, gifted, occupational-vocational, and special			
12	education, library materials and other teaching materials, teacher sick leave, general			
13	administration, division superintendents' salaries, free textbooks (including those for free			
14	and reduced price lunch pupils), school nurses, operation and maintenance of school plant,			
15	transportation of pupils, instructional television, professional and staff improvement,			
16	remedial work, fixed charges and other costs in programs not funded by other state and/or			
17	federal aid.			
18	b. The state and local shares of funding resulting from the support cost calculation for			
19	school nurses shall be specifically identified as such and reported to school divisions			
20	annually. School divisions may spend these funds for licensed school nurse positions			
21	employed by the school division or for licensed nurses contracted by the local school			
22	division to provide school health services.			
23	4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each			
24	locality. The composite index is the sum of 2/3 of the index of wealth per pupil in			
25	unadjusted March 31 ADM reported for the first seven (7) months of the 2015-2016			
26	school year and 1/3 of the index of wealth per capita (population estimates for 2015 as			
27	determined by the Weldon Cooper Center for Public Service of the University of Virginia)			
28	multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in			
29	each year. The indices of wealth are determined by combining the following constituent			
30	index elements with the indicated weighting: (1) true values of real estate and public			
31	service corporations as reported by the State Department of Taxation for the calendar year			
32	2015 - 50 percent; (2) adjusted gross income for the calendar year 2015 as reported by the			
33	State Department of Taxation - 40 percent; (3) the sales for the calendar year 2015 which			
34	are subject to the state general sales and use tax, as reported by the State Department of			
35	Taxation - 10 percent. Each constituent index element for a locality is its sum per March			
36	31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM,			
37	or per capita, for the same element. A locality whose composite index exceeds 0.8000			
38	shall be considered as having an index of 0.8000 for purposes of distributing all payments			
39	based on the composite index of local ability-to-pay. Each constituent index element for a			
40	locality used to determine the composite index of local ability-to-pay for the current			
41	biennium shall be the latest available data for the specified official base year provided to			
42	the Department of Education by the responsible source agencies no later than November			
43	15, 2017.			
44	b. For any locality whose total calendar year 2015 Virginia Adjusted Gross Income is			
45	comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident			
46	income shall be excluded in computing the composite index of ability-to-pay. The			
47	Department of Education shall compute the composite index for such localities by using			
48	adjusted gross income data which exclude nonresident income, but shall not adjust the			
49	composite index of any other localities. The Department of Taxation shall furnish to the			
50	Department of Education such data as are necessary to implement this provision.			
51	c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional			
52	state funding for future consolidations shall be as set forth in future Appropriation Acts.			
53	2) In the case of the consolidation of Clifton Forge and Alleghany County school			
54	divisions, the fifteen year period for the application of a new composite index shall apply			
55	beginning with the fiscal year that starts on July 1, 2004. The composite index established			
56	by the Board of Education shall equal the lowest composite index that was in effect prior			
57	to July 1, 2004, of any individual localities involved in such consolidation, and this index			

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	shall remain in effect for a period of fifteen years, unless a lower composite index is			
2	calculated for the combined division through the process for computing an index as set forth			
3	above.			
4	3) If the composite index of a consolidated school division is reduced during the course of the			
5	fifteen year period to a level that would entitle the school division to a lower interest rate for a			
6	Literary Fund loan than it received when the loan was originally released, the Board of			
7	Education shall reduce the interest rate of such loan for the remainder of the period of the			
8	loan. Such reduction shall be based on the interest rate that would apply at the time of such			
9	adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to			
10	those years remaining to be paid.			
11	4) In the case of the consolidation of Bedford County and Bedford City school divisions, the			
12	fifteen year period for the application of a new composite shall apply beginning with the fiscal			
13	year that starts on July 1, 2013. The composite index established by the Board of Education			
14	shall equal the lowest composite index that was in effect prior to July 1, 2013, of any			
15	individual localities involved in such consolidation, and this index shall remain in effect for a			
16	period of fifteen years, unless a lower composite index is calculated for the combined division			
17	through the process for computing an index as set forth above.			
18	d. When it is determined that a substantial error exists in a constituent index element, the			
19	Department of Education will make adjustments in funding for the current school year only in			
20	the division where the error occurred. The composite index of any other locality shall not be			
21	changed as a result of the adjustment. No adjustment during the biennium will be made as a			
22	result of updating of data used in a constituent index element.			
23	e. In the event that any school division consolidates two or more small schools, the division			
24	shall continue to receive Standards of Quality funding and provide for the required local			
25	expenditure for a period of five years as if the schools had not been consolidated. Small			
26	schools are defined as any elementary, middle, or high school with enrollment below 200, 300			
27	and 400 students, respectively.			
28	5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on			
29	the composite index of local ability-to-pay of the cost required by all the Standards of Quality			
30	minus its estimated revenues from the state sales and use tax dedicated to public education			
31	and those sales tax revenues transferred to the general fund from the Public Education			
32	Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this			
33	Item, both of which are returned on the basis of the latest yearly estimate of school age			
34	population provided by the Weldon Cooper Center for Public Service, as specified in this			
35	Item, collected by the Department of Education and distributed to school divisions in the			
36	fiscal year in which the school year begins.			
37	6. "Required Local Match" - The locality's required share of program cost based on the			
38	composite index of local ability-to-pay for all Lottery and Incentive programs, where			
39	required, in which the school division has elected to participate in a fiscal year.			
40	7. "Planning District Eight" - The nine localities which comprise Planning District Eight are			
41	Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria			
42	City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.			
43	8. "State Share of the Standards of Quality" - The state share of the Standards of Quality			
44	(SOQ) shall be equal to the total funded SOQ cost for a school division less the school			
45	division's estimated revenues from the state sales and use tax dedicated to public education			
46	based on the latest yearly estimate of school age population provided by the Weldon Cooper			
47	Center for Public Service, adjusted for the state's share of the composite index of local ability			
48	to pay.			
49	9. Entitlements under this Item that use school-level or division-level Free Lunch eligibility			
50	percentages to determine the entitlement amounts are based on the most recent data available			
51	as of the biennial rebenchmarking calculations made for the current biennium. For schools			
52	that participate in the Community Eligibility Provision program, such entitlements are based			
53	on the most recent Free Lunch eligibility data available prior to that school's enrollment in the			
54	Community Eligibility Provision program.			

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	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	10. In the event that the general fund appropriations in this Item are not sufficient to meet			
2	the entitlements payable to school divisions pursuant to the provisions of this Item, the			
3	Department of Education is authorized to transfer any available general fund funds			
4	between these Items to address such insufficiencies. If the total general fund			
5	appropriations after such transfers remain insufficient to meet the entitlements of any			
6	program funded with general fund dollars, the Department of Education is authorized to			
7	prorate such shortfall proportionately across all of the school divisions participating in any			
8	program where such shortfall occurred. In addition, the Department of Education is			
9	authorized each year to temporarily suspend textbook payments made to school divisions			
10	from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in			
11	the remaining textbook payments to be made for the year.			
12	11. The Department of Education is directed to apply a cap on inflation rates in the same			
13	manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school			
14	divisions during the biennial rebenchmarking process.			
15	12. Notwithstanding any other provision in statute or in this Item, the Department of			
16	Education is directed to combine the end-of-year Average Daily Membership (ADM) for			
17	those school divisions who have partnered together as a fiscal agent division and a			
18	contractual division for the purposes of calculating prevailing costs included in the			
19	Standards of Quality (SOQ).			
20	13. Notwithstanding any other provision in statute or in this Item, the Department of			
21	Education is directed to include zeroes in the linear weighted average calculation of			
22	support non-personal costs for the purpose of calculating prevailing costs included in the			
23	Standards of Quality (SOQ).			
24	14. Notwithstanding any other provision in statute or in this Item, the Department of			
25	Education is directed to eliminate the corresponding and appropriate object code(s) related			
26	to reported travel expenditures included the linear weighted average non-personal cost			
27	calculations for the purpose of calculating prevailing costs included in the Standards of			
28	Quality (SOQ).			
29	15. Notwithstanding any other provision in statute or in this Item, the Department of			
30	Education is directed to eliminate the corresponding and appropriate object code(s) related			
31	to reported leases and rental and facility expenditures included the linear weighted average			
32	non-personal cost calculations for the purpose of calculating prevailing costs included in			
33	the Standards of Quality (SOQ).			
34	16. Notwithstanding any other provision in statute or in this Item, the Department of			
35	Education is directed to fund transportation costs using a 15 year replacement schedule,			
36	which is the national standard guideline, for school bus replacement schedule for the			
37	purpose of calculating funded transportation costs included in the Standards of Quality			
38	(SOQ).			
39	17. To provide temporary flexibility, notwithstanding any other provision in statute or in			
40	this Item, school divisions may elect to increase the teacher to pupil staffing ratios in			
41	kindergarten through grade 7 and English classes for grades 6 through twelve by one			
42	additional student; the teacher to pupil staffing ratio requirements for Elementary			
43	Resource teachers, Prevention, Intervention and Remediation, English as a Second			
44	Language, Gifted and Talented, Career and Technical funded programs (other than on			
45	Career and Technical courses where school divisions will have to maintain a maximum			
46	class size based on federal Occupational Safety & Health Administration safety			
47	requirements) are waived; and the instructional and support technology positions,			
48	librarians and guidance counselors staffing ratios for new hires are waived.			
49	18. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code			
50	of Virginia, any school division that was granted a waiver regarding the opening date of			
51	the school year for the 2011-2012 school year under the good cause requirements shall			
52	continue to be granted a waiver for the 2018-2019 school year and the 2019-2020 school			
53	year.			
54	B. General Conditions			

		Item Details(\$)		Appropriations(\$)	
ITEM 136.		First Year	Second Year	First Year	Second Year
		FY2019	FY2020	FY2019	FY2020

1 1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for
 2 instructional staff members to the employer's cost for a number not exceeding the number of
 3 instructional positions required by the Standards of Quality for each school division and for
 4 their salaries at the statewide prevailing salary levels as printed below.

	Instructional Position	First Year Salary	Second Year Salary
5			
6	Elementary Teachers	\$48,298	\$48,298
7	Elementary Assistant Principals	\$68,545	\$68,545
8	Elementary Principals	\$85,115	\$85,115
9	Secondary Teachers	\$51,167	\$51,167
10	Secondary Assistant Principals	\$74,535	\$74,535
11	Secondary Principals	\$93,695	\$93,695
12	Instructional Aides	\$17,738	\$17,738

13 a.1) Payment by the state to a local school division shall be based on the state share of fringe
 14 benefit costs of 55 percent of the employer's cost distributed on the basis of the composite
 15 index.

16 2) A locality whose composite index exceeds 0.8000 shall be considered as having an index
 17 of 0.8000 for purposes of distributing fringe benefit funds under this provision.

18 3) The state payment to each school division for retirement, social security, and group life
 19 insurance costs for non-instructional personnel is included in and distributed through Basic
 20 Aid.

21 b. Payments to school divisions from this Item shall be calculated using March 31 Average
 22 Daily Membership adjusted for half-day kindergarten programs.

23 c. Payments for health insurance fringe benefits are included in and distributed through Basic
 24 Aid.

25 2. Each locality shall offer a school program for all its eligible pupils which is acceptable to
 26 the Department of Education as conforming to the Standards of Quality program
 27 requirements.

28 3. In the event the statewide number of pupils in March 31 ADM results in a state share of
 29 cost exceeding the general fund appropriation in this Item, the locality's state share of Basic
 30 Aid shall be reduced proportionately so that this general fund appropriation will not be
 31 exceeded. In addition, the required local share of Basic Aid shall also be reduced
 32 proportionately to the reduction in the state's share.

33 4. The Department of Education shall make equitable adjustments in the computation of
 34 indices of wealth and in other state-funded accounts for localities affected by annexation,
 35 unless a court of competent jurisdiction makes such adjustments. However, only the indices of
 36 wealth and other state-funded accounts of localities party to the annexation will be adjusted.

37 5. In the event that the actual revenues from the state sales and use tax dedicated to public
 38 education and those sales tax revenues transferred to the general fund from the Public
 39 Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated
 40 in this Item (both of which are returned on the basis of the latest yearly estimate of school age
 41 population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal
 42 year in which the school year begins are different from the number estimated as the basis for
 43 this appropriation, the estimated state sales and use tax revenues shall not be adjusted.

44 6. This appropriation shall be apportioned to the public schools with guidelines established by
 45 the Department of Education consistent with legislative intent as expressed in this act.

46 7.a. Appropriations of state funds in this Item include the number of positions required by the
 47 Standards of Quality. This Item includes a minimum of 51 professional instructional positions
 48 and aide positions (C 5); Education of the Gifted, 1.0 professional instructional position (C 6);
 49 Occupational-Vocational Education Payments and Special Education Payments; a minimum
 50 of 6.0 professional instructional positions and aide positions (C 7 and C 8) for each 1,000
 51 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	support of one hour of additional instruction per day based on the percent of students			
2	eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1,			
3	depending upon a school division's combined failure rate on the English and Math			
4	Standards of Learning, is included in Remedial Education Payments (C 9).			
5	b. No actions provided in this section signify any intent of the General Assembly to			
6	mandate an increase in the number of instructional personnel per 1,000 students above the			
7	numbers explicitly stated in the preceding paragraph.			
8	c. Appropriations in this Item include programs supported in part by transfers to the			
9	general fund from the Public Education Standards of Quality/Local Real Estate Property			
10	Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with			
11	other appropriations from the general fund in this Item funds the state's share of the			
12	following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the			
13	Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one			
14	support technology position per 1,000 students; one instructional technology position per			
15	1,000 students; and a full daily planning period for teachers at the middle and high school			
16	levels in order to relieve the financial pressure these education programs place on local			
17	real estate taxes.			
18	d. To provide flexibility, school divisions may use the state and local funds for			
19	instructional technology resource teachers required by the Standards of Quality to employ			
20	a data coordinator position, an instructional technology resource teacher position, or a data			
21	coordinator/instructional resource teacher blended position. The data coordinator position			
22	is intended to serve as a resource to principals and classroom teachers in the area of data			
23	analysis and interpretation for instructional and school improvement purposes, as well as			
24	for overall data management and administration of state assessments. School divisions			
25	using these SOQ funds in this manner shall only employ instructional personnel licensed			
26	by the Board of Education.			
27	e. To provide flexibility in the provision of reading intervention services, school divisions			
28	may use the state Early Reading Intervention initiative funding provided from the Lottery			
29	Proceeds Fund and the required local matching funds to employ reading specialists to			
30	provide the required reading intervention services. School divisions using the Early			
31	Reading Intervention Initiative funds in this manner shall only employ instructional			
32	personnel licensed by the Board of Education.			
33	f. To provide flexibility in the provision of mathematics intervention services, school			
34	divisions may use the state Standards of Learning Algebra Readiness initiative funding			
35	provided from the Lottery Proceeds Fund and the required local matching funds to employ			
36	mathematics teacher specialists to provide the required mathematics intervention services.			
37	School divisions using the Standards of Learning Algebra Readiness initiative funding in			
38	this manner shall only employ instructional personnel licensed by the Board of Education.			
39	g. Notwithstanding the provisions of subsection H of § 22.1-253.13:2 of the Code of			
40	Virginia, as amended by the 2019 Session of the General Assembly, to the contrary, each			
41	school board shall employ the following full-time equivalent school counselor positions			
42	for any school that reports fall membership, according to the type of school and student			
43	enrollment: effective with the 2019-2020 school year, in elementary schools, one hour per			
44	day per 91 students, one full-time at 455 students, one hour per day additional time per 91			
45	students or major fraction thereof; school counselors in middle schools, one period per 74			
46	students, one full-time at 370 students, one additional period per 74 students or major			
47	fraction thereof; school counselors in high schools, one period per 65 students, one full-			
48	time at 325 students, one additional period per 65 students or major fraction thereof.			
49	8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to			
50	make calculations at the start of the school year to ensure that school divisions have			
51	appropriated adequate funds to support their estimated required local expenditure for the			
52	corresponding state fiscal year. In an effort to reduce the administrative burden on school			
53	divisions resulting from state data collections, such as the one needed to make the			
54	aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining			
55	to the adequacy of estimated required local expenditures, shall be satisfied by signed			
56	certification by each division superintendent at the beginning of each school year that			
57	sufficient local funds have been budgeted to meet all state required local effort and			

ITEM 136.	Item Details(\$)		Appropriations(\$)	
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1	required local match amounts. This provision shall only apply to calculations required of the			
2	Department of Education related to estimated required local expenditures and shall not pertain			
3	to the calculations associated with actual required local expenditures after the close of the			
4	school year.			
5	2) The Department of Education shall also make calculations after the close of the school year			
6	to verify that the required local effort level, based on actual March 31 Average Daily			
7	Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education			
8	shall report annually, no later than the first day of the General Assembly session, to the House			
9	Committees on Education and Appropriations and the Senate Committees on Finance and			
10	Education and Health, the results of such calculations made after the close of the school year			
11	and the degree to which each school division has met, failed to meet, or surpassed its required			
12	local expenditure. The Department of Education shall specify the calculations to determine if			
13	a school division has expended its required local expenditure for the Standards of Quality.			
14	This calculation may include but is not limited to the following calculations:			
15	b. The total expenditures for operation, defined as total expenditures less all capital outlays,			
16	expenditures for debt service, facilities, non-regular day school programs (such as adult			
17	education, preschool, and non-local education programs), and any transfers to regional			
18	programs will be calculated.			
19	c. The following state funds will be deducted from the amount calculated in paragraph a.			
20	above: revenues from the state sales and use tax (returned on the basis of the latest yearly			
21	estimate of school age population provided by the Weldon Cooper Center for Public Service,			
22	as specified in this Item) for sales in the fiscal year in which the school year begins; total			
23	receipts from state funds (except state funds for non-regular day school programs and state			
24	funds used for capital or debt service purposes); and the state share of any balances carried			
25	forward from the previous fiscal year. Any qualifying state funds that remain unspent at the			
26	end of the fiscal year will be added to the amount calculated in paragraph a. above.			
27	d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also			
28	be deducted from the amount calculated in paragraph a. above. Any federal funds that remain			
29	unspent at the end of the fiscal year and any capital expenditures paid from federal funds will			
30	be added to the amount calculated in paragraph a. above.			
31	e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers			
32	will also be deducted from the amount calculated in paragraph a, then			
33	f. The final amount calculated as described above must be equal to or greater than the required			
34	local expenditure defined in paragraph A. 5.			
35	g. The Department of Education shall collect the data necessary to perform the calculations of			
36	required local expenditure as required by this section.			
37	h. A locality whose expenditure in fact exceeds the required amount from local funds may not			
38	reduce its expenditures unless it first complies with all of the Standards of Quality.			
39	9.a. Any required local matching funds which a locality, as of the end of a school year, has			
40	not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality			
41	into the general fund of the state treasury. Such payments shall be made not later than the end			
42	of the school year following that in which the under expenditure occurs.			
43	b. Whenever the Department of Education has recovered funds as defined in the preceding			
44	paragraph a., the Secretary of Education is authorized to repay to the locality affected by that			
45	action, seventy-five percent (75%) of those funds upon his determination that:			
46	1) The local school board agrees to include the funds in its June 30 ending balance for the			
47	year following that in which the under expenditure occurs;			
48	2) The local governing body agrees to reappropriate the funds as a supplemental appropriation			
49	to the approved budget for the second year following that in which the under expenditure			
50	occurs, in an appropriate category as requested by the local school board, for the direct benefit			
51	of the students;			
52	3) The local school board agrees to expend these funds, over and above the funds required to			

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1	meet the required local expenditure for the second year following that in which the under			
2	expenditure occurs, for a special project, the details of which must be furnished to the			
3	Department of Education for review and approval;			
4	4) The local school board agrees to submit quarterly reports to the Department of			
5	Education on the use of funds provided through this project award; and			
6	5) The local governing body and the local school board agree that the project award will			
7	be cancelled and the funds withdrawn if the above conditions have not been met as of June			
8	30 of the second year following that in which the under expenditure occurs.			
9	c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum			
10	sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to			
11	the preceding paragraph a.			
12	10. The Department of Education shall specify the manner for collecting the required			
13	information and the method for determining if a school division has expended the local			
14	funds required to support the actual local match based on all Lottery and Incentive			
15	programs in which the school division has elected to participate. Unless specifically stated			
16	otherwise in this Item, school divisions electing to participate in any Lottery or Incentive			
17	program that requires a local funding match in order to receive state funding, shall certify			
18	to the Department of Education its intent to participate in each program by July 1 each			
19	fiscal year in a manner prescribed by the Department of Education. As part of this			
20	certification process, each division superintendent must also certify that adequate local			
21	funds have been appropriated, above the required local effort for the Standards of Quality,			
22	to support the projected required local match based on the Lottery and Incentive programs			
23	in which the school division has elected to participate. State funding for such program(s)			
24	shall not be made until such time that the school division can certify that sufficient local			
25	funding has been appropriated to meet required local match. The Department of Education			
26	shall make calculations after the close of the fiscal year to verify that the required local			
27	match was met based on the state funds that were received.			
28	11. Any sum of local matching funds for Lottery and Incentive program which a locality			
29	has not expended as of the end of a fiscal year in support of the required local match			
30	pursuant to this Item shall be paid by the locality into the general fund of the state treasury			
31	unless the carryover of those unspent funds is specifically permitted by other provisions of			
32	this act. Such payments shall be made no later than the end of the school year following			
33	that in which the under expenditure occurred.			
34	12. The Superintendent of Public Instruction shall provide a report annually, no later than			
35	the first day of the General Assembly session, on the status of teacher salaries, by local			
36	school division, to the Governor and the Chairmen of the Senate Finance and House			
37	Appropriations Committees. In addition to information on average salaries by school			
38	division and statewide comparisons with other states, the report shall also include			
39	information on starting salaries by school division and average teacher salaries by school.			
40	13. All state and local matching funds required by the programs in this Item shall be			
41	appropriated to the budget of the local school board.			
42	14. By November 15 of each year, the Department of Planning and Budget, in cooperation			
43	with the Department of Education, shall prepare and submit a preliminary forecast of			
44	Standards of Quality expenditures, based upon the most current data available, to the			
45	Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered			
46	years, the forecast for the current and subsequent two fiscal years shall be provided. In			
47	even-numbered years, the forecast for the current and subsequent fiscal year shall be			
48	provided. The forecast shall detail the projected March 31 Average Daily Membership and			
49	the resulting impact on the education budget.			
50	15. School divisions may choose to use state payments provided for Standards of Quality			
51	Prevention, Intervention, and Remediation in both years as a block grant for remediation			
52	purposes, without restrictions or reporting requirements, other than reporting necessary as			
53	a basis for determining funding for the program.			
54	16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall			

ITEM 136.		Item Details(\$)		Appropriations(\$)	
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1	provide guidelines for the distribution and expenditure of general fund appropriations and				
2	such additional federal, private and other funds as may be made available to aid in the				
3	establishment and maintenance of the public schools.				
4	17. At the Department of Education's option, fees for audio-visual services may be deducted				
5	from state Basic Aid payments for individual local school divisions.				
6	18. For distributions not otherwise specified, the Department of Education, at its option, may				
7	use prior year data to calculate actual disbursements to individual localities.				
8	19. Payments for accounts related to the Standards of Quality made to localities for public				
9	education from the general fund, as provided herein, shall be payable in twenty-four semi-				
10	monthly installments at the middle and end of each month.				
11	20. Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the				
12	Department of Education shall, for purposes of calculating the state and local shares of the				
13	Standards of Quality, apportion state sales and use tax dedicated to public education and those				
14	sales tax revenues transferred to the general fund from the Public Education Standards of				
15	Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1,				
16	2016, estimate of school age population provided by the Weldon Cooper Center for Public				
17	Service and, in the second year, based on the July 1, 2017, estimate of school age population				
18	provided by the Weldon Cooper Center for Public Service.				
19	Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the State				
20	Comptroller shall distribute the state sales and use tax revenues dedicated to public education				
21	and those sales tax revenues transferred to the general fund from the Public Education				
22	Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on				
23	the July 1, 2016, estimate of school age population provided by the Weldon Cooper Center for				
24	Public Service and, in the second year, based on the July 1, 2017, estimate of school age				
25	population provided by the Weldon Cooper Center for Public Service.				
26	21. The school divisions within the Tobacco Region, as defined by the Tobacco				
27	Indemnification and Community Revitalization Commission, shall jointly explore ways to				
28	maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.				
29	22. This Item includes appropriations totaling an estimated \$632,398,647 the first year and				
30	\$628,830,501 \$613,449,864 the second year from the revenues deposited to the Lottery				
31	Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns				
32	to support public education programs pursuant to Article X, Section 7-A Constitution of				
33	Virginia. Any county, city, or town which accepts a distribution from this fund shall provide				
34	its portion of the cost of maintaining an educational program meeting the Standards of Quality				
35	pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from				
36	the fund.				
37	23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds				
38	as state funds.				
39	24.a. Any locality that has met its required local effort for the Standards of Quality accounts				
40	for FY 2019 and that has met its required local match for incentive or Lottery-funded				
41	programs in which the locality elected to participate in FY 2019 may carry over into FY 2020				
42	any remaining state Direct Aid to Public Education fund balances available to help minimize				
43	any FY 2020 revenue adjustments that may occur in state funding to that locality. Localities				
44	electing to carry forward such unspent state funds must appropriate the funds to the school				
45	division for expenditure in FY 2020.				
46	b. Any locality that has met its required local effort for the Standards of Quality accounts for				
47	FY 2020 and that has met its required local match for incentive or Lottery-funded programs in				
48	which the locality elected to participate in FY 2020 may carry over into FY 2021 any				
49	remaining state Direct Aid to Public Education fund balances available to help minimize any				
50	FY 2021 revenue adjustments that may occur in state funding to that locality. Localities				
51	electing to carry forward such unspent state funds must appropriate the funds to the school				
52	division for expenditure in FY 2021.				
53	25. Localities are encouraged to allow school boards to carry over any unspent local				
54	allocations into the next fiscal year. Localities are also encouraged to provide increased				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
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1	flexibility to school boards by appropriating state and local funds for public education in a			
2	lump sum.			
3	26. The Department of Education shall include in the annual School Performance Report			
4	Card for school divisions the percentage of each division's annual operating budget			
5	allocated to instructional costs. For this report, the Department of Education shall establish			
6	a methodology for allocating each school division's expenditures to instructional and non-			
7	instructional costs in a manner that is consistent with the funding of the Standards of			
8	Quality as approved by the General Assembly.			
9	27. It is the intent of the General Assembly that all school divisions annually provide their			
10	employees, upon request, with a user-friendly statement of total compensation, including			
11	contract duration if less than 12 months.			
12	28. The Department of Education, in collaboration with the Virginia Community College			
13	System, will ensure that the same policies regarding the cost for dual enrollment courses			
14	held at a community college, are consistently applied to public school students and home-			
15	schooled students alike. These policies will clearly address the school division			
16	contributions and any student charges for dual enrollment courses, and will ensure that			
17	public school students and home-school students are treated in the same manner.			
18	C. Apportionment			
19	1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each			
20	locality shall receive sums as listed above within this program for the basic operation cost			
21	and payments in addition to that cost. The apportionment herein directed shall be inclusive			
22	of, and without further payment by reason of, state funds for library and other teaching			
23	materials.			
24	2. School Employee Retirement Contributions			
25	a. This Item provides funds to each local school board for the state share of the employer's			
26	retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer			
27	to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of			
28	Virginia.			
29	b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide			
30	payments for only the state share of the Standards of Quality fringe benefit cost of the			
31	retiree health care credit. This Item includes payments in both years based on the state			
32	share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of			
33	Quality instructional positions, distributed based on the composite index of the local			
34	ability-to-pay.			
35	3. School Employee Social Security Contributions			
36	a. This Item provides funds to each local school board for the state share of the employer's			
37	Social Security cost incurred by it, on behalf of the instructional personnel for subsequent			
38	transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.			
39	b. Appropriations for contributions in paragraphs 2 and 3 above include payments from			
40	funds derived from the principal of the Literary Fund in accordance with Article VIII,			
41	Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund			
42	for these purposes shall not exceed \$111,349,570 the first year and \$136,349,570 the			
43	second year.			
44	4. School Employee Insurance Contributions			
45	This Item provides funds to each local school board for the state share of the employer's			
46	Group Life Insurance cost incurred by it on behalf of instructional personnel who			
47	participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of			
48	Virginia.			
49	5. Basic Aid Payments			
50	a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is			
51	established individually for each local school division based on the number of			

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1	instructional personnel required by the Standards of Quality and the statewide prevailing			
2	salary levels (adjusted in Planning District Eight for the cost of competing) as well as			
3	recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.			
4	2) This appropriation includes funding to recognize the common labor market in the			
5	Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area.			
6	Standards of Quality salary payments for instructional and support positions in school			
7	divisions of the localities set out below have been adjusted for the equivalent portion of the			
8	Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in			
9	Planning District Eight. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren,			
10	Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments			
11	for instructional and support positions have been increased by 25 percent each year of the			
12	COCA rates paid to school divisions in Planning District Eight.			
13	The support COCA rate is 10.6 percent.			
14	b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less			
15	the locality's estimated revenues from the state sales and use tax (returned on the basis of the			
16	latest yearly estimate of school age population provided by the Weldon Cooper Center for			
17	Public Service, as specified in this Item), in the fiscal year in which the school year begins			
18	and less the required local expenditure.			
19	c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax			
20	estimates are as cited in this Item.			
21	d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of			
22	Education shall deduct the locality's share for the education of handicapped pupils residing in			
23	institutions within the Department of Behavioral Health and Developmental Services from the			
24	locality's Basic Aid payments.			
25	2) The amounts deducted from Basic Aid for the education of intellectually disabled persons			
26	shall be transferred to the Department of Behavioral Health and Developmental Services in			
27	support of the cost of educating such persons; the amount deducted from Basic Aid for the			
28	education of emotionally disturbed persons shall be used to cover extraordinary expenses			
29	incurred in the education of such persons. The Department of Education shall establish			
30	guidelines to implement these provisions and shall provide for the periodic transfer of sums			
31	due from each local school division to the Department of Behavioral Health and			
32	Developmental Services and for Special Education categorical payments. The amount of the			
33	actual transfers will be based on data accumulated during the prior school year.			
34	e. 1) The apportionment to localities of all driver education revenues received during the			
35	school year shall be made as an undesignated component of the state share of Basic Aid in			
36	accordance with the provisions of this Item. Only school divisions complying with the			
37	standardized program established by the Board of Education shall be entitled to participate in			
38	the distribution of state funds appropriated for driver education. The Department of Education			
39	will deduct a designated amount per pupil from a school division's Basic Aid payment when			
40	the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount			
41	will be computed by dividing the current appropriation for the Driver Education Fund by			
42	actual March 31 ADM.			
43	2) Local school boards may charge a per pupil fee for behind-the-wheel driver education			
44	provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver			
45	education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a			
46	pro rata reduction in Basic Aid payments to school divisions.			
47	f. Textbooks			
48	1) The appropriation in this Item includes \$70,008,927 the first year and \$70,023,715			
49	\$70,297,768 the second year from the general fund as the state's share of the cost of textbooks			
50	based on a per pupil amount of \$100.69 the first year and \$100.69 the second year. A school			
51	division shall appropriate these funds for textbooks or any other public education instructional			
52	expenditure by the school division. The state's distributions for textbooks shall be based on			
53	adjusted March 31 ADM. These funds shall be matched by the local government, based on the			
54	composite index of local ability-to-pay.			

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	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2) School divisions shall provide free textbooks to all students.			
2	3) School divisions may use a portion of this funding to purchase Standards of Learning			
3	instructional materials. School divisions may also use these funds to purchase electronic			
4	textbooks or other electronic media resources integral to the curriculum and classroom			
5	instruction and the technical equipment required to read and access the electronic			
6	textbooks and electronic curriculum materials.			
7	4) Any funds provided to school divisions for textbook costs that are unexpended as of			
8	June 30, 2019, or June 30, 2020, shall be carried on the books of the locality to be			
9	appropriated to the school division the following year to be used for same purpose. School			
10	divisions are permitted to carry forward any remaining balance of textbook funds until the			
11	funds are expensed for a qualifying purpose.			
12	g. The one-cent state sales and use tax earmarked for education and the sales tax revenues			
13	transferred to the general fund from the Public Education Standards of Quality/Local Real			
14	Estate Property Tax Relief Fund and appropriated in this Item which are distributed to			
15	localities on the basis of the latest yearly estimate of school age population provided by			
16	the Weldon Cooper Center for Public Service as specified in this Item shall be reflected in			
17	each locality's annual budget for educational purposes as a separate revenue source for the			
18	current fiscal year.			
19	h. The appropriation for the Standards of Quality for Public Education (SOQ) includes			
20	amounts estimated at \$389,900,000 the first year and \$409,300,000 \$421,600,000 the			
21	second year from the amounts transferred to the general fund from the Public Education			
22	Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this			
23	act which are derived from the 0.375 cent increase in the state sales and use tax levied			
24	pursuant to § 58.1-638, Code of Virginia. These additional funds are provided to local			
25	school divisions and local governments in order to relieve the financial pressure education			
26	programs place on local real estate taxes.			
27	i. From the total amounts in paragraph h. above, an amount estimated at \$259,900,000 the			
28	first year and \$272,900,000 \$281,100,000 the second year (approximately 1/4 cent of sales			
29	and use tax) is appropriated to support a portion of the cost of the state's share of the			
30	following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the			
31	Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one			
32	support and one instructional technology position per 1,000 students; a full daily planning			
33	period for teachers at the middle and high school levels in order to relieve the pressure on			
34	local real estate taxes and shall be taken into account by the governing body of the county,			
35	city, or town in setting real estate tax rates.			
36	j. From the total amounts in paragraph h. above, an amount estimated at \$130,000,000 the			
37	first year and \$136,400,000 \$140,500,000 the second year (approximately 1/8 cent of sales			
38	and use tax) is appropriated in this Item to distribute the remainder of the revenues			
39	collected and deposited into the Public Education Standards of Quality/Local Real Estate			
40	Property Tax Relief Fund on the basis of the latest yearly estimate of school age			
41	population provided by the Weldon Cooper Center for Public Service as specified in this			
42	Item.			
43	k. For the purposes of funding certain support positions in Basic Aid, a funding ratio			
44	methodology is used based upon the prevailing ratio of actual support positions, consistent			
45	with those recognized for SOQ funding, to actual instructional positions, consistent with			
46	those recognized for SOQ funding, as established in Chapter 781, 2009 Acts of Assembly.			
47	For the purposes of making the required spending adjustments, the appropriation and			
48	distribution of Basic Aid shall reflect this methodology. Local school divisions shall have			
49	the discretion as to where the adjustment may be made, consistent with the Standards of			
50	Quality funded in this Act.			
51	6. Education of the Gifted Payments			
52	a. An additional payment shall be disbursed by the Department of Education to local			
53	school divisions to support the state share of one full-time equivalent instructional position			
54	per 1,000 students in adjusted March 31 ADM.			

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		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	b. Local school divisions are required to spend, as part of the required local expenditure for				
2	the Standards of Quality the established per pupil cost for gifted education (state and local				
3	share) on approved programs for the gifted.				
4	7. Occupational-Vocational Education Payments				
5	a. An additional payment shall be disbursed by the Department of Education to the local				
6	school divisions to support the state share of the number of Vocational Education instructors				
7	required by the Standards of Quality. These funds shall be disbursed on the same basis as the				
8	payment is calculated.				
9	b. An amount estimated at \$120,281,318 the first year and \$120,355,978 the second year from				
10	the general fund included in Basic Aid Payments relates to vocational education programs in				
11	support of the Standards of Quality.				
12	8. Special Education Payments				
13	a. An additional payment shall be disbursed by the Department of Education to the local				
14	school divisions to support the state share of the number of Special Education instructors				
15	required by the Standards of Quality. These funds shall be disbursed on the same basis as the				
16	payment is calculated.				
17	b. Out of the amounts for special education payments, general fund support is provided to				
18	fund the caseload standards for speech pathologists at 68 students for each year of the				
19	biennium.				
20	9. Remedial Education Payments				
21	a. An additional payment estimated at \$112,645,717 the first year and \$112,320,130				
22	\$112,916,008 the second year from the general fund shall be disbursed by the Department of				
23	Education to support the Board of Education's Standards of Quality Prevention, Intervention,				
24	and Remediation program adopted in June 2003.				
25	b. The payment shall be calculated based on one hour of additional instruction per day for				
26	identified students, using the three year average percent of students eligible for the federal				
27	Free Lunch program as a proxy for students needing such services. Fall membership shall be				
28	multiplied by the three year average division-level Free Lunch eligibility percentage to				
29	determine the estimated number of students eligible for services. Pupil-teacher ratios shall be				
30	applied to the estimated number of eligible students to determine the number of instructional				
31	positions needed for each school division. The pupil-teacher ratio applied for each school				
32	division shall range from 10:1 for those divisions with the most severe combined three year				
33	average failure rates for English and math Standards of Learning test scores to 18:1 for those				
34	divisions with the lowest combined three year average failure rates for English and math				
35	Standards of Learning test scores.				
36	c. Funding shall be matched by the local government based on the composite index of local				
37	ability-to-pay.				
38	d. To provide flexibility in the instruction of English Language Learners who have limited				
39	English proficiency and who are at risk of not meeting state accountability standards, school				
40	divisions may use state and local funds from the SOQ Prevention, Intervention, and				
41	Remediation account to employ additional English Language Learner teachers to provide				
42	instruction to identified limited English proficiency students. Using these funds in this manner				
43	is intended to supplement the instructional services provided through the SOQ staffing				
44	standard of 17 instructional positions per 1,000 limited English proficiency students. School				
45	divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall				
46	only employ instructional personnel licensed by the Board of Education.				
47	e. An additional state payment estimated at \$10,468,261 the first year and \$34,468,409				
48	\$52,248,780 the second year from the general fund and \$100,114,539 the first year and				
49	\$86,482,069 \$69,406,736 the second year from the Lottery Proceeds Fund shall be disbursed				
50	based on the estimated number of federal Free Lunch participants, in support of programs for				
51	students who are educationally at risk. The additional payment shall be based on the state				
52	share of:				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	1) A minimum 1.0 percent Add-On, as a percent of the per pupil basic aid cost, for each			
2	child who qualifies for the federal Free Lunch Program; and			
3	2) An addition to the Add-On, based on the concentration of children qualifying for the			
4	federal Free Lunch Program. Based on its percentage of Free Lunch participants, each			
5	school division will receive a total between 1.0 and 14.5 percent in the first year and			
6	between 1.0 and 16.0 percent in the second year in additional basic aid per Free Lunch			
7	participant. These funds shall be matched by the local government, based on the			
8	composite index of local ability-to-pay.			
9	3a) Local school divisions are required to spend the established At-Risk Add-On payment			
10	(state and local share) on approved programs for students who are educationally at risk.			
11	b) To receive these funds, each school division shall certify to the Department of			
12	Education that the state and local share of the At-Risk Add-On payment will be used to			
13	support approved programs for students who are educationally at risk. These programs			
14	may include: teacher recruitment programs and incentives, Dropout Prevention,			
15	community and school-based truancy officer programs, Advancement Via Individual			
16	Determination (AVID), Project Discovery, Reading Recovery, programs for students who			
17	speak English as a Second Language, hiring additional school guidance counselors, testing			
18	coordinators, and licensed behavior analysts, or programs related to increasing the success			
19	of disadvantaged students in completing a high school degree and providing opportunities			
20	to encourage further education and training. Further, each school division shall report each			
21	year by August 1 to the Department the individual uses of these funds. The Department			
22	shall compile the responses and provide them to the Chairmen of House Appropriations			
23	and Senate Finance Committees no later than the first day of each Regular General			
24	Assembly Session.			
25	4) If the Board of Education has required a local school board to submit a corrective			
26	action plan pursuant to § 22.1-253.13:3, Code of Virginia, either for the school division			
27	pursuant to a division level review, or for any schools within its division that have been			
28	designated as not meeting the standards as approved by the Board of Education, the			
29	Superintendent of Public Instruction shall determine and report to the Board of Education			
30	whether each such local school board has met its obligation to develop and submit such			
31	corrective action plan(s) and is making adequate and timely progress in implementing the			
32	plan(s). Additionally, if an academic or other review process undertaken pursuant to §			
33	22.1-253.13:3, Code of Virginia, has identified actions for a local school board to			
34	implement, the Superintendent of Public Instruction shall determine and report to the			
35	Board of Education whether the local school board has implemented required actions. If			
36	the Superintendent certifies that a local school board has failed or refused to meet any of			
37	those obligations as referenced in a memorandum of understanding between the local			
38	school board and the Board of Education, the Board of Education shall withhold payment			
39	of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant			
40	to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-			
41	On funds to be withheld, the Board of Education shall take into consideration the extent to			
42	which such funds have already been expended or contractually obligated. The local school			
43	board shall be given an opportunity to correct its failure and, if successful in a timely			
44	manner, may have some or all of its At-Risk Add-On funds restored at the Board of			
45	Education's discretion.			
46	f. Regional Alternative Education Programs			
47	1) An additional state payment of \$8,767,652 the first year and \$9,434,794 \$9,403,886 the			
48	second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative			
49	Education programs. Such programs shall be for the purpose of educating certain expelled			
50	students and, as appropriate, students who have received suspensions from public schools			
51	and students returned to the community from the Department of Juvenile Justice.			
52	2) Each regional program shall have a small student/staff ratio. Such staff shall include,			
53	but not be limited to education, mental health, health, and law enforcement professionals,			
54	who will collaborate to provide for the academic, psychological, and social needs of the			
55	students. Each program shall be designed to ensure that students make the transition back			
56	into the "mainstream" within their local school division.			

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1	3) a) Regional alternative education programs are funded through this Item based on the			
2	state's share of the incremental per pupil cost for providing such programs. This incremental			
3	per pupil payment shall be adjusted for the composite index of local ability-to-pay of the			
4	school division that counts such students attending such program in its March 31 Average			
5	Daily Membership. It is the intent of the General Assembly that this incremental per pupil			
6	amount be in addition to the basic aid per pupil funding provided to the affected school			
7	division for such students. Therefore, local school divisions are encouraged to provide the			
8	appropriate portion of the basic aid per pupil funding to the regional programs for students			
9	attending these programs, adjusted for costs incurred by the school division for transportation,			
10	administration, and any portion of the school day or school year that the student does not			
11	attend such program.			
12	b) In the event a school division does not use all of the student slots it is allocated under this			
13	program, the unused slots may be reallocated or transferred to another school division.			
14	1. A school division must request from the Department of Education the availability and			
15	possible use of any unused student slots. If any unused slots are available and if the requesting			
16	school division chooses to utilize any of the unused slots, the requesting school division shall			
17	only receive the state's share of tuition for the unused slot that was allocated in this Item for			
18	the originally designated school division.			
19	2. However, no requesting school division shall receive more tuition funding from the state			
20	for any requested unused slot than what would have been the calculated amount for the			
21	requesting school division had the unused slot been allocated to the requesting school division			
22	in the original budget. Furthermore, the requesting school division shall pay for any remaining			
23	tuition payment necessary for using a previously unused slot.			
24	3. The Department of Education shall provide assistance for the state share of the incremental			
25	cost of Regional Alternative Education program operations based on the composite index of			
26	local ability-to-pay.			
27	4) Out of this appropriation, \$673,213 \$671,339 the second year from the Lottery Proceeds			
28	Fund is provided for a compensation supplement payment equal to 3.0 percent of base pay on			
29	July 1, 2019, and for a compensation supplement payment of up to 2.0 percent of base pay on			
30	September 1, 2019, for Regional Alternative Education Program instructional and support			
31	positions, as referenced in paragraph C. 39. of this Item.			
32	g. Remedial Summer School			
33	1) This appropriation includes \$24,658,157 the first year and \$24,976,867 \$22,175,764 the			
34	second year from the general fund for the state's share of Remedial Summer School Programs.			
35	These funds are available to school divisions for the operation of programs designed to			
36	remediate students who are required to attend such programs during a summer school session			
37	or during an intersession in the case of year-round schools. These funds may be used in			
38	conjunction with other sources of state funding for remediation or intervention. School			
39	divisions shall have maximum flexibility with respect to the use of these funds and the types			
40	of remediation programs offered; however, in exercising this flexibility, students attending			
41	these programs shall not be charged tuition and no high school credit may be awarded to			
42	students who participate in this program.			
43	2) For school divisions charging students tuition for summer high school credit courses,			
44	consideration shall be given to students from households with extenuating financial			
45	circumstances who are repeating a class in order to graduate.			
46	3) From the amounts provided for Remedial Summer School, there is hereby appropriated			
47	\$550,000 the first year and \$550,000 the second year from the general fund to support pilot			
48	public-private partnerships between local school divisions and the Greater Richmond and			
49	Central Virginia affiliates of the Virginia Alliance of YMCAs to expand student participation			
50	opportunities in existing summer Power Scholars Academies in such partnered school			
51	divisions. The Virginia Alliance of YMCAs shall prepare and submit an evaluation report for			
52	such pilot partnerships between the school divisions and the Greater Richmond and Central			
53	Virginia YMCA affiliates to the Chairmen of House Appropriations and Senate Finance			
54	Committees no later than October 31, 2018.			

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1	10. K-3 Primary Class Size Reduction Payments			
2	a. An additional payment estimated at \$125,175,585 the first year and \$128,005,970			
3	\$125,226,194 the second year from the Lottery Proceeds Fund shall be disbursed by the			
4	Department of Education as an incentive for reducing class sizes in the primary grades.			
5	b. The Department of Education shall calculate the payment based on the incremental cost			
6	of providing the lower class sizes based on the lower of the division average per pupil cost			
7	of all divisions or the actual division per pupil cost.			
8	c. Localities are required to provide a match for these funds based on the composite index			
9	of local ability-to-pay.			
10	d. By October 15 of each year school divisions must provide data to the Department of			
11	Education that each participating school has a September 30 pupil/teacher ratio in grades			
12	K through 3 that meet the following criteria:			
13	Qualifying School Percentage of	Grades K-3	Maximum Individual	
14	Students Approved			
15	Eligible for Free Lunch, Three-Year	School Ratio	K-3 Class Size	
16	Average			
17	30% but less than 45%	19 to 1	24	
18	45% but less than 55%	18 to 1	23	
19	55% but less than 65%	17 to 1	22	
20	65% but less than 70%	16 to 1	21	
21	70% but less than 75%	15 to 1	20	
22	75% or more	14 to 1	19	
23	e. School divisions may elect to have eligible schools participate at a higher ratio, or only			
24	in a portion of grades kindergarten through three, with a commensurate reduction of state			
25	and required local funds, if local conditions do not permit participation at the established			
26	ratio and/or maximum individual class size. In the event that a school division requires			
27	additional actions to ensure participation at the established ratio and/or maximum			
28	individual class size, such actions must be completed by December 1 of the impacted			
29	school year. Special education teachers and instructional aides shall not be counted			
30	towards meeting these required pupil/teacher ratios in grades kindergarten through three.			
31	f. The Superintendent of Public Instruction may grant waivers to school divisions for the			
32	class size requirement in eligible schools that have only one class in an affected grade			
33	level in the school.			
34	11. Literary Fund Subsidy Program Payments			
35	a. The Department of Education and the Virginia Public School Authority (VPSA) shall			
36	provide a program of funding for school construction and renovation through the Literary			
37	Fund and through VPSA bond sales. The program shall be used to provide funds, through			
38	Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the			
39	projects on the First or Second Literary Fund Waiting List, or other critical projects which			
40	may receive priority placement on the First or Second Literary Fund Waiting List by the			
41	Department of Education. Interest rate subsidies will provide school divisions with the			
42	present value difference in debt service between a Literary Fund loan and a borrowing			
43	through the VPSA. To qualify for an interest rate subsidy, the school division's project			
44	must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The			
45	VPSA shall work with the Department of Education in selecting those projects to be			
46	funded through the interest rate subsidy/bond financing program, so as to ensure the			
47	maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond			
48	Pool.			
49	b. The Virginia Public School Authority shall provide an interest rate subsidy program in			
50	fiscal year 2020 for projects that are on the Board of Education's First Priority Waiting			
51	List, and which shall only use the subsidy funding and associated VPSA borrowing as			
52	original financing for the project and not to refinance any prior debt on the project.			
53	Projects on the Literary Fund Second Priority Waiting List may participate in the Interest			

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1 Rate Subsidy Program if unused subsidy appropriation remains once the participation of
 2 projects on the First Priority Waiting List is confirmed and subject to the same restrictions.
 3 However, the total cost of the subsidy program shall not exceed \$5.0 million in the second
 4 year including the subsidy payments and related issuance costs based on the parameters in
 5 Senate Bill 1093, as passed during 2019 Session. In addition, \$30.0 million in Literary Fund
 6 revenues shall be used to provide school construction loans for projects that are on the Board
 7 of Education's First Priority Waiting List.

8 c. The Department of Education may offer Literary Fund loans from the uncommitted
 9 balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales
 10 and the amounts set aside from the Literary Fund for Debt Service Payments for Education
 11 Technology and Security Equipment in this Item.

12 d. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School
 13 Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to
 14 June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of
 15 either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the
 16 sum of (i) the payments on general obligation school bonds of cities, counties, and towns
 17 (localities) paid to the VPSA and (ii) the proceeds derived from the application of the
 18 provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt
 19 service due on such bonds of the VPSA on such date, there is hereby appropriated to the
 20 VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a
 21 sum equal to such deficiency.

22 2) The Commonwealth shall be subrogated to the VPSA to the extent of any such
 23 appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with
 24 respect to the defaulting locality and to full recovery of the amount of such deficiency,
 25 together with interest at the rate of the defaulting locality's bonds.

26 e. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1
 27 of each year, make and deliver to the Governor and the Secretary of Finance a certificate
 28 setting forth his estimate of total debt service during each fiscal year of the biennium on
 29 bonds of the VPSA issued and projected to be issued during such biennium pursuant to the
 30 bond resolution referred to in paragraph a above. The Governor's budget submission each year
 31 shall include provisions for the payment of debt service pursuant to paragraph 1) above.

32 12. Educational Technology Payments

33 a. Any unobligated amounts transferred to the educational technology fund shall be disbursed
 34 on a pro rata basis to localities. The additional funds shall be used for technology needs
 35 identified in the division's technology plan approved by the Department of Education.

36 b. The Department of Education shall authorize estimated amounts as indicated in Table 1
 37 from the Literary Fund to provide debt service payments for the education technology grant
 38 program conducted through the Virginia Public School Authority in the referenced years.

39 Table 1

	Grant Year	FY 2019	FY 2020
40	2014	\$13,240,500	
41	2015	\$13,808,750	\$13,807,500
42	2016	\$13,758,000	\$13,753,750
43	2017	\$13,953,750	\$13,949,750
44	2018	\$12,474,388	\$12,471,250
45	2019		\$12,434,267
46			\$11,975,475
47			\$11,975,475

48 c. It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to
 49 pay debt service on the Virginia Public School Authority bonds or notes authorized for
 50 education technology grant programs. In developing the proposed 2020-2022, 2022-2024, and
 51 2024-2026 biennial budgets for public education, the Department of Education shall include a
 52 recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt
 53 service payments for these programs in fiscal years 2021, 2022, 2023, 2024, 2025, and 2026.

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1 d. 1) An education technology grant program shall be conducted through the Virginia
 2 Public School Authority, through the issuance of equipment notes in an amount estimated
 3 at \$57,017,700 in fiscal year 2019 and ~~\$58,612,800~~ \$56,264,400 in fiscal year 2020.
 4 Proceeds of the notes will be used to establish a computer-based instructional and testing
 5 system for the Standards of Learning (SOL) and to develop the capability for high speed
 6 Internet connectivity at high schools followed by middle schools followed by elementary
 7 schools. School divisions shall use these funds first to develop and maintain the capability
 8 to support the administration of online SOL testing for all students with the exception of
 9 students with a documented need for a paper SOL test.

10 2) Grant funds from the issuance of \$57,017,700 in fiscal year 2019 and ~~\$58,612,800~~
 11 \$56,264,400 in fiscal year 2020 in equipment notes are based on a grant of \$26,000 per
 12 school and \$50,000 per school division. For purposes of this grant program, eligible
 13 schools shall include schools that are subject to state accreditation and reporting
 14 membership in grades K through 12 as of September 30, 2018, for the fiscal year 2019
 15 issuance, and September 30, 2019, for the fiscal year 2020 issuance, as well as regional
 16 vocational centers, special education centers, alternative education centers, regular school
 17 year Governor's Schools, CodeRVA Regional High School, and the School for the Deaf
 18 and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for
 19 this grant.

20 3. a.) Supplemental grants shall be allocated to eligible divisions to support schools that
 21 are not fully accredited in accordance with this paragraph. Schools that include a ninth
 22 grade that administer SOL tests in Spring 2018 and that are not fully accredited for the
 23 second consecutive year, based on school accreditation ratings in effect for fiscal year
 24 2018 and fiscal year 2019 will qualify to participate in the Virginia e-Learning Backpack
 25 Initiative in fiscal year 2019 and receive: (1) a supplemental grant of \$400 per student
 26 reported in ninth grade fall membership in a qualifying school for the purchase of a laptop
 27 or tablet for that student and (2) a supplemental grant of \$2,400 per qualifying school to
 28 purchase two content creation packages for teachers. Schools eligible to receive this
 29 supplemental grant in fiscal year 2019 shall continue to receive the grant for the number of
 30 subsequent years equaling the number of grades 9 through 12 in the qualifying school up
 31 to a maximum of four years. Schools that administer SOL tests in Spring 2019 and that are
 32 not fully accredited for the second consecutive year based on school accreditation ratings
 33 in effect for fiscal year 2019 and fiscal year 2020 will qualify to participate in the
 34 initiative in fiscal year 2020. Schools eligible for the supplemental grants in previous
 35 fiscal years shall continue to be eligible for the remaining years of their grant award.
 36 Schools eligible to receive this supplemental grant in fiscal year 2020 shall continue to
 37 receive the grant for the number of subsequent years equaling the number of grades 9
 38 through 12 in the qualifying school up to a maximum of four years. Grants awarded to
 39 qualifying schools that do not have grades 10, 11, or 12 may transition with the students to
 40 the primary receiving school for all years subsequent to grade 9. Schools are eligible to
 41 receive these grants for a period of up to four years beginning in fiscal year 2014 and shall
 42 not be eligible to receive a separate award in the future once the original award period has
 43 concluded. Schools that are fully accredited or that are new schools with conditional
 44 accreditation in their first year shall not be eligible to receive this supplemental grant.

45 b.) Supplemental grants allocated to school divisions for participation in the Virginia e-
 46 Learning Backpack Initiative prior to fiscal year 2017 shall be used in eligible schools for
 47 (1) the purchase of a laptop or tablet for a student reported in ninth grade fall membership,
 48 and (2) the purchase of two content creation packages for teachers per grant. The amounts
 49 for such grants shall remain unchanged.

50 4) Required local match:

51 a) Localities are required to provide a match for these funds equal to 20 percent of the
 52 grant amount, including the supplemental grants provided pursuant to paragraph g. 5). At
 53 least 25 percent of the local match, including the match for supplemental grants, shall be
 54 used for teacher training in the use of instructional technology, with the remainder spent
 55 on other required uses. The Superintendent of Public Instruction is authorized to reduce
 56 the required local match for school divisions with a composite index of local ability-to-pay
 57 below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match
 58 requirement.

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1	b) School divisions that administer 100 percent of SOL tests online in all elementary, middle,				
2	and high schools may use up to 75 percent of their required local match to purchase targeted				
3	technology-based interventions. Such interventions may include the necessary technology and				
4	software to support online learning, technology-based content systems, content management				
5	systems, technology equipment systems, information and data management systems, and				
6	other appropriate technologies that support the individual needs of learners. School divisions				
7	that receive supplemental grants pursuant to paragraph g.5) above shall use the funds in				
8	qualifying schools to purchase laptops and tablets for ninth grade students reported in fall				
9	membership and content creation packages for teachers.				
10	5) The goal of the education technology grant program is to improve the instructional,				
11	remedial, and testing capabilities of the Standards of Learning for local school divisions and				
12	to increase the number of schools achieving full accreditation.				
13	6) Funds shall be used in the following manner:				
14	a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to				
15	computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed				
16	access to the Internet. School connectivity (computers, LANs and network access) shall				
17	include sufficient download/upload capability to ensure that each student will have adequate				
18	access to Internet-based instructional, remedial and assessment programs.				
19	b) When each high school in a division meets the goals established in paragraph a) above, the				
20	remaining funds shall be used to develop similar capability in first the middle schools and				
21	then the elementary schools.				
22	c) For purposes of establishing or enhancing a computer-based instructional program				
23	supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds				
24	may be used to purchase handheld multifunctional computing devices that support a broad				
25	range of applications and that are controlled by operating systems providing full multimedia				
26	support and mobile Internet connectivity. School divisions that elect to use these grant funds				
27	to purchase such qualifying handheld devices must continue to meet the on-line testing				
28	requirements stated in paragraph g. 1) above.				
29	d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph g.5)				
30	above. These supplemental grants shall be used in qualifying schools for the purchase of				
31	laptops and tablets for ninth grade students reported in fall membership and content creation				
32	packages for teachers. Participating school divisions will be required to select a core set of				
33	electronic textbooks, applications and online services for productivity, learning management,				
34	collaboration, practice, and assessment to be included on all devices. In addition, participating				
35	school divisions will assume recurring costs for electronic textbook purchases and				
36	maintenance.				
37	e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school				
38	divisions became one school division, whether by consolidation of only the school divisions				
39	or by consolidation of the local governments, such resulting division shall be provided				
40	funding through this program on the basis of having the same number of school divisions as				
41	existed prior to September 30, 2000.				
42	7) Local school divisions shall maximize the use of available federal funds, including E-Rate				
43	Funds, and to the extent possible, use such funds to supplement the program and meet the				
44	goals of this program.				
45	e. The Department of Education shall maintain criteria to determine if high schools, middle				
46	schools, or elementary schools have the capacity to meet the goals of this initiative. The				
47	Department of Education shall be responsible for the project management of this program.				
48	f. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public				
49	School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia,				
50	and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of				
51	Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less				
52	than the amounts authorized for debt service due on such bonds or notes of the VPSA on such				
53	date, there is hereby appropriated to the VPSA from the general fund a sum equal to such				
54	deficiency.				

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1 2) The Chairman of the Board of Commissioners of the VPSA shall, on or before
 2 November 1 of each year, make and deliver to the Governor and the Secretary of Finance
 3 a certificate setting forth his estimate of total debt service during each fiscal year of the
 4 biennium on bonds and notes of the VPSA issued and projected to be issued during such
 5 biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's
 6 budget submission each year shall include provisions for the payment of debt service
 7 pursuant to paragraph 1) above.

8 g. Unobligated proceeds of the notes, including investment income derived from the
 9 proceeds of the notes may be used to pay interest on, or to decrease principal of the notes
 10 or to fund a portion of such other educational technology grants as authorized by the
 11 General Assembly.

12 h. 1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies
 13 with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered
 14 by a Telephone Company for the State Government" shall be deemed to include
 15 communications lines into public schools which are used for educational technology. The
 16 rate structure for such lines shall be negotiated by the Superintendent of Public Instruction
 17 and the Chief Information Officer of the Virginia Information Technologies Agency.
 18 Further, the Superintendent and Director are authorized to encourage the development of
 19 "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices
 20 consistent with the best rates obtained in other parts of the state.

21 2) The State Corporation Commission, in its consideration of the discount for services
 22 provided to elementary schools, secondary schools, and libraries and the universal service
 23 funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is
 24 hereby encouraged to make the discounts for intrastate services provided to elementary
 25 schools, secondary schools, and libraries for educational purposes as large as is prudently
 26 possible and to fund such discounts through the universal fund as provided in § 254 of the
 27 Telecommunications Act of 1996. The commission shall proceed as expeditiously as
 28 possible in implementing these discounts and the funding mechanism for intrastate
 29 services, consistent with the rules of the Federal Communications Commission aimed at
 30 the preservation and advancement of universal service.

31 13. Security Equipment Payments

32 1) A security equipment grant program shall be conducted through the Virginia Public
 33 School Authority, through the issuance of equipment notes in an amount estimated at up to
 34 \$6,000,000 in fiscal year 2019 and \$12,000,000 in fiscal year 2020 in conjunction with the
 35 Virginia Public School Authority technology notes program authorized in C.12. of this
 36 Item. Proceeds of the notes will be used to help offset the related costs associated with the
 37 purchase of appropriate security equipment that will improve and help ensure the safety of
 38 students attending public schools in Virginia.

39 2) The Department of Education shall authorize estimated amounts as indicated in Table 1
 40 from the Literary Fund to provide debt service payments for the security equipment grant
 41 programs conducted through the Virginia Public School Authority in the referenced years.

42 Table 1

	Grant Year	FY 2019	FY 2020
43	2014	\$1,239,000	
44	2015	\$1,245,750	\$1,244,250
45	2016	\$1,233,000	\$1,234,750
46	2017	\$1,246,250	\$1,250,000
47	2018	\$1,273,531	\$1,270,750
48	2019		\$1,310,127
49			<i>\$1,260,301</i>
50			

51 3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues
 52 to pay debt service on the Virginia Public School Authority bonds or notes authorized for
 53 this program. In developing the proposed 2020-2022, 2022-2024, and 2024-2026 biennial

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1	budgets for public education, the Department of Education shall include a recommendation to			
2	the Governor to authorize sufficient Literary Fund revenues to make debt service payments			
3	for these programs in fiscal years 2021, 2022, 2023, 2024, 2025, and 2026.			
4	4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public			
5	School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not			
6	benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or §			
7	22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the			
8	amounts authorized for debt service due on such bonds or notes on such date, there is hereby			
9	appropriated to the Virginia Public School Authority from the general fund a sum equal to			
10	such deficiency.			
11	5) The Chairman of the Board of Commissioners of the Virginia Public School Authority			
12	shall, on or before November 1 of each year, deliver to the Governor and the Secretary of			
13	Finance a certificate setting forth his estimate of total debt service during each fiscal year of			
14	the biennium on bonds and notes issued and projected to be issued during such biennium. The			
15	Governor's budget submission each year shall include provisions for the payment of debt			
16	service pursuant to paragraph 1) above.			
17	6) Grant award funds from the issuance of up to \$6,000,000 in fiscal year 2019 and			
18	\$12,000,000 in fiscal year 2020 in equipment notes shall be distributed to eligible school			
19	divisions. The grant awards will be based on a competitive grant basis of up to \$250,000 per			
20	school division. School divisions will be permitted to apply annually for grant funding. For			
21	purposes of this program, eligible schools shall include schools that are subject to state			
22	accreditation and reporting membership in grades K through 12 as of September 30, 2018, for			
23	the fiscal year 2019 issuance, and September 30, 2019, for the fiscal year 2020 issuance, as			
24	well as regional vocational centers, special education centers, alternative education centers,			
25	regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.			
26	7) School divisions would submit their application to Department of Education by August 1			
27	of each year based on the criteria developed by the Department of Education in collaboration			
28	with the Department of Criminal Justice Services who will provide requested technical			
29	support. Furthermore, the Department of Education will have the authority to make such grant			
30	awards to such school divisions.			
31	8) It is also the intent of the General Assembly that, beginning with fiscal year 2020, the total			
32	amount of the grant awards shall not exceed \$60,000,000 over any ongoing revolving five			
33	year period.			
34	9) Required local match:			
35	a) Localities are required to provide a match for these funds equal to 25 percent of the grant			
36	amount. The Superintendent of Public Instruction is authorized to reduce the required local			
37	match for school divisions with a composite index of local ability-to-pay below 0.2000. The			
38	Virginia School for the Deaf and the Blind is exempt from the match requirement.			
39	b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school			
40	divisions became one school division, whether by consolidation of only the school divisions			
41	or by consolidation of the local governments, such resulting division shall be provided			
42	funding through this program on the basis of having the same number of school divisions as			
43	existed prior to September 30, 2000.			
44	c) Local school divisions shall maximize the use of available federal funds, including E-Rate			
45	Funds, and to the extent possible, use such funds to supplement the program and meet the			
46	goals of this program.			
47	14. Virginia Preschool Initiative Payments			
48	a.1) It is the intent of the General Assembly that a payment estimated at \$70,049,572 the first			
49	year and \$72,351,058 \$73,290,301 the second year from the Lottery Proceeds Fund shall be			
50	disbursed by the Department of Education to schools and community-based organizations to			
51	provide quality preschool programs for at-risk four-year-olds who are residents of Virginia			
52	and unserved by Head Start program funding and for at-risk five-year-olds who are not			
53	eligible to attend kindergarten. In no event shall distributions from the Lottery Proceeds Fund			
54	be made directly to community-based or private providers.			

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1	2) These state funds and required local matching funds shall be used to provide programs				
2	for at-risk four-year-old children, which include quality preschool education, health				
3	services, social services, parental involvement and transportation. It shall be the policy of				
4	the Commonwealth that state funds and required local matching funds for the Virginia				
5	Preschool Initiative not be used for capital outlay. Programs must provide full-day or half-				
6	day and, at least, school-year services.				
7	3) The Department of Education shall establish academic standards that are in accordance				
8	with appropriate preparation for students to be ready to successfully enter kindergarten.				
9	These standards shall be established in such a manner as to be measurable for student				
10	achievement and success. Students shall be required to be evaluated in the fall and in the				
11	spring by each participating school division and the school divisions must certify that the				
12	Virginia Preschool Initiative program follows the established standards in order to receive				
13	the funding for quality preschool education and criteria for the service components. Such				
14	standards shall align with the Virginia Standards of Learning for Kindergarten.				
15	4) a) Grants shall be distributed based on an allocation formula providing the state share of				
16	a \$6,326 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a				
17	full-day program. The number of unserved at-risk four-year-olds in each locality shall be				
18	based on the projected number of kindergarten students, updated once each biennium for				
19	the Governor's introduced biennial budget. Half-day programs shall operate for a				
20	minimum of three hours of classroom instructional time per day, excluding breaks for				
21	lunch , and grants to half-day programs shall be funded based on the state share of \$3,163				
22	per unserved at-risk four-year-old in each locality. Full-day programs shall operate for a				
23	minimum of five and one-half instructional hours, excluding breaks for meals . Virginia				
24	Preschool Initiative programs may include unstructured recreational time that is intended				
25	to develop teamwork, social skills, and overall physical fitness in any calculation of total				
26	instructional time, provided that such unstructured recreational time does not exceed 15				
27	percent of total instructional time or teaching hours. No additional state funding is				
28	provided for programs operating greater than three hours per day but less than five and				
29	one-half hours per day. In determining the state and local shares of funding, the composite				
30	index of local ability-to-pay is capped at 0.5000.				
31	b) For new programs in the first year of implementation only, programs operating less				
32	than a full school year shall receive state funds on a fractional basis determined by the				
33	pro-rata portion of a school year program provided. In determining the prorated state				
34	funds to be received, a school year shall be 180 days or 990 teaching hours.				
35	b.1) Any locality which desires to participate in this grant program must submit a proposal				
36	through its chief administrator (county administrator or city manager) by May 15 of each				
37	year. The chief administrator, in conjunction with the school superintendent, shall identify				
38	a lead agency for this program within the locality. The lead agency shall be responsible for				
39	developing a local plan for the delivery of quality preschool services to at-risk children				
40	which demonstrates the coordination of resources and the combination of funding streams				
41	in an effort to serve the greatest number of at-risk four-year-old children.				
42	2) The proposal must demonstrate coordination with all parties necessary for the				
43	successful delivery of comprehensive services, including the schools, child care providers,				
44	local social services agency, Head Start, local health department, and other groups				
45	identified by the lead agency.				
46	3) A local match, based on the composite index of local ability-to-pay, shall be required.				
47	For purposes of meeting the local match, localities may use local expenditures for existing				
48	qualifying programs, however, at least seventy-five percent of the local match will be cash				
49	and no more than twenty-five percent will be in-kind. In-kind contributions are defined as				
50	cash outlays that are made by the locality that benefit the program but are not directly				
51	charged to the program. The value of fixed assets cannot be considered as an in-kind				
52	contribution. Philanthropic or other private funds may be contributed to the locality to be				
53	appropriated in their local budget and then utilized as local match. Localities shall also				
54	continue to pursue and coordinate other funding sources, including child care subsidies.				
55	Funds received through this program must be used to supplement, not supplant, any funds				
56	currently provided for programs within the locality. However, in the event a locality is				
57	unable to continue the previous level of support to programs for at-risk four-year-olds				

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1	from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and			
2	local funds provided in this grants program may be used to continue services to these Title I			
3	students. Such inability may occur due to adjustments to the allocation formula in the			
4	reauthorization of ESEA as the Every Student Succeeds Act of 2015, or due to a percentage			
5	reduction in a locality's Title I allocation in a particular year. Any locality so affected shall			
6	provide written evidence to the Superintendent of Public Instruction and request his approval			
7	to continue the services to Title I students.			
8	c. Local plans must provide clear methods of service coordination for the purpose of reducing			
9	the per child cost for the service, increasing the number of at-risk children served and/or			
10	extending services for the entire year. Examples of these include:			
11	1) "Wraparound Services" -- methods for combining funds such as child care subsidy dollars			
12	administered by local social service agencies with dollars for quality preschool education			
13	programs.			
14	2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services			
15	to at-risk four-year-old children through an existing child care setting by purchasing			
16	comprehensive services within a setting which currently provides quality preschool education.			
17	3) "Expansion of Service" - methods for using grant funds to purchase slots within existing			
18	programs, such as Head Start, which provide comprehensive services to at-risk four-year-old			
19	children.			
20	d.1) Local plans must indicate the number of at-risk four-year-old children to be served, and			
21	the eligibility criteria for participation in this program shall be consistent with the economic			
22	and educational risk factors stated in the 2015-2016 programs guidelines that are specific to:			
23	(i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness,			
24	(iii) student's parents or guardians are school dropouts, or (iv) family income is above 200			
25	percent but at or below 350 percent of federal poverty guidelines in the case of students with			
26	special needs or disabilities. Up to 15 percent of a division's slots may be filled based on			
27	locally established eligibility criteria so as to meet the unique needs of at-risk children in the			
28	community.			
29	2) The Department of Education is directed to compile from each school division the			
30	aggregated information as to the number of enrolled students whose families are (i) at or			
31	below 130 percent of poverty, (ii) above 130 percent but at or below 200 percent of poverty,			
32	(iii) above 200 percent but at or below 350 percent of poverty, and (iv) above 350 percent of			
33	poverty. The Department shall report this information annually, after the application and fall			
34	participation reports are submitted to the Department from the school divisions, to the			
35	Chairmen of House Appropriations and Senate Finance Committees. In addition, the			
36	Department will post and maintain the summary information by division on the Department's			
37	website in keeping with current student privacy policies.			
38	e.1) The Department of Education shall provide technical assistance for the administration of			
39	this grant program to provide assistance to localities in developing a comprehensive,			
40	coordinated, quality preschool program for serving at-risk four-year-old children.			
41	2) The Department shall provide interested localities with information on models for service			
42	delivery, methods of coordinating funding streams, such as funds to match federal IV-A child			
43	care dollars, to maximize funding without supplanting existing sources of funding for the			
44	provision of services to at-risk four-year-old children. A priority for technical assistance in the			
45	design of programs shall be given to localities where the majority of the at-risk four-year-old			
46	population is currently unserved.			
47	f. The Department of Education shall include in the program's application package specific			
48	information regarding the potential availability of funding for supplemental grants that may			
49	be used for one-time expenses, other than capital, related to start-up or expansion of			
50	programs, with priority given to proposals for expanding the use of partnerships with either			
51	nonprofit or for-profit providers. Furthermore, the Department is mandated to communicate to			
52	all eligible school divisions the remaining available balances in the program's adopted budget,			
53	after the fall participation reports have been submitted and finalized for such grants.			
54	g. Beginning in school year 2019-2020, one-time waiting list slots may, subject to available			

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1	funds, be provided to school divisions that have utilized 100 percent of their calculated			
2	slots in the previous school year and had a waiting list for unserved eligible children as			
3	certified by such school divisions on the Virginia Preschool Initiative Fall Verification			
4	Report submitted to the Department of Education in the previous school year. Further,			
5	eligible school divisions that may request and receive a one-time allocation of such slots			
6	in the subsequent school year, shall offer such slots to at-risk four-year old children that (i)			
7	family income at or below 200 percent of federal poverty guidelines, (ii) family income is			
8	above 200 percent but at or below 350 percent of federal poverty guidelines in the case of			
9	students with special needs or disabilities, (iii) homelessness, or (iv) student's parents or			
10	guardians are school dropouts. The amount of funding available to provide any waiting list			
11	slots to eligible school divisions shall be determined by the previous fiscal year year-end			
12	balance of the allocations in paragraph C. 14. a. 1) of this item. Further, the Department of			
13	Education shall ensure that supplemental grants for one-time expenses, other than capital,			
14	related to start-up or expansion of Virginia Preschool Initiative program in paragraph C.			
15	14. f. of this item, are awarded and allocated first from any available balances in the			
16	program's adopted budget, after the fall participation reports have been submitted and			
17	finalized before any remaining balances are considered for waiting list slots. Any such			
18	remaining balances not awarded and allocated in the current fiscal year for start-up or			
19	expansion grants shall be carried forward to the next fiscal year to support waiting list			
20	slots. Available funding shall be provided only to eligible school divisions that report			
21	using 100 percent of the upcoming school year slot allocation in the May 15 grant			
22	proposal and report using 100 percent of the school year slot allocation on the Virginia			
23	Preschool Initiative Fall Verification Report submitted to the Department of Education for			
24	the school year that waiting list slots are provided. If a school division's Virginia			
25	Preschool Initiative Fall Verification Report submitted to the Department of Education			
26	does not certify that 100 percent of the school year calculated slot allocation is used, then			
27	the Department of Education shall withdraw enough of the granted waiting list slots and			
28	associated funding provided such that the net difference between the withdrawn waiting			
29	list slots make up the percentage deficient from the school year calculated slot allocation			
30	not used. The Department of Education shall submit a comprehensive report, detailing, but			
31	not limited to, the number of calculated slots and funding allocated to each school			
32	division, the number of calculated slots filled by each school division, supplemental grants			
33	requested and awarded by each school division, the number of waiting list slots requested			
34	by each school division, the number of waiting list slots offered to each school division,			
35	the number of waiting list slots filled by each school division and the funding allocated for			
36	the filled waiting list slots by each school division, to the Chairmen of House			
37	Appropriations and Senate Finance Committees no later than December 31, 2019, and			
38	annually thereafter.			
39	h. Out of the appropriation in this Item, \$304,088 the first year and \$306,100 the second			
40	year from the general fund <i>Lottery Proceeds Fund</i> is allocated for the Department of			
41	Education to provide grants of no more than \$30,000 each for local school divisions that			
42	have applied for such funds for the sole purpose of providing financial incentives to			
43	provisionally licensed teachers teaching students enrolled in the Virginia Preschool			
44	Initiative and who are actively engaged in coursework and professional development,			
45	toward achieving the required degree and license that satisfy the licensure requirements			
46	reflected in § 22.1-299, Code of Virginia. School divisions must submit applications to the			
47	Department of Education by December 1 of each year. Priority for awarding grants shall			
48	be given to hard-to-staff schools and schools with the highest number of provisionally			
49	licensed teachers teaching students enrolled in the Virginia Preschool Initiative. The			
50	Department of Education shall develop the application process to be provided to school			
51	divisions that have provisionally licensed teachers employed and are teaching students			
52	enrolled in the Virginia Preschool Initiative. Any funds not awarded from this grant			
53	program in fiscal year 2019 may be awarded for supplemental grants for one-time			
54	expenses, other than capital, related to start-up or expansion of Virginia Preschool			
55	Initiative programs in paragraph C.14.f. of this Item. Any such remaining balances not			
56	awarded and allocated in fiscal year 2019 for start-up or expansion grants shall be carried			
57	forward to fiscal year 2020 to support waiting list slots.			
58	j. Out of the appropriation in this Item, \$75,000 the first year from the general fund is			
59	provided such that, beginning July 1, 2018, the Department of Education shall develop a			
60	plan to ensure that high quality instruction is provided in the Virginia Preschool Initiative			

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1 program's individual preschool classrooms. The plan shall detail how the Department will (i)
 2 monitor and assess the quality of teacher-child interactions within each preschool classroom
 3 at least once every two years, (ii) ensure the use of evidence-based curricula is implemented
 4 in each preschool classroom and take necessary corrective action if evidence-based
 5 curriculum is not used or effective by the following school year, and, (iii) facilitate and
 6 provide individualized professional development for Virginia Preschool Initiative classroom
 7 teachers to ensure the necessary teaching skills are aligned for the pedagogy of high quality
 8 preschool classroom experiences and (iv) provide informative and complete information
 9 about how Virginia Preschool Initiative funding, from all sources, supports quality preschool
 10 experiences for children enrolled in the local public school divisions in Virginia. The plan
 11 shall also include details on the number of staff, tasks and duties, and possible funding needed
 12 to carry out these responsibilities. The Department shall submit its complete detailed plan to
 13 the Chairmen of House Appropriations and Senate Finance Committees by November 1,
 14 2018.

15 **15. Early Reading Intervention Payments**

16 a. An additional payment of \$23,578,891 the first year and ~~\$23,571,284~~ \$27,670,562 the
 17 second year from the Lottery Proceeds Fund shall be disbursed by the Department of
 18 Education to local school divisions for the purposes of providing early reading intervention
 19 services to students in grades kindergarten through 3 who demonstrate deficiencies based on
 20 their individual performance on diagnostic tests which have been approved by the Department
 21 of Education. The Department of Education shall review the tests of any local school board
 22 which requests authority to use a test other than the state-provided test to ensure that such
 23 local test uses criteria for the early diagnosis of reading deficiencies which are similar to those
 24 criteria used in the state-provided test. The Department of Education shall make the state-
 25 provided diagnostic test used in this program available to local school divisions. School
 26 divisions shall report the results of the diagnostic tests to the Department of Education on an
 27 annual basis at a time to be determined by the Superintendent of Public Instruction.

28 b. These payments shall be based on the state's share of the cost of providing two and one-half
 29 hours of additional instruction each week for an estimated number of students in each school
 30 division at a student to teacher ratio of five to one. The estimated number of students in each
 31 school division in each year shall be determined by multiplying the projected number of
 32 students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3
 33 by the percent of students who are determined to need services based on diagnostic tests
 34 administered in the previous year in that school division and adjusted in the following
 35 manner:

	Year 1	Year 2
36 Kindergarten	100%	100%
37 Grade 1	100%	100%
38 Grade 2	100%	100%
39 Grade 3	100%	100%

41 c. These payments are available to any school division that certifies to the Department of
 42 Education that an intervention program will be offered to such students and that each student
 43 who receives an intervention will be assessed again at the end of that school year. At the
 44 beginning of the school year, local school divisions shall partner with the parents of those
 45 third grade students in the division who demonstrate reading deficiencies, discussing with
 46 them a developed plan for remediation and retesting. Such intervention programs, at the
 47 discretion of the local school division, may include, but not be limited to, the use of: special
 48 reading teachers; trained aides; full-time early literacy tutors; volunteer tutors under the
 49 supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct
 50 in-class groups while the teacher provides direct instruction to the students who need extra
 51 assistance; or extended instructional time in the school day or year for these students.
 52 Localities receiving these payments are required to match these funds based on the composite
 53 index of local ability-to-pay.

54 d. In the event that a school division does not use the diagnostic test provided by the
 55 Department of Education in the year that serves as the basis for updating the funding formula
 56 for this program but has used it in past years, the Department of Education shall use the most

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1	recent data available for the division for the state-provided diagnostic test.			
2	e. The results of all reading diagnostic tests and reading remediation shall be discussed			
3	with the student and the student's parent prior to the student being promoted to grade four.			
4	f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation,			
5	Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements			
6	of this program.			
7	16. Standards of Learning Algebra Readiness Payments			
8	a. An additional payment of \$13,099,389 the first year and \$13,061,697 \$13,633,162 the			
9	second year from the Lottery Proceeds Fund shall be disbursed by the Department of			
10	Education to local school divisions for the purposes of providing math intervention			
11	services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-			
12	course test, as demonstrated by their individual performance on diagnostic tests which			
13	have been approved by the Department of Education. These amounts reflect \$200,000 the			
14	first year and \$200,000 the second year apportioned to each school division to account for			
15	the cost of the diagnostic test. The Department of Education shall review the tests to			
16	ensure that such local test uses state-provided criteria for diagnosis of math deficiencies			
17	which are similar to those criteria used in the state-provided test. The Department of			
18	Education shall make the state-provided diagnostic test used in this program available to			
19	local school divisions. School divisions shall report the results of the diagnostic tests to the			
20	Department of Education on an annual basis at a time to be determined by the			
21	Superintendent of Public Instruction.			
22	b. These payments shall be based on the state's share of the cost of providing two and one-			
23	half hours of additional instruction each week for an estimated number of students in each			
24	school division at a student to teacher ratio of ten to one. The estimate number of students			
25	in each school division shall be determined by multiplying the projected number of			
26	students reported in each school division's fall membership by the percent of students that			
27	qualify for the federal Free Lunch Program.			
28	c. These payments are available to any school division that certifies to the Department of			
29	Education that an intervention program will be offered to such students and that each			
30	student who receives an intervention will be assessed again at the end of that school year.			
31	Localities receiving these payments are required to match these funds based on the			
32	composite index of local ability-to-pay.			
33	17. School Construction Grants Program Escrow			
34	Notwithstanding the requirements of § 22.1-175.5, Code of Virginia, school divisions are			
35	permitted to withdraw funds from local escrow accounts established pursuant to § 22.1-			
36	175.5 to pay for recurring operational expenses incurred by the school division. Localities			
37	are not required to provide a local match of the withdrawn funds.			
38	18. English as a Second Language Payments			
39	A payment of \$59,957,366 the first year and \$62,519,408 \$65,356,159 the second year			
40	from the general fund shall be disbursed by the Department of Education to local school			
41	divisions to support the state share of 17 professional instructional positions per 1,000			
42	students for whom English is a second language. Local school divisions shall provide a			
43	local match based on the composite index of local ability-to-pay.			
44	19. Special Education Instruction Payments			
45	a. The Department of Education shall establish rates for all elements of Special Education			
46	Instruction Payments.			
47	b. Out of the appropriations in this Item, the Department of Education shall make			
48	available, subject to implementation by the Superintendent of Public Instruction, an			
49	amount estimated at \$89,503,626 the first year and \$100,397,909 \$92,993,005 the second			
50	year from the general fund for the purpose of the state's share of the tuition rates for			
51	approved public Special Education Regional Tuition school programs. Notwithstanding			
52	any contrary provision of law, the state's share of the tuition rates shall be based on the			

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1	composite index of local ability-to-pay.			
2	c. Out of the amounts for Financial Assistance for Categorical Programs, \$35,588,024 the first			
3	year and \$35,660,182 \$35,463,706 the second year from the general fund is appropriated to			
4	permit the Department of Education to enter into agreements with selected local school boards			
5	for the provision of educational services to children residing in certain hospitals, clinics, and			
6	detention homes by employees of the local school boards. The portion of these funds provided			
7	for educational services to children residing in local or regional detention homes shall only be			
8	determined on the basis of children detained in such facilities through a court order issued by			
9	a court of the Commonwealth. The selection and employment of instructional and			
10	administrative personnel under such agreements will be the responsibility of the local school			
11	board in accordance with procedures as prescribed by the local school board. State payments			
12	for the first year to the local school boards operating these programs will be based on certified			
13	expenditures from the fourth quarter of FY 2018 and the first three quarters of FY 2019. State			
14	payments for the second year to the local school boards operating these programs will be			
15	based on certified expenditures from the fourth quarter of FY 2019 and the first three quarters			
16	of FY 2020.			
17	20. Vocational Education Instruction Payments			
18	a. It is the intention of the General Assembly that the Department of Education explore			
19	initiatives that will encourage greater cooperation between jurisdictions and the Virginia			
20	Community College System in meeting the needs of public school systems.			
21	b. This appropriation includes \$1,800,000 the first year and \$1,800,000 the second year from			
22	the Lottery Proceeds Fund for secondary vocational-technical equipment. A base allocation of			
23	\$2,000 each year shall be available for all divisions, with the remainder of the funding			
24	distributed on the basis of student enrollment in secondary vocational-technical courses. State			
25	funds received for secondary vocational-technical equipment must be used to supplement, not			
26	supplant, any funds currently provided for secondary vocational-technical equipment within			
27	the locality. Local school divisions are not required to provide a local match in order to			
28	receive these state funds.			
29	c.1) This appropriation includes an additional \$2,000,000 the first year and \$2,000,000 the			
30	second year from the Lottery Proceeds Fund to update vocational-technical equipment to			
31	industry standards providing students with classroom experience that translates to the			
32	workforce.			
33	2) Of this amount, \$1,400,000 the first year and \$1,400,000 the second year is provided for			
34	vocational-technical equipment in high-demand, high-skill, and fast-growth industry sectors			
35	as identified by the Virginia Board of Workforce Development and based on data from the			
36	Bureau of Labor Statistics and the Virginia Employment Commission.			
37	3) Of this amount, \$600,000 the first year and \$600,000 the second year will be awarded			
38	based on competitive innovative program grants for high-demand and fast-growth industry			
39	sectors with priority given to state-identified challenged schools, the Governor's Science			
40	Technology, Engineering, and Mathematics (STEM) academies, and the Governor's Health			
41	Science Academies.			
42	d. This appropriation includes \$500,000 the first year and \$500,000 the second year from the			
43	Lottery Proceeds Fund to support credentialing testing materials for students and professional			
44	development for instructors in science, technology, engineering, and mathematics-health			
45	sciences (STEM-H) career and technical education programs.			
46	21. Adult Education Payments			
47	State funds shall be used to reimburse general adult education programs on a fixed cost per			
48	pupil or cost per class basis. No state funds shall be used to support vocational noncredit			
49	courses.			
50	22. General Education Payments			
51	a. This appropriation includes \$2,410,988 the first year and \$2,410,988 the second year from			
52	the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the			
53	first year and \$465,375 the second year shall be used for PluggedIn VA.			

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1	b. This appropriation includes \$1,387,240 the first year and \$1,387,240 the second year			
2	from the Lottery Proceeds Fund to support Project Graduation and any associated			
3	administrative and contractual service expenditures related to this initiative.			
4	23. Virtual Virginia Payments			
5	a. From appropriations in this Item, the Department of Education shall provide assistance			
6	for the Virtual Virginia program.			
7	b. This appropriation includes \$498,000 the first year and \$498,000 the second year from			
8	the general fund to support the Virtual Virginia full-time program for 200 students in			
9	grades nine through 12.			
10	c. This appropriation includes \$330,000 the first year and \$330,000 the second year from			
11	the general fund to support the virtual mathematics outreach program.			
12	d. The local share of costs associated with the operation of the Virtual Virginia program			
13	shall be computed using the composite index of local ability-to-pay.			
14	e. The Department of Education shall develop a plan to establish a per-student, per-course			
15	fee schedule for local school divisions to participate in Virtual Virginia (VVA)			
16	coursework for elementary, middle, and high school students. Such fee schedule plan shall			
17	provide (i) an allotment of slots, determined by the Department, per course to a school			
18	division free of charge, and (ii) for any slots a school division wishes to use beyond the			
19	free slots, a per-course, per-student fee that may include discounts for school divisions			
20	based upon the composite index of local ability to pay. The department shall also include			
21	in its plan the current student participation enrollment by grade level in each VVA course,			
22	the number of students enrolled in VVA courses that a fee of any kind is charged and how			
23	such fee is currently paid for in each participating school division. The department shall			
24	submit its Virtual Virginia Plan to the Chairmen of House Appropriations and Senate			
25	Finance Committee upon completion of developing such plan.			
26	24. Individual Student Alternative Education Program (ISAEP) Payments			
27	Out of this appropriation, \$2,247,581 the first year and \$2,247,581 in the second year from			
28	the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student			
29	Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the			
30	1999 Session of the General Assembly.			
31	25. Foster Children Education Payments			
32	a. An additional state payment is provided from the Lottery Proceeds Fund for the prior			
33	year's local operations costs, as determined by the Department of Education, for each pupil			
34	of school age as defined in § 22.1-1, Code of Virginia, not a resident of the school division			
35	providing his education (a) who has been placed in foster care or other custodial care			
36	within the geographical boundaries of such school division by a Virginia agency, whether			
37	state or local, which is authorized under the laws of this Commonwealth to place children;			
38	(b) who has been placed in an orphanage or children's home which exercises legal			
39	guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for			
40	school purposes, in a child-caring institution or group home.			
41	b. This appropriation provides \$9,615,192 the first year and \$10,387,961 \$10,152,360 the			
42	second year from the Lottery Proceeds Fund to support children attending public school			
43	who have been placed in foster care or other such custodial care across jurisdictional lines,			
44	as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these			
45	funds are not adequate to cover the full costs specified therein, the Department is			
46	authorized to expend unobligated balances in this Item for this support.			
47	26. Sales Tax Payments			
48	a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a			
49	portion of net revenue from the state sales and use tax, in support of the Standards of			
50	Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion			
51	of August 3, 1982).			

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1	b. Certification of payments and distribution of this appropriation shall be made by the State				
2	Comptroller.				
3	c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the				
4	middle and end of each month.				
5	d. Included in this appropriation are the accelerated sales tax revenues attributable to §58.1-				
6	638 B., D., and F.1., Code of Virginia, and collected pursuant to §3-5.06 of this act.				
7	27. Adult Literacy Payments				
8	a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year				
9	from the general fund for the ongoing literacy programs conducted by Mountain Empire				
10	Community College.				
11	b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year				
12	and \$100,000 the second year from the general fund for the Virginia Literacy Foundation				
13	grants to support programs for adult literacy including those delivered by community-based				
14	organizations and school divisions providing services for adults with 0-9th grade reading				
15	skills.				
16	28. Governor's School Payments				
17	a. Out of the amounts for Governor's School Payments, the Department of Education shall				
18	provide assistance for the state share of the incremental cost of regular school year Governor's				
19	Schools based on each participating locality's composite index of local ability-to-pay.				
20	Participating school divisions must certify that no tuition is assessed to students for				
21	participation in this program.				
22	b.1) Out of the amounts for Governor's School Payments, the Department of Education shall				
23	provide assistance for the state share of the incremental cost of summer residential Governor's				
24	Schools and Foreign Language Academies to be based on the greater of the state's share of the				
25	composite index of local ability-to-pay or 50 percent. Participating school divisions must				
26	certify that no tuition is assessed to students for participation in this program if they are				
27	enrolled in a public school.				
28	2) Out of the amounts for Governor's School Payments, \$41,000 the first year and \$41,000 the				
29	second year is provided to support the Hanover Regional Summer Governor's School for				
30	Career and Technical Advancement, which was established pursuant to Chapter 425, 2014				
31	Acts of Assembly, and Chapter 665, 2015 Acts of Assembly.				
32	c. For the Summer Governor's Schools and Foreign Language Academies programs, the				
33	Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs				
34	offered, length of programs, and the number of students enrolled in order to maintain costs				
35	within the available state and local funds for these programs.				
36	d. It shall be the policy of the Commonwealth that state general fund appropriations not be				
37	used for capital outlay, structural improvements, renovations, or fixed equipment costs				
38	associated with initiation of existing or proposed Governor's schools. State general fund				
39	appropriations may be used for the purchase of instructional equipment for such schools,				
40	subject to certification by the Superintendent of Public Instruction that at least an equal				
41	amount of funds has been committed by participating school divisions to such purchases.				
42	e. The Board of Education shall not take any action that would increase the state's share of				
43	costs associated with the Governor's Schools as set forth in this Item. This provision shall not				
44	prohibit the Department of Education from submitting requests for the increased costs of				
45	existing programs resulting from updates to student enrollment for school divisions currently				
46	participating in existing programs or for school divisions that begin participation in existing				
47	programs.				
48	f.1) Regular school year Governor's Schools are funded through this Item based on the state's				
49	share of the incremental per pupil cost for providing such programs for each student attending				
50	a Governor's School up to a cap of 1,800 students per Governor's School in the first year and a				
51	cap of 1,800 students per Governor's School in the second year. This incremental per pupil				
52	payment shall be adjusted for the composite index of the school division that counts such				

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1	students attending an academic year Governor's School in their March 31 Average Daily			
2	Membership. It is the intent of the General Assembly that this incremental per pupil			
3	amount be in addition to the basic aid per pupil funding provided to the affected school			
4	division for such students. Therefore, local school divisions are encouraged to provide the			
5	appropriate portion of the basic aid per pupil funding to the Governor's Schools for			
6	students attending these programs, adjusted for costs incurred by the school division for			
7	transportation, administration, and any portion of the day that the student does not attend a			
8	Governor's School.			
9	2) Students attending a revolving Academic Year Governor's School program for only one			
10	semester shall be counted as 0.50 of a full-time equivalent student and will be funded for			
11	only fifty percent of the full-year funded per pupil amount. Funding for students attending			
12	a revolving Academic Year program will be adjusted based upon actual September 30th			
13	and January 30th enrollment each fiscal year. For purposes of this Item, revolving			
14	programs shall mean Academic Year Governor's School programs that admit students on a			
15	semester basis.			
16	3) Students attending a continuous, non-revolving Academic Year Governor's School			
17	program shall be counted as a full-time equivalent student and will be funded for the full-			
18	year funded per pupil amount. Funding for students attending a continuous, non-revolving			
19	Academic Year Governor's School program will be adjusted based upon actual September			
20	30th student enrollment each fiscal year. For purposes of this Item, continuous, non-			
21	revolving programs shall mean Academic Year Governor's School programs that only			
22	admit students at the beginning of the school year. Fairfax County Public Schools shall not			
23	reduce local per pupil funding for the Thomas Jefferson Governor's School below the			
24	amounts appropriated for the 2003-2004 school year.			
25	g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12			
26	programs.			
27	h. Out of the appropriation included in paragraph C. 39. of this Item, \$866,870 \$857,382			
28	the second year from the general fund is provided in the Academic Year Governor's			
29	School funding allocation to increase the per pupil amount the second year as an add-on			
30	for a compensation supplement payment equal to 3.0 percent of base pay on July 1, 2019,			
31	and for a compensation supplement payment of up to 2.0 percent of base pay on			
32	September 1, 2019, for Academic Year Governor's School instructional and support			
33	positions.			
34	29. School Nutrition Payments			
35	It is provided that, subject to implementation by the Superintendent of Public Instruction,			
36	no disbursement shall be made out of the appropriation for school nutrition to any locality			
37	in which the schools permit the sale of competitive foods in food service facilities or areas			
38	during the time of service of food funded pursuant to this Item.			
39	30. School Breakfast Payments			
40	a. Out of this appropriation, \$6,287,789 the first year and \$7,439,888 \$6,519,175 the			
41	second year from the Lottery Proceeds Fund is included to continue a state funded			
42	incentive program to maximize federal school nutrition revenues and increase student			
43	participation in the school breakfast program. These funds are available to any school			
44	division as a reimbursement for breakfast meals served that are in excess of the baseline			
45	established by the Department of Education. The per meal reimbursement shall be \$0.22;			
46	however, the department is authorized, but not required to reduce this amount			
47	proportionately in the event that the actual number of meals to be reimbursed exceeds the			
48	number on which this appropriation is based so that this appropriation is not exceeded.			
49	b. In order to receive these funds, school divisions must certify that these funds will be			
50	used to supplement existing funds provided by the local governing body and that local			
51	funds derived from sources that are not generated by the school nutrition programs have			
52	not been reduced or eliminated. The funds shall be used to improve student participation			
53	in the school breakfast program. These efforts may include, but are not limited to,			
54	reducing the per meal price paid by students, reducing competitive food sales in order to			
55	improve the quality of nutritional offerings in schools, increasing access to the school			

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1	breakfast program, or providing programs to increase parent and student knowledge of good			
2	nutritional practices. In no event shall these funds be used to reduce local tax revenues below			
3	the level appropriated to school nutrition programs in the prior year. Further, these funds must			
4	be provided to the school nutrition programs and may not be used for any other school			
5	purpose.			
6	c.1) Out of this appropriation, \$1,074,000 the first year and \$1,074,000 the second year from			
7	the general fund is provided to fund an After-the-Bell Model breakfast program available on a			
8	voluntary basis to elementary, middle, and high schools where student eligibility for free or			
9	reduced lunch exceeds 45.0 percent for the participating eligible school, and to provide			
10	additional reimbursement for eligible meals served in the current traditional school breakfast			
11	program at all grade levels in any participating school. The Department of Education is			
12	directed to ensure that only eligible schools receive reimbursement funding for participating			
13	in the After-the-Bell school breakfast model. The schools participating in the program shall			
14	evaluate the educational impact of the models implemented that provide school breakfasts to			
15	students after the first bell of the school day, based on the guidelines developed by the			
16	Department of Education and submit the required report to the Department of Education no			
17	later than August 31, 2019 for the 2018-2019 school year and no later than August 31, 2020			
18	for the 2019-2020 school year.			
19	2) The Department of Education shall communicate, through Superintendent's Memo, to			
20	school divisions the types of breakfast serving models and the criteria that will meet the			
21	requirements for this State reimbursement, which may include, but are not limited to,			
22	breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School			
23	divisions may determine the breakfast serving model that best applies to its students, so long			
24	as it occurs after the instructional day has begun. For the 2018-2019 and 2019-2020 school			
25	years, the Department of Education shall monthly transfer to each school division a			
26	reimbursement rate of \$0.05 per breakfast meal that meets either of the established criteria in			
27	elementary schools and a reimbursement rate of \$0.10 per breakfast meal that meets either of			
28	the established criteria in middle or high schools.			
29	3) No later than July 1, 2018 for the 2018-2019 school year and no later than July 1, 2019 for			
30	the 2019-2020 school year, the Department of Education shall provide for a breakfast			
31	program application process for school divisions with eligible schools, including guidelines			
32	regarding specified required data to be compiled from the prior school year or years and for			
33	the upcoming school year program. The number of approved applications shall be based on			
34	the estimated number of sites that can be accommodated within the approved funding level.			
35	The Department of Education shall set criteria for establishing priority should the number of			
36	applications from eligible schools exceed the approved funding level. The reporting			
37	requirements must include: chronic absenteeism rates, student attendance and tardy arrivals,			
38	office discipline referrals, student achievement measures, teachers' and administrators'			
39	responses to the impact of the program on student hunger, student attentiveness, and overall			
40	classroom learning environment before and after implementation, and the financial impact on			
41	the division's school food program. Funded schools that do not provide data by August 31 are			
42	subject to exclusion from funding in the following year. The Department of Education shall			
43	collect and compile the results of the breakfast program and shall submit the report to the			
44	Governor and the Chairmen of the House Appropriations and Senate Finance Committees no			
45	later than November 1 following each school year.			
46	31. Clinical Faculty and Mentor Teacher Program Payments			
47	This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the			
48	Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher			
49	Programs to assist pre-service teachers and beginning teachers to make a successful transition			
50	into full-time teaching. This appropriation also includes \$318,750 the first year and \$318,750			
51	the second year from the general fund for Clinical Faculty programs to assist pre-service			
52	teachers and beginning teachers to make a successful transition into full-time teaching. Such			
53	programs shall include elements which are consistent with the following:			
54	a. An application process for localities and school/higher education partnerships that wish to			
55	participate in the programs;			
56	b. For Clinical Faculty programs only, provisions for a local funding or institutional			
57	commitment of 50 percent, to match state grants of 50 percent;			

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1	c. Program plans which include a description of the criteria for selection of clinical faculty				
2	and mentor teachers, training, support, and compensation for clinical faculty and mentor				
3	teachers, collaboration between the school division and institutions of higher education,				
4	the clinical faculty and mentor teacher assignment process, and a process for evaluation of				
5	the programs;				
6	d. The Department of Education shall allow flexibility to local school divisions and higher				
7	education institutions regarding compensation for clinical faculty and mentor teachers				
8	consistent with these elements of the programs; and				
9	e. It is the intent of the General Assembly that no preference between pre-service or				
10	beginning teacher programs be construed by the language in this Item. School divisions				
11	operating beginning teacher mentor programs shall receive equal consideration for				
12	funding.				
13	32. Career Switcher/Alternative Licensure Payments				
14	Appropriations in this Item include \$279,983 the first year and \$279,983 the second year				
15	from the general fund to provide grants to school divisions that employ mentor teachers				
16	for new teachers entering the profession through the alternative route to licensure as				
17	prescribed by the Board of Education.				
18	33. Virginia Workplace Readiness Skills Assessment				
19	Appropriations in this Item include \$308,655 the first year and \$308,655 the second year				
20	from the general fund to provide support grants to school divisions for standard diploma				
21	graduates. To provide flexibility, school divisions may use the state grants for the actual				
22	assessment or for other industry certification preparation and testing.				
23	34. Early Reading Specialists Initiative				
24	a. An additional payment of \$1,476,790 the first year and \$1,476,790 the second year from				
25	the general fund shall be disbursed by the Department of Education to qualifying local				
26	school divisions for the purpose of providing a reading specialist for schools with a third				
27	grade that rank lowest statewide on the reading Standards of Learning (SOL) assessments.				
28	b. These payments shall be based on the state's share of the cost of providing one reading				
29	specialist per qualifying school.				
30	c. These payments are available to any school division with a qualifying school that (1)				
31	certifies to the Department of Education that the division has hired a reading specialist to				
32	provide direct services to children reading below grade level in the school to improve				
33	reading achievement and (2) applies and receives a waiver for up to two years from the				
34	Board of Education for the administration of third grade SOL assessments in science or				
35	history and social science or both for the purpose of creating additional instructional time				
36	for reading specialists to work with students reading below grade level to improve reading				
37	achievement.				
38	d. These payments also are available to any school division with a qualifying school that				
39	certifies to the Department of Education that the division is supporting tuition for				
40	collegiate programs and instruction for currently employed instructional school personnel				
41	to earn the credentials necessary to meet licensure requirements to be endorsed as a				
42	reading specialist.				
43	e. School divisions receiving these payments are required to match these funds based on				
44	the composite index of local ability-to-pay.				
45	f. Within the fiscal year, any funds not awarded from this program may be awarded to				
46	eligible schools under the Math/Reading Instructional Specialist Initiative.				
47	35. Math/Reading Instructional Specialist Initiative				
48	a. Included in this appropriation is \$1,834,538 the first year and \$1,834,538 the second				
49	year from the general fund in additional payments for reading or math instructional				
50	specialists at underperforming schools. From this amount, the state share of one reading or				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	math specialist shall be provided to local school divisions with schools which rank lowest			
2	statewide on the Spring Standards of Learning (SOL) math or reading assessment. Funding			
3	for one math or reading specialist during the 2018-2020 biennium shall be based on the results			
4	of the Spring 2017 SOL assessments. Such schools shall be eligible to receive the state share			
5	of funding for both years of the biennium. If, following certification from a school division			
6	that it will not participate in the program, the Department is authorized to identify additional			
7	eligible schools based upon the list of schools that rank lowest on the Spring SOL math or			
8	reading assessment.			
9	b. These payments are available to any school division with a qualifying school that certifies			
10	to the Department of Education that the division has (1) hired a math or reading instructional			
11	specialist, or (2) is supporting tuition for collegiate programs and instruction for currently			
12	employed instructional school personnel to earn the credentials necessary to meet licensure			
13	requirements to be endorsed as a math specialist or a reading specialist. Localities receiving			
14	these payments are required to match these funds based on the composite index of local			
15	ability-to-pay.			
16	c. The Department of Education is authorized to utilize available funding appropriated to the			
17	Early Reading Specialist Initiative contained in this Item to pay for instructional specialists at			
18	additional eligible schools, or to support tuition for collegiate programs and instruction for			
19	currently employed instructional school personnel at additional eligible schools to earn the			
20	credentials necessary to meet licensure requirements to be endorsed as an instructional			
21	specialist.			
22	d. Within the fiscal year, any funds not awarded from this program may be awarded to			
23	eligible schools under the Early Reading Specialists Initiative.			
24	36. Broadband Connectivity Capabilities			
25	By November 1 each year, school divisions shall report to the Department of Education the			
26	status of broadband connectivity capability of schools in the division on a form to be provided			
27	by the Department. Such report shall include school-level information on the method of			
28	Internet service delivery, the level of bandwidth capacity and the degree such capacity is			
29	sufficient for delivery of school-wide digital resources and instruction, degree of internet			
30	connectivity via Wi-Fi, cost information related to Internet connectivity, data security, and			
31	such other pertinent information as determined by the Department of Education. The			
32	Department shall provide a summary of the division responses in a report to be made			
33	available on its agency Web site.			
34	37. Supplemental Lottery Per Pupil Allocation Payments			
35	a. Out of this appropriation, an amount estimated at \$253,190,472 the first year and			
36	\$255,531,948 \$255,533,690 the second year from the Lottery Proceeds Fund shall be			
37	disbursed by the Department of Education to local school divisions to support the state share			
38	of an estimated \$364.15 per pupil the first year and \$367.44 \$366.01 per pupil the second year			
39	in adjusted March 31 average daily membership. These per pupil amounts are subject to			
40	change for the purpose of payment to school divisions based on the actual March 31 ADM			
41	collected each year. No locality shall be required to maintain a per pupil expenditure each			
42	year from local funds which is greater than the per pupil amount expended by the locality for			
43	such purposes in the year upon which the 2016-18 biennial Standards of Quality expenditure			
44	data were based.			
45	b. Of the amounts listed above, school divisions are permitted to spend such funds on both			
46	recurring and nonrecurring expenses in a manner that best supports the needs of the schools			
47	divisions. No local match is required.			
48	c. Any lottery funds provided to school divisions from this item that are unexpended as of			
49	June 30, 2019, and June 30, 2020, shall be carried on the books of the locality to be			
50	appropriated to the school division in the following year.			
51	38. Special Education Endorsement Program			
52	a. Notwithstanding § 22.1-290.02, Code of Virginia, out of this appropriation, \$437,186 the			
53	first year and \$437,186 the second year from the general fund is provided for traineeships and			
54	program operation grants that shall be awarded to public Virginia institutions of higher			

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	education to prepare persons who are employed in the public schools of Virginia, state			
2	operated programs, or regional special education centers as special educators with a			
3	provisional license and enrolled either part-time or full-time in programs for the education			
4	of children with disabilities. Applicants shall be graduates of a regionally accredited			
5	college or university.			
6	b. The award of such grants shall be made by the Department of Education, and the			
7	number of awards during any one year shall depend upon the amounts appropriated by the			
8	General Assembly for this purpose. The amount awarded for each traineeship shall be			
9	\$600 for a minimum of three semester hours of course work in areas required for the			
10	special education endorsement to be taken by the applicant during a single semester or			
11	summer session. Only one traineeship shall be awarded to a single applicant in a single			
12	semester or summer session.			
13	39. Compensation Supplement			
14	a.1) Out of this appropriation, \$130,305,448 \$130,856,474 the second year from the			
15	general fund and \$432,516 \$431,314 the second year from the Lottery Proceeds Fund is			
16	provided for the state share of a payment equivalent to a 3.0 percent salary incentive			
17	increase, effective July 1, 2019, for funded SOQ instructional and support positions.			
18	Funded SOQ instructional positions shall include the teacher, guidance counselor,			
19	librarian, instructional aide, principal, and assistant principal positions funded through the			
20	SOQ staffing standards for each school division in the biennium. This amount includes			
21	\$556,869 \$550,799 the second year from the general fund referenced in paragraph C. 28.			
22	h. for the Academic Year Governor's Schools for a 3.0 percent salary incentive increase,			
23	effective July 1, 2019, for instructional and support positions, and this amount includes			
24	\$432,516 \$431,314 the second year from the Lottery Proceeds Fund referenced in			
25	paragraph C. 9. f. 4) for Regional Alternative Education Programs for a 3.0 percent salary			
26	incentive increase, effective July 1, 2019, for instructional and support positions.			
27	2) It is the intent that the instructional and support position salaries be increased in school			
28	divisions throughout the state by at least an average of 3.0 percent during the 2018-2020			
29	biennium. Sufficient funds are appropriated in this act to finance, on a statewide basis, the			
30	state share of a 3.0 percent salary increase for funded SOQ instructional and support			
31	positions, effective July 1, 2019, to school divisions which certify to the Department of			
32	Education, by June 1, 2019, that salary increases of a minimum average of 3.0 percent			
33	have been or will have been provided during the 2018-2020 biennium, either in the first			
34	year or in the second year or through a combination of the two years, to instructional and			
35	support personnel.			
36	b.1) In addition to the compensation provisions in paragraphs C. 39. a.1) and 2), the			
37	appropriation in this item includes \$72,536,713 \$70,677,789 the second year from the			
38	general fund and \$240,697 \$240,025 the second year from the Lottery Proceeds Fund for			
39	the state share of a payment equivalent to a separate 2.0 percent salary incentive increase,			
40	effective September 1, 2019, for funded SOQ instructional and support positions. Funded			
41	SOQ instructional positions shall include the teacher, guidance counselor, librarian,			
42	instructional aide, principal, and assistant principal positions funded through the SOQ			
43	staffing standards for each school division in the biennium. This amount includes			
44	\$310,001 \$306,583 the second year from the general fund referenced in paragraph C. 28.			
45	h. for the Academic Year Governor's Schools for a separate 2.0 percent salary incentive			
46	increase, effective September 1, 2019, for instructional and support positions, and this			
47	amount includes the \$240,697 \$240,025 second year from the Lottery Proceeds Fund			
48	referenced in paragraph C. 9. f. 4) for Regional Alternative Education Programs for a			
49	separate 2.0 percent salary incentive increase, effective September 1, 2019, for			
50	instructional and support positions.			
51	2) It is the intent that the instructional and support position salaries be increased in school			
52	divisions throughout the state by at least an average of 2.0 percent during the second year,			
53	on or before September 1, 2019. Sufficient funds are appropriated in this act to finance, on			
54	a statewide basis, the state share of a 2.0 percent salary increase for funded SOQ			
55	instructional and support positions, effective September 1, 2019, to school divisions which			
56	certify to the Department of Education, by June 1, 2019, that separate salary increases of a			
57	minimum average of 2.0 percent will have been provided in the second year to			

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	instructional and support personnel on or before September 1, 2019. For any school division			
2	that meets the qualifications for the 3.0 percent Compensation Supplement pursuant to			
3	paragraph C.39.a.1) and 2), the separate 2.0 percent salary increase required in the second			
4	year by September 1, 2019, must be in addition to the salary increases that made them eligible			
5	for the 3.0 percent Compensation Supplement effective July 1, 2019.			
6	3) In order to be eligible to receive the state's share of up to a separate 2.0 percent salary			
7	increase in the second year, school divisions must provide up to a 2.0 percent salary increase			
8	in the second year effective by September 1, 2019, to instructional and support personnel.			
9	School divisions that provide a salary increase in the second year by September 1, 2019, that			
10	is less than 2.0 percent shall have the state share of the 2.0 percent Compensation Supplement			
11	payment reduced to the same percentage of the actual local salary increase provided. Any			
12	salary increase provided by a school division in the first year that was in excess of 3.0 percent			
13	prescribed in paragraphs C. 39. a.1) and 2), shall not count toward or be applied toward the			
14	local requirements for any portion of the separate 2.0 percent salary increase provided for in			
15	the second year. For any school division that is not able to provide a 3.0 percent salary			
16	increase over the biennium, such school division would be eligible to receive the state share			
17	of funding for up to a 2.0 percent salary increase in the second year for local salary increases			
18	provided in the second year by September 1, 2019.			
19	c. In the second year, school divisions are eligible to receive the state's share of funding for up			
20	to a total of 5.0 percent salary increase for SOQ-funded instructional and support positions.			
21	First, school divisions are eligible to receive the state's share of funding for a 3.0 percent			
22	Compensation Supplement, effective July 1, 2019, to school divisions which certify to the			
23	Department of Education, by June 1, 2019, that salary increases of a minimum average of 3.0			
24	percent have been or will have been provided during the 2018-2020 biennium, either in the			
25	first year or in the second year or through a combination of the two years, to instructional and			
26	support personnel. Second, school divisions are eligible to receive the state's share of funding			
27	for up to a separate 2.0 percent Compensation Supplement, effective September 1, 2019, to			
28	school divisions which certify to the Department of Education, by June 1, 2019, that salary			
29	increases of up to 2.0 percent will be provided in the second year by September 1, 2019, to			
30	instructional and support personnel. The 2.0 percent Compensation Supplement may be in			
31	addition to or in lieu of the 3.0 percent Compensation Supplement.			
32	d. This funding is not intended as a mandate to increase salaries.			
33	40. Small School Division Enrollment Loss Payments			
34	Out of this appropriation, \$6,112,706 the first year from the general fund is allocated to			
35	eligible school divisions that have realized and reported to the Department of Education a			
36	total of a five percent or more decline in average daily membership from March 31, 2013, to			
37	March 31, 2018, with a minimum dollar amount for such eligible school divisions of \$75,000.			
38	Such eligible school divisions shall receive an apportioned allocation as specified below:			
39	DIVISION NAME			FY 2019
40	ALLEGHANY			\$277,068
41	AMHERST			\$159,179
42	BATH			\$75,000
43	BEDFORD			\$343,221
44	BLAND			\$93,254
45	BOTETOURT			\$147,129
46	BRUNSWICK			\$155,111
47	BUCHANAN			\$209,987
48	CARROLL			\$288,674
49	CHARLES CITY			\$75,000
50	CHARLOTTE			\$91,755
51	CLARKE			\$75,000
52	CRAIG			\$75,000
53	CUMBERLAND			\$75,000
54	DICKENSON			\$157,259

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	DINWIDDIE			\$119,359
2	ESSEX			\$80,965
3	GRAYSON			\$142,166
4	GREENSVILLE			\$86,726
5	HALIFAX			\$299,314
6	KING & QUEEN			\$75,000
7	LANCASTER			\$75,000
8	MADISON			\$75,000
9	MATHEWS			\$75,000
10	MECKLENBURG			\$183,246
11	NELSON			\$75,000
12	NORTHUMBERLAND			\$75,000
13	NOTTOWAY			\$114,243
14	PRINCE EDWARD			\$98,625
15	PULASKI			\$168,097
16	RAPPAHANNOCK			\$75,000
17	RUSSELL			\$256,057
18	SCOTT			\$136,340
19	SMYTH			\$241,110
20	SURRY			\$75,000
21	SUSSEX			\$75,000
22	TAZEWELL			\$342,700
23	WYTHE			\$108,477
24	BUENA VISTA			\$75,000
25	DANVILLE			\$260,493
26	MARTINSVILLE			\$131,417
27	NORTON			\$75,000
28	PETERSBURG			\$145,734
29	FRANKLIN CITY			\$75,000
30	TOTAL			\$6,112,706
31	41. Virginia Preschool Initiative Plus			
32	Out of this appropriation, \$6,139,559 \$2,458,384 the second year from the general fund is			
33	provided to sustain approximately 1,530 student slots of high quality preschool for at risk			
34	four year olds within the 13 divisions that participate in the federally-funded Preschool			
35	Development Grant program known as Virginia Preschool Initiative Plus. These school			
36	divisions shall be responsible for ensuring that all such slots meet expectations set forth in			
37	the Department of Education's November 2018 Plan to Ensure High-Quality Instruction in			
38	All Virginia Preschool Initiative Classrooms, submitted to the General Assembly pursuant			
39	to paragraph C.14.j. of this Item. In fiscal year 2020, a local match based on a local			
40	composite index match of 0.4000, or a local match based on the division's actual			
41	composite index of local ability-to-pay if that is lower than 0.4000, is required. Beginning			
42	in fiscal year 2021, a local match based on a local composite index match of 0.5000, or a			
43	local match based on the division's actual composite index of local ability-to-pay if that is			
44	lower than 0.5000, is required.			
45	137. Not set out.			
46	Total for Direct Aid to Public Education.....		\$8,071,986,332	\$8,351,607,378
47				\$8,376,165,828
48	Fund Sources: General.....	\$6,258,717,882	\$6,516,907,074	
49			\$6,556,846,161	
50	Special.....	\$895,000	\$895,000	
51	Commonwealth Transportation.....	\$2,100,000	\$2,100,000	

ITEM 137.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Trust and Agency.....	\$743,748,217	\$765,180,071		
2			\$749,799,434		
3	Federal Trust.....	\$1,066,525,233	\$1,066,525,233		
4	Grand Total for Department of Education, Central				
5	Office Operations.....			\$8,180,651,500	\$8,472,745,909
6					\$8,497,304,359
7	General Fund Positions.....	144.00	149.00		
8	Nongeneral Fund Positions.....	185.50	185.50		
9	Position Level.....	329.50	334.50		
10	Fund Sources: General.....	\$6,320,665,069	\$6,581,426,676		
11			\$6,621,365,763		
12	Special.....	\$6,054,353	\$6,054,353		
13	Commonwealth Transportation.....	\$2,370,419	\$2,370,419		
14	Trust and Agency.....	\$744,427,780	\$765,859,634		
15			\$750,478,997		
16	Federal Trust.....	\$1,107,133,879	\$1,117,034,827		
17	138. Not set out.				
18	139. Not set out.				
19	140. Not set out.				
20	141. Not set out.				
21	142. Not set out.				
22	143. Not set out.				
23	144. Not set out.				
24	145. Not set out.				
25	146. Not set out.				
26	147. Not set out.				
27	148. Not set out.				
28	149. Not set out.				
29	150. Not set out.				
30	151. Not set out.				
31	152. Not set out.				
32	153. Not set out.				
33	154. Not set out.				
34	155. Not set out.				
35	156. Not set out.				
36	157. Not set out.				

ITEM 157.			Item Details(\$)		Appropriations(\$)	
			First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	158.	Not set out.				
2	159.	Not set out.				
3	160.	Not set out.				
4	161.	Not set out.				
5	162.	Not set out.				
6	163.	Not set out.				
7	164.	Not set out.				
8	165.	Not set out.				
9	166.	Not set out.				
10	167.	Not set out.				
11	168.	Not set out.				
12	169.	Not set out.				
13	170.	Not set out.				
14	171.	Not set out.				
15	172.	Not set out.				
16	173.	Not set out.				
17	174.	Not set out.				
18	175.	Not set out.				
19	176.	Not set out.				
20	177.	Not set out.				
21	178.	Not set out.				
22	179.	Not set out.				
23	180.	Not set out.				
24	181.	Not set out.				
25	182.	Not set out.				
26	183.	Not set out.				
27	184.	Not set out.				

ITEM 184.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	184.10	Not set out.			
2	185.	Not set out.			
3	186.	Not set out.			
4	187.	Not set out.			
5	188.	Not set out.			
6	189.	Not set out.			
7	190.	Not set out.			
8	191.	Not set out.			
9	192.	Not set out.			
10	§ 1-13. UNIVERSITY OF VIRGINIA (207)				
11	193.	Not set out.			
12	194.	Not set out.			
13	195.	Financial Assistance For Educational and General			
14		Services (11000).....		\$537,856,736	\$537,356,736
15					\$577,028,122
16		Sponsored Programs (11004).....	\$537,856,736	\$537,356,736	
17				\$577,028,122	
18		Fund Sources: General.....	\$10,469,379	\$9,969,379	
19		Higher Education Operating.....	\$504,577,357	\$504,577,357	
20				\$544,248,743	
21		Debt Service.....	\$22,810,000	\$22,810,000	
22	Authority: Title 23.1, Chapter22, Code of Virginia.				
23	A. Out of this appropriation, \$1,744,245 the first year and \$1,744,245 the second year from				
24	the general fund and \$14,350,000 the first year and \$14,350,000 the second year from				
25	nongeneral funds are designated to build research capacity in the areas of bioengineering and				
26	biosciences.				
27	B. Out of this appropriation, \$4,162,634 the first year and \$4,162,634 the second year from				
28	the general fund is designated for the support of cancer research.				
29	C. Out of this appropriation, \$3,612,500 the first year and \$3,112,500 the second year from				
30	the general fund is designated for support of the Focused Ultrasound Center to support core				
31	programs and research activities.				
32	D. Out of this appropriation, \$950,000 the first year and \$950,000 the second year from the				
33	general fund is designated to support the creation of the UVA Economic Development				
34	Accelerator.				
35	E. The Higher Education Operating fund source listed in this Item is considered to be a sum				
36	sufficient appropriation, which is an estimate of funding required by the university to cover				
37	sponsored program operations.				
38	196.	Not set out.			
39		Total for University of Virginia.....		\$1,634,907,864	\$1,637,828,557
40					\$1,677,499,943

ITEM 196.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	General Fund Positions.....	1,084.63	1,084.63		
2	Nongeneral Fund Positions.....	5,951.17	5,951.17		
3	Position Level.....	7,035.80	7,035.80		
4	Fund Sources: General.....	\$150,498,551	\$153,419,244		
5	Higher Education Operating.....	\$1,436,861,313	\$1,436,861,313		
6			\$1,476,532,699		
7	Debt Service.....	\$47,548,000	\$47,548,000		
8	197.	Not set out.			
9	198.	Not set out.			
10	199.	Not set out.			
11	200.	Not set out.			
12	201.	Not set out.			
13	202.	Not set out.			
14	203.	Not set out.			
15	Grand Total for University of Virginia.....			\$3,556,225,826	\$3,676,029,490
16					\$3,715,700,876
17	General Fund Positions.....	1,249.89	1,256.09		
18	Nongeneral Fund Positions.....	13,281.83	13,600.63		
19	Position Level.....	14,531.72	14,856.72		
20	Fund Sources: General.....	\$169,833,620	\$176,941,809		
21	Higher Education Operating.....	\$3,318,207,741	\$3,430,903,216		
22			\$3,470,574,602		
23	Debt Service.....	\$68,184,465	\$68,184,465		
24	204.	Not set out.			
25	205.	Not set out.			
26	206.	Not set out.			
27	207.	Not set out.			
28	208.	Not set out.			
29	209.	Not set out.			
30	210.	Not set out.			
31	211.	Not set out.			
32	212.	Not set out.			
33	213.	Not set out.			
34	214.	Not set out.			
35	215.	Not set out.			

ITEM 216.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1 216.	Not set out.			
2 217.	Not set out.			
3 218.	Not set out.			
4 219.	Not set out.			
5 220.	Not set out.			
6 221.	Not set out.			
7 222.	Not set out.			
8 223.	Not set out.			
9 224.	Not set out.			
10 225.	Not set out.			
11 226.	Not set out.			
12	§ 1-14. VIRGINIA STATE UNIVERSITY (212)			
13 227.	Educational and General Programs (10000).....		\$72,863,678	\$73,902,030
14	Higher Education Instruction (100101).....	\$40,138,349	\$41,376,809	
15	Higher Education Research (100102).....	\$2,118,047	\$2,118,047	
16	Higher Education Public Services (100103).....	\$120,448	\$120,448	
17	Higher Education Academic (100104).....	\$5,752,949	\$5,752,949	
18	Higher Education Student Services (100105).....	\$4,387,836	\$4,387,836	
19	Higher Education Institutional Support (100106).....	\$13,166,931	\$12,891,823	
20	Operation and Maintenance Of Plant (100107).....	\$7,179,118	\$7,254,118	
21	Fund Sources: General.....	\$36,206,980	\$37,020,868	
22	Higher Education Operating.....	\$36,656,698	\$36,881,162	
23	Authority: Title 23.1, Chapter 27, Code of Virginia.			
24	A. This Item includes general and nongeneral fund appropriations to support institutional			
25	initiatives that help meet statewide goals described in the Restructured Higher Education			
26	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
27	Assembly).			
28	B.1. Out of this appropriation, \$3,790,639 the first year and \$3,790,639 the second year from			
29	the general fund is designated for continued enhancement of the existing Bachelor of Science			
30	academic programs in Computer Science, Manufacturing Engineering, Computer			
31	Engineering, Mass Communications and Criminal Justice, and the doctoral program in			
32	Education.			
33	2. Out of this appropriation, \$37,500 the first year and \$37,500 the second year from the			
34	general fund is provided to serve in lieu of endowment income for the Eminent Scholars			
35	Program.			
36	3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business			
37	on June 30, 2018 and June 30, 2019, shall not revert to the surplus of the general fund but			
38	shall be carried forward on the books of the State Comptroller and reappropriated in the			
39	succeeding year.			
40	C. This appropriation includes \$200,000 the first year and \$200,000 the second year from the			
41	general fund to increase the number of faculty with terminal degrees to at least 85 percent of			

ITEM 227.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	the total teaching faculty.				
2	D. Out of this appropriation, Virginia State University is authorized to use up to \$600,000				
3	the first year and \$600,000 the second year from the general fund to address extremely				
4	critical deferred maintenance deficiencies in its facilities, including residence halls and				
5	dining facilities.				
6	E. As Virginia's public colleges and universities approach full funding of the base				
7	adequacy guidelines and as the General Assembly strives to fully fund the general fund				
8	share of the base adequacy guidelines, these funds are provided with the intent that, in				
9	exercising their authority to set tuition and fees, the Board of Visitors shall take into				
10	consideration the impact of escalating college costs for Virginia students and families. In				
11	accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of				
12	Visitors is encouraged to limit increases on tuition and mandatory educational and general				
13	fees for in-state, undergraduate students to the extent possible.				
14	F. Out of this appropriation, \$1,300,000 the first year and \$1,300,000 the second year				
15	from the general fund is designated to support the Manufacturing Engineering and				
16	Logistics Technology program.				
17	G. Out of this appropriation, \$104,792 the first year and \$104,022 the second year from				
18	the general fund is designated for debt service costs under the Master Equipment Lease				
19	Program (MELP) for upgrades to the university's police radio system. In addition to these				
20	amounts, \$154,451 the first year from the general fund is designated to support training				
21	and software costs.				
22	H. Out of this appropriation, \$324,140 the first year and \$321,757 the second year from				
23	the general fund is designated to support debt service costs under the Master Equipment				
24	Lease Program (MELP) to improve the university's information technology network. In				
25	addition to these amounts, \$412,923 the first year and \$295,419 the second year from the				
26	general fund is designated to support training and software costs.				
27	I. 1. Out of this appropriation, \$480,710 the second year from the general fund is				
28	designated to address increased degree production in Data Science and Technology,				
29	Science and Engineering, Healthcare, and Education.				
30	2. Degree production shall be measured for Bachelors, Masters, Doctorates and First				
31	Professional awards as follows:				
32	a. Data Science and Technology awards shall be based on completion data contained in				
33	the State Council of Higher Education for Virginia, C-16 completion report;				
34	b. Science and Engineering awards shall be based on completion data contained in the				
35	State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for				
36	the following programs Biological and Biomedical Science (26), Engineering (14) less				
37	those already counted in paragraph 2 a., Engineering Technologies (15), and Physical				
38	Sciences (42);				
39	c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1				
40	completion report for the Health Professions and Related Programs (51); and				
41	d. Education awards shall be based on completion data contained in the SCHEV C-1 A1				
42	completion report for the Education Programs (13).				
43	3. Virginia State University is expected to increase:				
44	a. Data Science and Technology awards by 5 in the second year.				
45	b. Science and Engineering awards by 5 in the second year.				
46	c. Education awards by 5 in the second year.				
47	d. The 2016-17 year will serve as the base year for these purposes.				
48	4. SCHEV shall report on the progress toward these goals to the Chairman of the House				
49	Appropriations and Senate Finance Committees report on the progress toward these goals				

ITEM 227.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	annually beginning August 2020.					
2	I. Out of this appropriation, an amount estimated at \$299,286 from the general fund and					
3	\$224,464 from nongeneral funds in the second year are designated for the educational					
4	telecommunications project to provide graduate engineering education. For supplemental					
5	budget requests, the participating institutions and centers jointly shall submit a report in					
6	support of such requests to the State Council of Higher Education for Virginia for review and					
7	recommendation to the Governor and General Assembly.					
8	<i>J. Of the \$234,000 appropriated for agriculture education positions, the university has the</i>					
9	<i>ability as of January 1, 2020 to utilize some of the funding for developing key aspects of the</i>					
10	<i>agriculture education program.</i>					
11	228. Not set out.					
12	229. Not set out.					
13	230. Not set out.					
14	Total for Virginia State University.....			\$166,282,300	\$168,052,214	
15	General Fund Positions.....	323.47	329.47			
16	Nongeneral Fund Positions.....	486.89	489.89			
17	Position Level.....	810.36	819.36			
18	Fund Sources: General.....	\$44,982,297	\$46,527,747			
19	Higher Education Operating.....	\$110,967,458	\$111,191,922			
20	Debt Service.....	\$10,332,545	\$10,332,545			
21	231. Not set out.					
22	Grand Total for Virginia State University.....			\$178,513,956	\$180,283,870	
23	General Fund Positions.....	355.22	361.22			
24	Nongeneral Fund Positions.....	553.89	556.89			
25	Position Level.....	909.11	918.11			
26	Fund Sources: General.....	\$50,572,637	\$52,118,087			
27	Higher Education Operating.....	\$117,608,774	\$117,833,238			
28	Debt Service.....	\$10,332,545	\$10,332,545			
29	232. Not set out.					
30	233. Not set out.					
31	§ 1-15. JAMESTOWN-YORKTOWN FOUNDATION (425)					
32	234. Museum and Cultural Services (14500).....			\$18,918,251	\$18,959,884	
33	Collections Management and Curatorial Services					
34	(14501).....	\$684,141	\$684,141			
35	Education and Extension Services (14503).....	\$7,858,030	\$7,375,205			
36	Operational and Support Services (14507).....	\$10,376,080	\$10,900,538			
37	Fund Sources: General.....	\$10,305,275	\$10,346,908			
38	Special.....	\$8,612,976	\$8,612,976			
39	Authority: Title 23.1, Chapter 32, Article 4, Code of Virginia.					
40	A. Out of the amounts for Operational and Support Services, the Director is authorized to					
41	expend from special funds amounts not to exceed \$3,500 the first year and \$3,500 the second					
42	year for entertainment expenses commonly borne by businesses. Such expenses shall be					
43	recorded separately by the agency.					

ITEM 234.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	B. With the prior written approval of the Director, Department of Planning and Budget,				
2	nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid				
3	to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the				
4	Board of Trustees in support of Foundation programs.				
5	C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be				
6	authorized to fill all positions authorized in this act and all part-time (wage) positions				
7	funded in this act, notwithstanding § 4-7.01 of this act.				
8	D. Out of the appropriation for this Item, \$54,777 the first year and \$54,777 the second				
9	year from the general fund is included for the purchase of museum electronic security				
10	equipment through the state's master equipment lease program.				
11	<i>E. Out of this appropriation, \$50,000 the second year from the general fund is provided to</i>				
12	<i>complete the three-part statue installation at the Williamsburg James City County</i>				
13	<i>Courthouse that was begun in 2008, with Native American leader Chief Powhatan,</i>				
14	<i>Captain Gosnold in 2016, and the final statue will commemorate Africans brought to the</i>				
15	<i>colony; and \$25,000 the second year from the general fund is provided to the African</i>				
16	<i>American Cultural Center of Virginia Beach for the Hampton Roads African American</i>				
17	<i>Evolution Performance Series.</i>				
18	Total for Jamestown-Yorktown Foundation.....			\$18,918,251	\$18,959,884
19	General Fund Positions.....	108.00	111.00		
20	Nongeneral Fund Positions.....	63.00	63.00		
21	Position Level.....	171.00	174.00		
22	Fund Sources: General.....	\$10,305,275	\$10,346,908		
23	Special.....	\$8,612,976	\$8,612,976		
24	235. Not set out.				
25	Grand Total for Jamestown-Yorktown Foundation..			\$25,419,668	\$25,461,301
26	General Fund Positions.....	117.00	120.00		
27	Nongeneral Fund Positions.....	63.00	63.00		
28	Position Level.....	180.00	183.00		
29	Fund Sources: General.....	\$16,806,692	\$16,848,325		
30	Special.....	\$8,612,976	\$8,612,976		
31	236. Not set out.				
32	237. Not set out.				
33	238. Not set out.				
34	239. Not set out.				
35	240. Not set out.				
36	§ 1-16. VIRGINIA COMMISSION FOR THE ARTS (148)				
37	241. Not set out.				
38	242. Museum and Cultural Services (14500).....			\$639,358	\$639,358
39					\$657,358
40	Operational and Support Services (14507).....	\$639,358	\$639,358		
41			\$657,358		
42	Fund Sources: General.....	\$551,901	\$551,901		
43			\$569,901		

ITEM 242.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Federal Trust.....	\$87,457	\$87,457		
2	Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
3	Total for Virginia Commission for the Arts.....			\$4,520,270	\$4,645,270
4					\$4,663,270
5	General Fund Positions.....	5.00	5.00		
6	Position Level.....	5.00	5.00		
7	Fund Sources: General.....	\$3,712,138	\$3,837,138		
8			\$3,855,138		
9	Federal Trust.....	\$808,132	\$808,132		
10	243. Not set out.				
11	244. Not set out.				
12	245. Not set out.				
13	246. Not set out.				
14	247. Not set out.				
15	248. Not set out.				
16	249. Not set out.				
17	250. Not set out.				
18	251. Not set out.				
19	252. Not set out.				
20	253. Not set out.				
21	253.50 Not set out.				
22	254. Not set out.				
23	TOTAL FOR OFFICE OF EDUCATION.....			\$19,694,441,528	\$20,311,401,671
24					\$20,375,649,507
25	General Fund Positions.....	18,611.91	18,689.43		
26	Nongeneral Fund Positions.....	41,434.61	41,932.54		
27	Position Level.....	60,046.52	60,621.97		
28	Fund Sources: General.....	\$8,429,422,630	\$8,855,436,148		
29			\$8,895,393,235		
30	Special.....	\$47,520,936	\$47,627,394		
31	Higher Education Operating.....	\$8,980,315,840	\$9,139,823,205		
32			\$9,179,494,591		
33	Commonwealth Transportation.....	\$2,370,419	\$2,370,419		
34	Enterprise.....	\$7,479,910	\$7,479,910		
35	Trust and Agency.....	\$744,617,780	\$766,049,634		
36			\$750,668,997		
37	Debt Service.....	\$344,923,009	\$344,923,009		
38	Dedicated Special Revenue.....	\$17,927,512	\$17,927,512		
39	Federal Trust.....	\$1,119,863,492	\$1,129,764,440		

ITEM 255.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF FINANCE			
2	255.	Not set out.		
3	§ 1-17. DEPARTMENT OF ACCOUNTS (151)			
4	256.	Not set out.		
5	257.	Not set out.		
6	258.	Not set out.		
7	259.	Information Systems Management and Direction		
8			(71100).....	\$24,428,730
9			Financial Oversight for Performance Budgeting	\$25,105,962
10		\$2,660,587	System (71107).....	
11		\$21,768,143	Financial Oversight for Cardinal System (71108).....	
12		\$24,428,730	Fund Sources: Internal Service.....	\$25,105,962
13	Authority: Title 2.2 Chapter 8, Code of Virginia			
14	A. The appropriation for Financial Oversight for Performance Budgeting System and			
15	Financial Oversight for Cardinal System is sum sufficient and amounts shown are			
16	estimates from internal service funds for the Commonwealth's enterprise applications			
17	which shall be paid solely from revenues derived from charges for services. All users of			
18	the Commonwealth's enterprise applications shall be assessed a surcharge based on			
19	licenses, transactions, or other meaningful methodology as determined by the Secretary of			
20	Finance and the owner of the enterprise application, which shall be deposited in the fund.			
21	Additionally, the State Comptroller shall recover the cost of services provided for the			
22	administration of the fund through interagency transactions as determined by the State			
23	Comptroller.			
24	1. Out of this appropriation, the Performance Budgeting System is appropriated			
25	\$2,660,587 the first year and \$2,684,775 the second year from internal service fund			
26	revenues.			
27	2. Out of this appropriation, the Cardinal Financial System is appropriated \$21,768,143			
28	the first year and \$22,421,187 the second year from internal service fund revenues.			
29	4. The State Comptroller shall submit revised projections of revenues and expenditures for			
30	the internal service funds for the Commonwealth's enterprise applications and estimates of			
31	any anticipated changes to fee schedules in accordance with § 4-5.03 of this act.			
32	5. In the event that expenses of the enterprise applications become due before costs have			
33	been fully recovered in the department's internal service fund, a treasury loan shall be			
34	provided to the department to finance these costs. This treasury loan shall be repaid from			
35	the proceeds collected in the funds.			
36	B.1.a. The Department of Accounts, in coordination with the Department of Human			
37	Resource Management shall replace the Commonwealth Integrated Payroll/Personnel			
38	System (CIPPS) and the Personnel Management Information System and the Benefits			
39	Eligibility System (PMIS & BES) with an integrated Human Capital Management (HCM)			
40	system. In order to maximize the efficiencies and benefits of the current Commonwealth			
41	Enterprise Resource Planning system, Cardinal, along with establishing a single source of			
42	personnel and payroll information and to achieve greater security of sensitive personally			
43	identifiable information, such system shall be based on the HCM modules within the			
44	Cardinal Enterprise Resource Planning application currently serving as the			
45	Commonwealth's financial system.			
46	b. A working capital advance of up to \$82,400,000 \$131,820,000 shall be provided to the			
47	Department of Accounts to pay the initial costs of replacing CIPPS and PMIS & BES.			

ITEM 259.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Initial costs This may include any costs necessary for the planning, development,			
2	configuration, and roll-out of the new HCM application. Initial These costs do not include			
3	costs necessary to ensure agencies are prepared for the implementation of the new application			
4	and the decommissioning of CIPPS and PMIS & BES such as interfaces from agency based			
5	systems. The State Comptroller shall provide the Governor and the Chairmen of the House			
6	Appropriations and Senate Finance Committees with the total projected project			
7	implementation cost by September 1, 2019.			
8	c. The Department of Accounts and the Department of Human Resource Management shall			
9	recommend to the Governor a permanent system of governance over the new HCM			
10	application, which shall designate specifically which agencies have the responsibility for			
11	authority and control of the data in the new HCM application as well as responsibility for			
12	systems support and maintenance.			
13	2. The Secretary of Finance and Secretary of Administration shall approve the drawdowns			
14	from this working capital advance prior to the expenditure of funds. The State Comptroller			
15	shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance			
16	Committees of any approved drawdowns.			
17	3. Repayment of the working capital advance and ongoing systems operation, maintenance			
18	and support costs for the statewide Human Capital Management system shall be funded			
19	through an internal service fund for the enterprise application pursuant to paragraph A. of this			
20	Item.			
21	260.	Not set out.		
22	261.	Not set out.		
23	262.	Not set out.		
24	263.	Not set out.		
25	Total for Department of Accounts.....		\$41,597,149	\$42,354,357
26	General Fund Positions.....		115.00	115.00
27	Nongeneral Fund Positions.....		54.00	54.00
28	Position Level.....		169.00	169.00
29	Fund Sources: General.....		\$13,493,096	\$13,493,096
30	Special.....		\$992,820	\$992,820
31	Internal Service.....		\$27,111,233	\$27,868,441
32	Department of Accounts Transfer Payments (162)			
33	264.	Not set out.		
34	265.	Revenue Stabilization Fund (73500).....		\$0
35				\$360,458,731
36				\$262,941,731
37		Payments to the Revenue Stabilization Fund (73501).	\$0	\$360,458,731
38				\$262,941,731
39		Fund Sources: General.....	\$0	\$360,458,731
				\$262,941,731
40	Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.			
41	A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the			
42	General Assembly the certified tax revenues collected in the most recently ended fiscal year.			
43	The auditor shall, at the same time, provide his report on the 15 percent limitation and the			
44	amount that could be paid into the fund in order to satisfy the mandatory deposit requirement			
45	of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit			
46	requirement of § 2.2-1829, Code of Virginia.			
47	B. Out of this appropriation, \$262,941,731 the second year from the general fund attributable			

ITEM 265.	Item Details(\$)		Appropriations(\$)		
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	to actual tax collections for fiscal year 2018 shall be paid by the State Comptroller on or				
2	before June 30, 2020, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of				
3	Virginia. This amount is based on the certification of the Auditor of Public Accounts of				
4	actual tax revenues for fiscal year 2018. This appropriation meets the mandatory deposit				
5	requirement of Article X, Section 8 of the Constitution of Virginia.				
6	C: Out of this appropriation, \$97,517,000 the second year from the general fund shall be				
7	paid by the State Comptroller on or before June 30, 2020; into the Revenue Stabilization				
8	Fund pursuant to § 2.2-1829; Code of Virginia. This amount represents an estimate of the				
9	required deposit to the Revenue Stabilization Fund attributable to tax collections for fiscal				
10	year 2020; which the Auditor of Public Accounts shall determine for the year ending June				
11	30, 2020.				
12	266.	Revenue Cash Reserve (23700).....		\$342,727,895	\$222,783,000
13					\$601,845,675
14		Appropriated Revenue Reserve (23701).....	\$342,727,895	\$222,783,000	\$601,845,675
15					
16		Fund Sources: General.....	\$342,727,895	\$222,783,000	\$601,845,675
17					
18	Authority: Title 2.2, Chapter 18, Article 4.1, Code of Virginia.				
19	A. †: Notwithstanding any contrary provision of law, there is hereby appropriated in this				
20	item \$342,727,895 from the general fund the first year and \$222,783,000 \$601,845,675				
21	from the general fund the second year to the Revenue Reserve established pursuant to §				
22	2.2-1831.2, Code of Virginia; to mitigate any potential revenue or transfer shortfalls that				
23	may arise during the biennium. Any mandatory deposit to the Revenue Stabilization Fund				
24	resulting from revenue growth in fiscal year 2020 may be funded from the amounts				
25	appropriated to the Revenue Reserve in this paragraph if fiscal year 2020 uncommitted,				
26	excess year-end revenues are insufficient for such purpose.				
27	2: The Department of Taxation shall certify the revenues generated pursuant to				
28	subdivision B.5: of § 58.1-301; Code of Virginia. An amount equal to any revenues in				
29	excess of those included in this act and appropriated in this item; estimated at				
30	\$107,500,000; shall be deposited into the Revenue Reserve Fund and; notwithstanding the				
31	provisions of § 2.2-1831.4; Code of Virginia; if appropriated; may be used to effectuate				
32	future tax reform options for the citizens of the Commonwealth in accordance with the				
33	fifth enactment of Chapters 17 and 18, 2019 Session of the General Assembly. Nothing in				
34	this item shall be construed to require the appropriation of such funds prior to the use of				
35	other funds in the Revenue Reserve Fund pursuant to § 2.2-1831.4, Code of Virginia."				
36	B.1. Notwithstanding any contrary provision of law, the Governor shall appropriate to the				
37	Revenue Reserve any sums that are committed by the Comptroller for that purpose on his				
38	June 30, 2018 balance sheet and that are reported by the Governor to the General				
39	Assembly as part of the preliminary annual balance sheet and that are reported by the				
40	Governor to the General Assembly as part of the preliminary annual report.				
41	2. Any calculation made pursuant to the provisions of § 2.2-1831.2, Code of Virginia, by				
42	the Auditor of Public Accounts based on general fund resources collected in fiscal year				
43	2019 shall be committed for deposit into the Fund established pursuant to § 2.2-1831.2,				
44	Code of Virginia, in fiscal year 2021.				
45	C. Any amounts appropriated in this item that are unexpended on June 30, 2019, or June				
46	30, 2020, shall be reappropriated in the next fiscal year to this reserve to be used for the				
47	same purposes identified in this item.				
48	267.	Not set out.			
49	268.	Not set out.			
50	269.	Not set out.			
51	270.	Not set out.			

ITEM 270.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Total for Department of Accounts Transfer Payments			\$1,899,553,820	\$2,168,098,691
2					\$2,449,644,366
3					
4	Nongeneral Fund Positions.....	1.00	1.00		
5	Position Level.....	1.00	1.00		
6	Fund Sources: General.....	\$1,341,622,895	\$1,582,136,731		
7			\$1,863,682,406		
8	Trust and Agency.....	\$79,381,054	\$79,381,054		
9	Dedicated Special Revenue.....	\$478,549,871	\$506,580,906		
10	Grand Total for Department of Accounts.....			\$1,941,150,969	\$2,210,453,048
11					\$2,491,998,723
12	General Fund Positions.....	115.00	115.00		
13	Nongeneral Fund Positions.....	55.00	55.00		
14	Position Level.....	170.00	170.00		
15	Fund Sources: General.....	\$1,355,115,991	\$1,595,629,827		
16			\$1,877,175,502		
17	Special.....	\$992,820	\$992,820		
18	Internal Service.....	\$27,111,233	\$27,868,441		
19	Trust and Agency.....	\$79,381,054	\$79,381,054		
20	Dedicated Special Revenue.....	\$478,549,871	\$506,580,906		
21	271. Not set out.				
22	272. Not set out.				
23	273. Not set out.				
24	274. Not set out.				
25	275. Not set out.				
26	276. Not set out.				
27	277. Not set out.				
28	278. Not set out.				
29	§ 1-18. TREASURY BOARD (155)				
30	279. Bond and Loan Retirement and Redemption (74300).			\$782,931,935	\$824,795,771
31					\$811,851,461
32	Debt Service Payments on General Obligation Bonds				
33	(74301).....	\$67,029,003	\$64,791,313		
34			\$61,518,389		
35	Capital Lease Payments (74302).....	\$5,490,800	\$5,497,550		
36	Debt Service Payments on Public Building Authority				
37	Bonds (74303).....	\$262,613,033	\$280,424,780		
38			\$277,050,650		
39	Debt Service Payments on College Building				
40	Authority Bonds (74304).....	\$447,799,099	\$474,082,128		
41			\$467,784,872		
42	Fund Sources: General.....	\$735,190,499	\$776,432,307		
43			\$764,913,338		
44	Higher Education Operating.....	\$30,011,174	\$31,526,576		
45	Dedicated Special Revenue.....	\$645,000	\$645,000		

ITEM 279.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Federal Trust.....	\$17,085,262	\$16,191,888	
2			\$14,766,547	
3	Authority: Title 2.2, Chapter 18, Code of Virginia; Article X, Section 9, Constitution of			
4	Virginia.			
5	A. The Director, Department of Planning and Budget is authorized to transfer			
6	appropriations between Items in the Treasury Board to address legislation affecting the			
7	Treasury Board passed by the General Assembly.			
8	B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the			
9	following amounts are hereby appropriated from the general fund for debt service on			
10	general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of			
11	Virginia:			
12	Series	FY 2019		FY 2020
13		General Fund	Federal Funds	General Fund
14	2009A	\$4,063,500	\$0	\$0
15	2009B	\$3,128,651	\$411,196	\$3,074,467
16				\$0
17	2009D Refunding	\$23,824,751	\$0	\$22,811,750
18				\$0
19	2012 Refunding	\$4,322,450	\$0	\$4,229,200
20	2013 Refunding	\$15,388,750	\$0	\$14,977,250
21	2015B Refunding	\$13,977,350	\$0	\$13,549,350
22	2016B Refunding	\$1,821,450	\$0	\$5,681,450
23	2019B Refunding			\$21,453,981
24	2019C Refunding			\$1,547,158
25	Projected debt service	\$90,905	\$0	\$88,518
26	& expenses			\$80,000
27	Total Service Area	\$66,617,807	\$411,196	\$64,411,985
28				\$61,518,389
29	2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums			
30	needed to fund issuance costs and other expenses are hereby appropriated.			
31	C. Out of the amounts for Capital Lease Payments, the following amounts are hereby			
32	appropriated for capital lease payments:			
33		FY 2019		FY 2020
34	Norfolk RHA (VCCS-TCC), Series	\$738,300		\$739,800
35	1995			
36	Virginia Biotech Research Park, 2009	\$4,752,500		\$4,757,750
37	Total Capital Lease Payments	\$5,490,800		\$5,497,550
38	D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority			
39	Bonds shall be paid to the Virginia Public Building Authority the following amounts for			
40	use by the authority for its various bond issues:			
41	Series	FY 2019		FY 2020
42		General Fund	Nongeneral Fund	General Fund
43	2005D	\$2,000,000	\$0	\$2,000,000
44	2008B	\$7,119,950	\$0	\$0
45	2009A	\$4,683,024	\$0	\$4,682,412
46	2009B	\$10,204,500	\$0	\$10,203,875
47	2009B STARS	\$6,584,000	\$0	\$6,585,625
48	2009C	\$1,089,190	\$0	\$1,087,554

ITEM 279.			Item Details(\$)		Appropriations(\$)	
			First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2009D	\$6,248,100	\$0	\$6,241,975	\$0	
2	2010A	\$21,877,801	\$4,026,508	\$21,861,364	\$3,799,581	
3					\$3,799,580	
4	2010B	\$30,091,167	\$3,401,511	\$30,320,659	\$3,310,439	
5					\$3,310,440	
6	2011A STARS	\$631,000	\$0	\$628,875	\$0	
7	2011A	\$12,909,500	\$0	\$12,908,625	\$0	
8	2011B	\$1,298,749	\$0	\$1,299,224	\$0	
9	2012A Refunding	\$6,559,225	\$0	\$6,556,225	\$0	
10	2013A	\$8,823,275	\$0	\$8,821,650	\$0	
11	2013B	\$3,478,000	\$0	\$17,247,000	\$0	
12	2014A	\$8,482,025	\$645,000	\$8,479,775	\$645,000	
13	2014B	\$2,012,760	\$0	\$2,011,353	\$0	
14	2014C Refunding	\$39,593,775	\$0	\$25,880,150	\$0	
15	2015A	\$17,344,496	\$0	\$17,339,996	\$0	
16				\$17,339,995		
17	2015B Refunding	\$14,845,275	\$0	\$16,603,650	\$0	
18	2016A	\$14,385,550	\$0	\$14,385,300	\$0	
19	2016B Refunding	\$8,773,400	\$0	\$8,773,400	\$0	
20	2016C	\$11,659,375	\$0	\$11,657,250	\$0	
21	2016D	\$906,902	\$0	\$903,732	\$0	
22	2017A	\$6,722,850	\$0	\$6,722,850	\$0	
23	2018A	\$5,097,794	\$0	\$11,745,719	\$0	
24	2018B	\$475,366	\$0	\$1,233,790	\$0	
25	2019A			\$6,801,005	\$0	
26	2019B			\$5,174,279	\$0	
27	2019C			\$532,845	\$0	
28	Projected debt service	\$642,965	\$0	\$16,487,732	\$0	
29	and expenses			\$605,474		
30	Total Service Area	\$254,540,014	\$8,073,019	\$272,669,760	\$7,755,020	
31				\$269,295,630		

32 2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of
33 the approved capital costs as determined by the Board of Corrections and other interest costs
34 as provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:

35		Commonwealth Share of
36	Project	Approved Capital Costs
37	Prince William – Manassas Regional Jail	\$21,032,421
38	Henry County Jail	\$18,759,878
39	Chesapeake City Jail	\$6,860,886
40	Piedmont Regional Jail	\$2,139,464
41	Rockbridge Regional Jail	\$103,693
42	Prince William - Manassas Adult Detention Center	\$49,643
43	Northwestern Regional Jail Authority	\$1,198,915
44	Southside Regional Jail Authority	\$138,465
45	Total Approved Capital Costs	\$50,283,365

46 b. The Commonwealth's share of the total construction cost of the projects listed in the table
47 in paragraph D.2.a. shall not exceed the amount listed for each project. Reimbursement of the
48 Commonwealth's portion of the construction costs of these projects shall be subject to the
49 approval of the Department of Corrections of the final expenditures.

50 c. This paragraph shall constitute the authority for the Virginia Public Building Authority to

ITEM 279.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.				
2	E.1. Out of the amounts for Debt Service Payments on Virginia College Building				
3	Authority Bonds shall be paid to the Virginia College Building Authority the following				
4	amounts for use by the Authority for payments on obligations issued for financing				
5	authorized projects under the 21st Century College Program:				
6	Series		FY 2019		FY 2020
7	2008A		\$4,966,500		\$0
8	2009A&B		\$14,459,700		\$0
9	2009E Refunding		\$26,975,050		\$26,976,000
10	2009F		\$37,693,761		\$37,353,111
11					\$30,276,058
12	2010B		\$27,673,519		\$27,471,289
13	2011 A		\$10,727,000		\$10,727,750
14	2012A		\$16,248,450		\$16,247,950
15	2012B		\$21,481,850		\$21,478,850
16	2013 A		\$16,815,919		\$15,872,969
17					\$16,818,419
18	2014A		\$16,972,150		\$16,974,150
19	2014B		\$1,328,400		\$1,387,150
20	2015A		\$16,398,550		\$25,175,700
21	2015B Refunding		\$7,285,433		\$12,255,054
22	2015C		\$1,479,354		\$1,484,260
23	2015D		\$22,496,035		\$13,711,535
24	2016A		\$19,476,600		\$19,469,100
25	2016B Refunding		\$1,972,000		\$1,972,000
26	2016C		\$4,428,839		\$4,433,139
27	2017B		\$21,184,500		\$19,851,250
28	2017C		\$31,464,500		\$31,466,500
29	2017D		\$11,318,714		\$11,316,514
30	2017E		\$31,960,000		\$41,448,500
31	2019A				\$31,123,368
32	2019B				\$843,190
33	2019C				\$6,347,165
34	Projected 21st Century debt service &		\$717,501		\$38,328,915
35	expenses				\$592,477
36	Subtotal 21st Century		\$365,524,325		\$395,401,686
37					\$389,847,369
38	2. Out of the amounts for Debt Service Payments on Virginia College Building Authority				
39	Bonds shall be paid to the Virginia College Building Authority the following amounts for				
40	the payment of debt service on authorized bond issues to finance equipment:				
41	Series		FY 2019		FY 2020
42	2011A		\$8,536,500		\$0
43	2012A		\$8,363,250		\$0
44	2013A		\$9,451,750		\$9,448,500
45	2014A		\$9,660,250		\$9,658,000
46	2015A		\$10,483,250		\$10,482,000
47	2016A		\$11,065,500		\$11,067,000
48	2017A		\$11,849,000		\$11,853,750
49	2018		\$12,865,274		\$12,864,500
50	2019A				\$12,563,753
51	Projected debt service & expenses		\$0		\$13,306,692

ITEM 279.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1				\$0
2	Subtotal Equipment	\$82,274,774		\$78,680,442
3				\$77,937,503
4	Total Service Area	\$447,799,099		\$474,082,128
5				\$467,784,872
6	3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the			
7	Treasury Board shall amortize equipment purchases at seven years, which is consistent with			
8	the useful life of the equipment.			
9	4. Out of the amounts for Debt Service Payments on Virginia College Building Authority			
10	Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state			
11	students at institutions of higher education shall be paid to the Virginia College Building			
12	Authority in each year for debt service on bonds issued under the 21st Century Program:			
13	Institution	FY 2019		FY 2020
14	George Mason University	\$2,644,092		\$2,804,490
15	Old Dominion University	\$1,047,123		\$1,108,899
16	University of Virginia	\$4,721,706		\$5,006,754
17	Virginia Polytechnic Institute and State	\$4,867,731		\$5,192,295
18	University			
19	Virginia Commonwealth University	\$2,224,530		\$2,359,266
20	College of William and Mary	\$1,549,053		\$1,639,845
21	Christopher Newport University	\$122,562		\$131,508
22	University of Virginia's College at Wise	\$45,540		\$48,330
23	James Madison University	\$2,675,079		\$2,843,787
24	Norfolk State University	\$402,831		\$420,789
25	Longwood University	\$97,911		\$106,149
26	University of Mary Washington	\$222,750		\$234,834
27	Radford University	\$281,556		\$300,486
28	Virginia Military Institute	\$377,190		\$400,470
29	Virginia State University	\$739,233		\$773,577
30	Richard Bland College	\$9,900		\$10,830
31	Virginia Community College System	\$3,139,785		\$3,301,665
32	TOTAL	\$25,168,572		\$26,683,974
33	5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the			
34	following is the estimated general and nongeneral fund breakdown of each institution's share			
35	of the debt service on the Virginia College Building Authority bond issues to finance			
36	equipment. The nongeneral fund amounts shall be paid to the Virginia College Building			
37	Authority in each year for debt service on bonds issued under the equipment program:			
38		FY 2019		FY 2020
39	Institution	General Fund	Nongeneral Fund	General Fund
40	College of William &	\$2,726,776	\$259,307	\$2,542,753
41	Mary			\$259,307
42	University of Virginia	\$14,768,704	\$1,088,024	\$14,069,323
43				\$13,619,323
44	Virginia Polytechnic	\$14,850,856	\$992,321	\$14,157,712
45	Institute and State			\$14,282,712
46	University			
47	Virginia Military	\$844,441	\$88,844	\$766,641
48	Institute			\$88,844
49	Virginia State University	\$1,304,801	\$108,886	\$1,186,954
50	Norfolk State University	\$1,155,483	\$108,554	\$1,050,111
51	Longwood University	\$728,290	\$54,746	\$663,015
				\$54,746

ITEM 279.			Item Details(\$)		Appropriations(\$)	
			First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	University of Mary	\$760,811	\$97,063	\$872,100	\$97,063	
2	Washington					
3	James Madison	\$2,178,176	\$254,504	\$1,975,385	\$254,504	
4	University					
5	Radford University	\$1,535,517	\$135,235	\$1,213,438	\$135,235	
6	Old Dominion	\$5,250,439	\$374,473	\$4,670,293	\$374,473	
7	University			\$4,800,749		
8	Virginia	\$9,627,321	\$401,647	\$9,153,973	\$401,647	
9	Commonwealth			\$8,903,973		
10	University					
11	Richard Bland College	\$166,653	\$2,027	\$152,592	\$2,027	
12	Christopher Newport	\$776,754	\$17,899	\$710,511	\$17,899	
13	University					
14	University of Virginia's	\$244,285	\$19,750	\$222,275	\$19,750	
15	College at Wise					
16	George Mason	\$4,474,164	\$205,665	\$4,516,681	\$205,665	
17	University			\$4,771,644		
18	Virginia Community	\$14,722,898	\$633,657	\$14,614,134	\$633,657	
19	College System			\$14,060,730		
20	Virginia Institute of	\$568,209	\$0	\$520,534	\$0	
21	Marine Science					
22	Roanoke Higher	\$81,758	\$0	\$74,943	\$0	
23	Education Authority					
24	Southwest Virginia	\$84,378	\$0	\$77,344	\$0	
25	Higher Education					
26	Center					
27	Institute for Advanced	\$288,907	\$0	\$264,704	\$0	
28	Learning and Research					
29	Southern Virginia	\$86,674	\$0	\$92,482	\$0	
30	Higher Education					
31	Center					
32	New College Institute	\$50,542	\$0	\$33,246	\$0	
33				\$33,296		
34	Eastern Virginia	\$155,335	\$0	\$236,697	\$0	
35	Medical School					
36	TOTAL	\$77,432,173	\$4,842,602	\$73,837,840	\$4,842,602	
37				\$73,094,905		

38 F. Pursuant to various Payment Agreements between the Treasury Board and the
39 Commonwealth Transportation Board, funds required to pay the debt service due on
40 Commonwealth Transportation Board bonds shall be paid to the Trustee for the
41 bondholders by the Treasury Board after transfer of these funds to the Treasury Board
42 from the Commonwealth Transportation Board pursuant to Item 457, paragraph E of this
43 act and §§ 33.2-2300, 33.2-2400, and 58.1-816.1, Code of Virginia.

44 G. Under the authority of this act, an agency may transfer funds to the Treasury Board for
45 use as lease, rental, or debt service payments to be used for any type of financing where
46 the proceeds are used to acquire equipment and to finance associated costs, including but
47 not limited to issuance and other financing costs. In the event such transfers occur, the
48 transfers shall be deemed an appropriation to the Treasury Board for the purpose of
49 making the lease, rental, or debt service payments described herein.

50 H. Notwithstanding the provisions of 2.2-11.56, Code of Virginia, if tax-exempt bonds
51 were used by the Commonwealth or its authorities, boards, or institutions to finance the
52 acquisition, construction, improvement or equipping of real property, proceeds from the
53 subsequent sale or disposition of such property and any improvements may first be applied
54 toward remediation options available under federal law in order to maintain the tax-
55 exempt status of such bonds.

ITEM 280.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	280.	Not set out.			
2	Total for Treasury Board.....			\$782,931,935	\$824,795,771
3					\$811,851,461
4	Fund Sources: General.....	\$735,190,499	\$776,432,307		
5			\$764,913,338		
6	Higher Education Operating.....	\$30,011,174	\$31,526,576		
7	Dedicated Special Revenue.....	\$645,000	\$645,000		
8	Federal Trust.....	\$17,085,262	\$16,191,888		
9			\$14,766,547		
10	TOTAL FOR OFFICE OF FINANCE.....			\$2,896,859,677	\$3,205,595,239
11					\$3,474,196,604
12	General Fund Positions.....	1,111.20	1,114.20		
13	Nongeneral Fund Positions.....	205.80	205.80		
14	Position Level.....	1,317.00	1,320.00		
15	Fund Sources: General.....	\$2,212,319,093	\$2,491,683,380		
16			\$2,761,710,086		
17	Special.....	\$13,074,635	\$13,034,585		
18	Higher Education Operating.....	\$30,011,174	\$31,526,576		
19	Commonwealth Transportation.....	\$185,187	\$185,187		
20	Internal Service.....	\$27,111,233	\$27,868,441		
21	Trust and Agency.....	\$116,468,716	\$116,472,035		
22	Dedicated Special Revenue.....	\$480,604,377	\$508,633,147		
23	Federal Trust.....	\$17,085,262	\$16,191,888		
24			\$14,766,547		

ITEM 281.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020

1	OFFICE OF HEALTH AND HUMAN RESOURCES			
2	§ 1-19. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)			
3	281. Administrative and Support Services (79900).....			\$830,743
4	General Management and Direction (79901).....	\$830,743	\$830,743	
5	Fund Sources: General.....	\$830,743	\$830,743	

6 Authority: Title 2.2, Chapter 2; Article 6, and § 2.2-200, Code of Virginia.

7 A.1. The Secretary of Health and Human Resources, in collaboration with the Office of
8 the Attorney General and the Secretary of Public Safety and Homeland Security, shall
9 present a six-year forecast of the adult offender population presently incarcerated in the
10 Department of Corrections and approaching release who meet the criteria set forth in
11 Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for
12 evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year
13 forecasting period. As part of the forecast, the secretary shall report on: (i) the number of
14 Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of
15 eligible inmates recommended by the CRC for civil commitment, conditional release, and
16 full release; (iii) the number of civilly committed residents of the Virginia Center for
17 Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of
18 individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and
19 granted conditional release from civil commitment in a state SVP facility. The secretary
20 shall complete a summary report of current SVP cases and a forecast of SVP eligibility,
21 civil commitments, and SVP conditional releases, including projected bed space
22 requirements, to the Governor and Senate Finance and House Appropriations Committees
23 by November 15 of each year.

24 2. As part of the forecast process, the Department of Corrections shall administer a
25 STATIC-99 screening to all potential Sexually Violent Predators eligible for civil
26 commitment pursuant to § 37.2-900 et seq., Code of Virginia, within six months of
27 admission to the Department of Corrections. The results of such screenings shall be
28 provided to the commissioner of the Department of Behavioral Health and Developmental
29 Services (DBHDS) on a monthly basis and used for the SVP population forecast process.

30 3. The Office of the Attorney General shall also provide to the commissioner of DBHDS,
31 on a monthly basis, the status of all SVP cases pending before their office for purposes of
32 forecasting the SVP population.

33 B. The Secretary of Health and Human Resources shall create a trauma-informed care
34 workgroup to develop a shared vision and definition of trauma-informed care for agencies
35 within the Health and Human Resources Secretariat. The workgroup shall include
36 representatives from the Departments of Social Services, Behavioral Health and
37 Developmental Services, Medical Assistance Services, and Health, as well as
38 stakeholders, researchers, community organizations and representatives from impacted
39 communities. The workgroup shall also (i) examine Virginia's applicable child and family-
40 serving programs and data; (ii) develop strategies to build a trauma-informed system of
41 care for children, using best practices for families who are impacted by the human service
42 delivery system; (iii) identify indicators to measure progress in developing such a system
43 of care; (iv) identify needed professional development/training in trauma-informed
44 practices for all child-serving professionals and (v) identify data sharing issues that need
45 to be addressed to facilitate such a system. In addition, the workgroup shall explore
46 opportunities to expand trauma-informed care throughout the Commonwealth. The
47 Secretary of Health and Human Resources shall report on the workgroup's activities to the
48 Chairmen of the House Appropriations and Senate Finance Committees and the Virginia
49 Commission on Youth by December 15 of each year.

50 C.1. The Secretary of Health and Human Resources, in collaboration with the Secretary of
51 Administration and the Secretary of Public Safety and Homeland Security, shall convene
52 an interagency workgroup to oversee the development of a statewide integrated electronic
53 health record (EHR) system. The workgroup shall include the Department of Behavioral

ITEM 281.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Health and Developmental Services (DBHDS), the Virginia Department of Health, the			
2	Department of Corrections, the Department of Planning and Budget, staff of the House			
3	Appropriations and Senate Finance Committees, and other agencies as deemed appropriate by			
4	the respective Secretaries. The purpose of the workgroup shall be to evaluate common			
5	business requirements for electronic health records to ensure consistency and interoperability			
6	with other partner state and local agencies and public and private health care entities to the			
7	extent allowed by federal and state law and regulations. The goal of the workgroup is to			
8	develop an integrated EHR which may be shared as appropriate with other partner state and			
9	local agencies and public and private health care entities. The workgroup shall evaluate the			
10	DBHDS statement of work developed for its EHR system and the DBHDS platform for			
11	potential adaption and/or use by state agencies in order to develop an integrated statewide			
12	EHR.			
13	2. The workgroup may consider and evaluate other EHR systems that may be more			
14	appropriate to meet specific agency needs and evaluate the cost-effectiveness of pursuing a			
15	separate EHR system as compared to a statewide integrated EHR. However, the workgroup			
16	shall ensure that standards are developed to ensure that EHRs can be shared as appropriate			
17	with public and private partner agencies and health care entities.			
18	3. The workgroup shall also develop an implementation timeline, cost estimates, and assess			
19	other issues that may need to be addressed in order to implement an integrated statewide EHR			
20	system. The timeline and cost estimates shall be used by the respective agencies to coordinate			
21	implementation. The workgroup shall report on its activities and any recommendations to the			
22	Joint Subcommittee on Health and Human Resources Oversight by October 15, 2018.			
23	4. The workgroup shall produce a robust analysis of the costs and benefits of using the			
24	platform provided through Contract Number VA-121107-SMU managed by the Virginia			
25	Information Technologies Agency on behalf of the Commonwealth of Virginia in developing			
26	and implementing electronic health records for use by the Virginia Department of Health. The			
27	analysis shall consider the need for a separate domain from any other procured through the			
28	Contract. The workgroup shall report on the findings of the analysis and any			
29	recommendations to the Joint Subcommittee on Health and Human Resources Oversight by			
30	November 1, 2019.			
31	D. The Secretary of Health and Human Resources shall convene a work group to examine			
32	recent trends in the individual insurance market and state options for stabilizing that market.			
33	The examination shall include, but not be limited to, a review of association and catastrophic			
34	health plans as well as innovative solutions that reduce individual insurance premiums and			
35	out-of-pocket costs while preserving access to comprehensive health insurance. The			
36	examination shall also consider the resources necessary to fund any proposed options. The			
37	work group shall include the Commissioner of Insurance or his designee, the Virginia			
38	Association of Health Plans, chambers of commerce, and other relevant stakeholders at the			
39	discretion of the Secretary. The Secretary shall report his findings and recommendations to			
40	the Governor and the Chairmen of the House Appropriations and Senate Finance Committees			
41	by November 1, 2018.			
42	E.1. The Secretary of Health and Human Resources is authorized to develop and apply for a			
43	state innovation waiver under Section 1332 of the federal Patient Protection and Affordable			
44	Care Act (42 U.S.C. 18052) to implement innovative solutions to help stabilize the individual			
45	insurance market by reducing individual insurance premiums and out-of-pocket costs while			
46	preserving access to health insurance. Such solutions may include the implementation of a			
47	state reinsurance program or high risk pool, or market stabilization program payments, among			
48	others.			
49	2. The State Corporation Commission Bureau of Insurance shall provide technical assistance			
50	to the Secretary of Health and Human Resources as requested.			
51	3. The Secretary shall report on the waiver plan to the House and Senate Committees on			
52	Labor and Commerce and the House Appropriations and Senate Finance Committees prior to			
53	the submission of the waiver application. Such report shall include an analysis of the costs			
54	and assumptions used to implement the waiver and any mechanism proposed to fund the non-			
55	federal share of costs. Implementation of the waiver shall be subject to appropriation of the			
56	non-federal share of costs by the General Assembly and approval by the United States			
57	Secretary of Health and Human Services.			

ITEM 281.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	F. The Secretary of Health and Human Resources, in collaboration with the Secretary of					
2	Administration, Secretary of Finance, and State Corporation Commission (SCC), shall					
3	convene a workgroup to evaluate options to prohibit the practice of balance billing by out-					
4	of-network health care providers for emergency services rendered, and to establish					
5	equitable and fair reimbursement for these health care providers. The workgroup shall					
6	include: 1) staff from the House Appropriations and Senate Finance Committees and					
7	representatives from such state agencies as the Commission and Secretaries deem					
8	appropriate, and 2) relevant stakeholders, including but not limited to, the Medical Society					
9	of Virginia, Virginia College of Emergency Physicians, Virginia Hospital and Healthcare					
10	Association, Virginia Association of Health Plans, Virginia Poverty Law Center, and					
11	National Patient Advocate Foundation. The workgroup shall include in its report the fiscal					
12	impact of each option considered and the impact on provider networks. The workgroup					
13	also shall include in its report recommendations for future legislation for consideration by					
14	the General Assembly. The SCC shall provide analytical and actuarial services pursuant to					
15	the workgroup's analysis and development of a proposal, as needed. The workgroup shall					
16	protect any proprietary and confidential data of any health plan, healthcare provider, or					
17	third party administrator in its final report. The workgroup shall report its					
18	recommendations to the Governor and the Chairmen of the House Appropriations and					
19	Senate Finance Committees by November 15, 2019.					
20	Total for Secretary of Health and Human					
21	Resources.....			\$830,743	\$830,743	
22	General Fund Positions.....	5.00	5.00			
23	Position Level.....	5.00	5.00			
24	Fund Sources: General.....	\$830,743	\$830,743			
25	Children's Services Act (200)					
26	282. Protective Services (45300).....			\$343,351,604	\$353,282,080	
27					\$359,931,382	
28	Financial Assistance for Child and Youth Services					
29	(45303).....	\$343,351,604	\$353,282,080			
30			\$359,931,382			
31	Fund Sources: General.....	\$290,743,858	\$300,674,334			
32			\$307,323,636			
33	Federal Trust.....	\$52,607,746	\$52,607,746			
34	Authority: Title 2.2, Chapter 52, Code of Virginia.					
35	A. The Department of Education shall serve as fiscal agent to administer funds cited in					
36	paragraphs B and C.					
37	B.1.a. Out of this appropriation, \$238,581,993 the first year and					
38	\$252,856,145 \$242,612,469 the second year from the general fund and \$51,607,746 the					
39	first year and \$51,607,746 the second year from nongeneral funds shall be used for the					
40	state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall					
41	consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.					
42	b. The Medicaid state pool allocation shall consist of \$28,526,197 the first year and					
43	\$28,526,197 the second year from the general fund and \$43,187,748 the first year and					
44	\$43,187,748 the second year from nongeneral funds. The Office of Children's Services					
45	will transfer these funds to the Department of Medical Assistance Services as they are					
46	needed to pay Medicaid provider claims.					
47	c. The non-Medicaid state pool allocation shall consist of \$209,805,796 the first year and					
48	\$214,086,272 the second year from the general fund and \$8,419,998 the first year and					
49	\$8,419,998 the second year from nongeneral funds. The nongeneral funds shall be					
50	transferred from the Department of Social Services.					
51	d. The Office of Children's Services, with the concurrence of the Department of Planning					
52	and Budget, shall have the authority to transfer the general fund allocation between the					
53	Medicaid and non-Medicaid state pools in the event that a shortage should exist in either					

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1	of the funding pools.				
2	e. The Office of Children's Services, per the policy of the State Executive Council, shall deny				
3	state pool funding to any locality not in compliance with federal and state requirements				
4	pertaining to the provision of special education and foster care services funded in accordance				
5	with § 2.2-5211, Code of Virginia.				
6	2.a. Out of this appropriation, \$49,766,865 the first year and \$55,666,865 \$62,256,176 the				
7	second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second				
8	year from nongeneral funds shall be set aside to pay for the state share of supplemental				
9	requests from localities that have exceeded their state allocation for mandated services. The				
10	nongeneral funds shall be transferred from the Department of Social Services.				
11	b. In each year, the director of the Office of Children's Services may approve and obligate				
12	supplemental funding requests in excess of the amount in 2a above, for mandated pool fund				
13	expenditures up to 10 percent of the total general fund appropriation authority in B1a in this				
14	Item.				
15	c. The State Executive Council shall maintain local government performance measures to				
16	include, but not be limited to, use of federal funds for state and local support of the Children's				
17	Services Act.				
18	d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall				
19	seek to ensure that services and funding are consistent with the Commonwealth's policies of				
20	preserving families and providing appropriate services in the least restrictive environment,				
21	while protecting the welfare of children and maintaining the safety of the public. Each locality				
22	shall submit to the Office of Children's Services information on utilization of residential				
23	facilities for treatment of children and length of stay in such facilities. By December 15 of				
24	each year, the Office of Children's Services shall report to the Governor and Chairmen of the				
25	House Appropriations and Senate Finance Committees on utilization rates and average				
26	lengths of stays statewide and for each locality.				
27	3. Each locality receiving funds for activities under the Children's Services Act (CSA) shall				
28	have a utilization management process, including a uniform assessment, approved by the				
29	State Executive Council, covering all CSA services. Utilizing a secure electronic site, each				
30	locality shall also provide information as required by the Office of Children's Services to				
31	include, but not be limited to case specific information, expenditures, number of youth served				
32	in specific CSA activities, length of stay for residents in core licensed residential facilities,				
33	and proportion of youth placed in treatment settings suggested by the uniform assessment				
34	instrument. The State Executive Council, utilizing this information, shall track and report on				
35	child specific outcomes for youth whose services are funded under the Children's Services				
36	Act. Only non-identifying demographic, service, cost and outcome information shall be				
37	released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b.				
38	must demonstrate compliance with all CSA provisions to receive pool funding.				
39	4. The Secretary of Health and Human Resources, in consultation with the Secretary of				
40	Education and the Secretary of Public Safety and Homeland Security, shall direct the actions				
41	for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance				
42	Services, Health, and Behavioral Health and Developmental Services, to implement, as part of				
43	ongoing information systems development and refinement, changes necessary for state and				
44	local agencies to fulfill CSA reporting needs.				
45	5. The State Executive Council shall provide localities with technical assistance on ways to				
46	control costs and on opportunities for alternative funding sources beyond funds available				
47	through the state pool.				
48	6. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
49	general fund is provided for a combination of regional and statewide meetings for technical				
50	assistance to local community policy and management teams, family assessment and planning				
51	teams, and local fiscal agents. Training shall include, but not be limited to, cost containment				
52	measures, building community-based services, including creation of partnerships with private				
53	providers and non-profit groups, utilization management, use of alternate revenue sources,				
54	and administrative and fiscal issues. A state-supported institution of higher education, in				
55	cooperation with the Virginia Association of Counties, the Virginia Municipal League, and				

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1	the State Executive Council, may assist in the provisions of this paragraph. A training plan			
2	shall be presented to and approved by the State Executive Council before the beginning of			
3	each fiscal year. A training calendar and timely notice of programs shall be provided to			
4	Community Policy and Management Teams and family assessment and planning team			
5	members statewide as well as to local fiscal agents and chief administrative officers of			
6	cities and counties. A report on all regional and statewide training sessions conducted			
7	during the fiscal year, including (i) a description of each program and trainers, (ii) the			
8	dates of the training and the number of attendees for each program, (iii) a summary of			
9	evaluations of these programs by attendees, and (iv) the funds expended, shall be made to			
10	the Chairmen of the House Appropriations and Senate Finance Committees and to the			
11	members of the State Executive Council by December 1 of each year. Any funds			
12	unexpended for this purpose in the first year shall be reappropriated for the same use in			
	the second year.			
13	7. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the			
14	general fund is provided for the Office of Children's Services to contract for the support of			
15	uniform CSA reporting requirements.			
16	8. The State Executive Council shall require a uniform assessment instrument.			
17	9. The Office of Children's Services, in conjunction with the Department of Social			
18	Services, shall determine a mechanism for reporting Temporary Assistance for Needy			
19	Families Maintenance of Effort eligible costs incurred by the Commonwealth and local			
20	governments for the Children's Services Act.			
21	10. For purposes of defining cases involving only the payment of foster care maintenance,			
22	pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by			
23	the Virginia Department of Social Services for federal Title IV-E shall be used.			
24	C. The funding formula to carry out the provisions of the Children's Services Act is as			
25	follows:			
26	1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the			
27	amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be			
28	distributed to each locality in each year of the biennium based on the greater of that			
29	locality's percentage of actual 1997 Children's Services Act pool fund program			
30	expenditures to total 1997 pool fund program expenditures or the latest available three-			
31	year average of actual pool fund program expenditures as reported to the state fiscal agent.			
32	2. Local Match. All localities are required to appropriate a local match for the base year			
33	funding consisting of the actual aggregate local match rate based on actual total 1997			
34	program expenditures for the Children's Services Act. This local match rate shall also			
35	apply to all reimbursements from the state pool of funds in this Item and carryforward			
36	expenditures submitted prior to September 30 each year for the preceding fiscal year,			
37	including administrative reimbursements under paragraph C.4. in this Item.			
38	3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local			
39	match rate for community based services for each locality shall be reduced by 50 percent.			
40	b. Localities shall review their caseloads for those individuals who can be served			
41	appropriately by community-based services and transition those cases to the community			
42	for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential			
43	services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning			
44	July 1, 2011, the local match rate for Medicaid residential services for each locality shall			
45	be 25 percent above the fiscal year 2007 base.			
46	c. By December 1 of each year, The State Executive Council (SEC) shall provide an			
47	update to the Governor and the Chairmen of the House Appropriations and Senate Finance			
48	Committees on the outcomes of this initiative.			
49	d. At the direction of the State Executive Council, local Community Policy and			
50	Management Teams (CPMTs) and Community Services Boards (CSBs) shall work			
51	collaboratively in their service areas to develop a local plan for intensive care coordination			
52	(ICC) services that best meets the needs of the children and families. If there is more than			
53	one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a			

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1	region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to			
2	determine the most appropriate and cost-effective provider of ICC services for children in			
3	their community who are placed in, or at-risk of being placed in, residential care through the			
4	Children's Services Act, in accordance with guidelines developed by the State Executive			
5	Council. The State Executive Council and Office of Children's Services shall establish			
6	guidelines for reasonable rates for ICC services and provide training and technical assistance			
7	to CPMTs and fiscal agents regarding these services.			
8	e. The local match rate for all non-Medicaid services provided in the public schools after June			
9	30, 2011 shall equal the fiscal year 2007 base.			
10	4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of			
11	the fiscal year 1997 pool fund allocations, not to exceed \$2,060,000 the first year and			
12	\$2,060,000 the second year from the general fund, shall be allocated among all localities for			
13	administrative costs. Every locality shall be required to appropriate a local match based on the			
14	local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and			
15	local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to			
16	two percent of the total pool allocation. Localities are encouraged to use administrative			
17	funding to hire a full-time or part-time local coordinator for the Children's Services Act			
18	program. Localities may pool this administrative funding to hire regional coordinators.			
19	5. Definition. For purposes of the funding formula in the Children's Services Act, "locality"			
20	means city or county.			
21	D. Community Policy and Management Teams shall use Medicaid-funded services whenever			
22	they are available for the appropriate treatment of children and youth receiving services under			
23	the Children's Services Act. Effective July 1, 2009, pool funds shall not be spent for any			
24	service that can be funded through Medicaid for Medicaid-eligible children and youth except			
25	when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a			
26	child.			
27	E. Pursuant to subdivision 3 of § 2.2-5206, Code of Virginia, Community Policy and			
28	Management Teams shall enter into agreements with the parents or legal guardians of children			
29	receiving services under the Children's Services Act. The Office of Children's Services shall			
30	be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the			
31	agreed upon sum on a timely basis and a collection action cannot be referred to the Division			
32	of Child Support Enforcement of the Department of Social Services, upon the request of the			
33	community policy management team, the Office of Children's Services shall make a claim			
34	against the parent or legal guardian for such payment through the Department of Law's			
35	Division of Debt Collection in the Office of the Attorney General.			
36	F. The Office of Children's Services, in cooperation with the Department of Medical			
37	Assistance Services, shall provide technical assistance and training to assist residential and			
38	treatment foster care providers who provide Medicaid-reimbursable services through the			
39	Children's Services Act to become Medicaid-certified providers.			
40	G. The Office of Children's Services shall work with the State Executive Council and the			
41	Department of Medical Assistance Services to assist Community Policy and Management			
42	Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-			
43	eligible children and youth through the Children's Services Act, thereby increasing Medicaid			
44	reimbursement for treatment services and decreasing the number of denials for Medicaid			
45	services related to medical necessity and utilization review activities.			
46	H. Pursuant to subdivision 21 of § 2.2-2648, Code of Virginia, no later than December 20 in			
47	the odd-numbered years, the State Executive Council shall biennially publish and disseminate			
48	to members of the General Assembly and Community Policy and Management Teams a			
49	progress report on services for children, youth, and families and a plan for such services for			
50	the succeeding biennium.			
51	I. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the			
52	general fund shall be used to purchase and maintain an information system to provide quality			
53	and timely child demographic, service, expenditure, and outcome data.			
54	J. The State Executive Council shall work with the Department of Education to ensure that			

ITEM 282.		Item Details(\$)		Appropriations(\$)	
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1	funding in this Item is sufficient to pay for the educational services of students that have				
2	been placed in or admitted to state or privately operated psychiatric or residential				
3	treatment facilities to meet the educational needs of the students as prescribed in the				
4	student's Individual Educational Plan (IEP).				
5	K.1. The Office of Children's Services (OCS) shall report on funding for therapeutic foster				
6	care services including but not limited to the number of children served annually, average				
7	cost of care, type of service provided, length of stay, referral source, and ultimate				
8	disposition. In addition, the OCS shall provide guidance and training to assist localities in				
9	negotiating contracts with therapeutic foster care providers.				
10	2. The Office of Children's Services shall report on funding for special education day				
11	treatment and residential services, including but not limited to the number of children				
12	served annually, average cost of care, type of service provided, length of stay, referral				
13	source, and ultimate disposition.				
14	3. The Office of Children's Services shall report by December 1 of each year the				
15	information included in this paragraph to the Chairmen of the House Appropriations and				
16	Senate Finance Committees.				
17	L. Out of this appropriation, the Director, Office of Children's Services, shall allocate				
18	\$2,200,000 the first year and \$2,200,000 the second year from the general fund to				
19	localities for wrap-around services for students with disabilities as defined in the				
20	Children's Services Act policy manual.				
21	M. Out of this appropriation, up to \$250,000 the first year from the general fund shall be				
22	made available for the Office of Children's Services to contract for a study on the current				
23	rates paid by localities to special education private day programs licensed by the Virginia				
24	Department of Education. The study shall include an examination of the adequacy of the				
25	current rates for private educational services for children placed outside of public school				
26	settings, and include recommendations for implementing a rate-setting structure for				
27	educational services reimbursed through the Children's Services Act. The study shall				
28	consider the impact on local school districts, local governments, and public and private				
29	educational services providers. The Office of Children's Services shall provide an interim				
30	report on the study's findings to the Governor and the Chairmen of the Senate Finance and				
31	House Appropriations Committees by December 1, 2018, and a final report, including				
32	recommendations, by October 1, 2019. The final report shall include a list of all special				
33	education private day programs that did not participate in or respond to the provider				
34	survey the contractor used to collect information to assist in conducting the rate study.				
35	N. Notwithstanding any other provision of law, the rates paid by localities to providers of				
36	private day special education services under the Children's Services Act shall not increase				
37	more than two percent above the rates paid in the prior fiscal year. This provision shall				
38	take effect July 1, 2019, such that the rates paid in fiscal year 2020 shall not increase more				
39	than two percent over the rates paid in fiscal year 2019. All localities shall submit their				
40	contracted rates for private day education services to the Office of Children's Services by				
41	August 1 of each year.				
42	O. The Office of Children's Services shall coordinate with the Department of Education to				
43	facilitate a workgroup to include private providers, including the Virginia Association of				
44	Independent Specialized Education Facilities, the Virginia Council for Private Education,				
45	the Virginia Association of Independent Schools, the Virginia Coalition of Private				
46	Provider Associations, and the Virginia Association of Community Services Boards, local				
47	school divisions, stakeholder groups, and parent representatives to identify and define				
48	outcome measures to assess students' progress in private day placements that may include				
49	assessment scores, attendance, graduation rates, transition statistics, and return to the				
50	students' home schools. The agencies shall ensure that the number of members from each				
51	group (i.e representatives of private providers, parents, local governments, and other				
52	stakeholders are each considered their own group) are proportionally represented on the				
53	workgroup. The Office of Children's Services and Department of Education shall report				
54	recommendations to the Chairmen of the House Education and Appropriations				
55	Committees and the Senate Education and Health and Finance Committees by November				
56	1, 2018.				

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1	283.	Not set out.				
2		Total for Children's Services Act.....		\$345,284,662	\$355,227,870	
3					\$361,877,172	
4		General Fund Positions.....		14.00	14.00	
5		Position Level.....		14.00	14.00	
6		Fund Sources: General.....		\$292,676,916	\$302,620,124	
7					\$309,269,426	
8		Federal Trust.....		\$52,607,746	\$52,607,746	
9		Grand Total for Secretary of Health and Human Resources.....			\$346,115,405	
10					\$356,058,613	
11					\$362,707,915	
12		General Fund Positions.....		19.00	19.00	
13		Position Level.....		19.00	19.00	
14		Fund Sources: General.....		\$293,507,659	\$303,450,867	
15					\$310,100,169	
16		Federal Trust.....		\$52,607,746	\$52,607,746	
17	284.	Not set out.				
18		§ 1-20. DEPARTMENT OF HEALTH (601)				
19	285.	Not set out.				
20	286.	Not set out.				
21	287.	Not set out.				
22	288.	Not set out.				
23	289.	Not set out.				
24	290.	Not set out.				
25	291.	Not set out.				
26	292.	Not set out.				
27	293.	Not set out.				
28	294.	Not set out.				
29	295.	Not set out.				
30	296.	Not set out.				
31	297.	Administrative and Support Services (49900).....		\$24,292,399	\$24,428,665	
32					\$22,602,964	
33		General Management and Direction (49901).....		\$9,322,919	\$11,722,919	
34					\$9,947,218	
35		Information Technology Services (49902).....		\$8,140,609	\$5,790,609	
36					\$5,740,609	
37		Accounting and Budgeting Services (49903).....		\$3,267,953	\$3,267,953	
38		Human Resources Services (49914).....		\$2,113,124	\$2,113,124	
39		Procurement and Distribution Services (49918).....		\$1,447,794	\$1,534,060	

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1	Fund Sources: General.....	\$15,623,199	\$15,759,465		
2			\$13,933,764		
3	Special.....	\$3,973,821	\$3,973,821		
4	Federal Trust.....	\$4,695,379	\$4,695,379		
5	Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-				
6	7, and 35.1-9 through 35.1-28, Code of Virginia.				
7	A. The State Comptroller is hereby authorized to provide a line of credit of up to \$200,000				
8	to the Department of Health to cover the actual costs of expanding the availability of vital				
9	records through the Department of Motor Vehicles, to be repaid from administrative				
10	processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of				
11	credit is repaid.				
12	B. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from				
13	the general fund shall be provided for agency costs related to onboarding to				
14	ConnectVirginia, transition costs to convert the agency's node on ConnectVirginia to the				
15	state agency node, and provide support to other state agencies in their onboarding efforts.				
16	C. The Virginia Department of Health is authorized to develop a plan to allocate a				
17	reduction of \$150,000 the first year and \$150,000 the second year from the general fund				
18	across programs within the department to reflect administrative savings. The Department				
19	of Planning and Budget is authorized to make the necessary budget execution adjustments				
20	to transfer the funds between programs to implement the plan.				
21	D.1. Out of this appropriation, \$370,000 from the general fund and \$3,330,000 from				
22	nongeneral funds is provided for the Virginia Department of Health to implement the				
23	requirements of House Bill 2209 and Senate Bill 1561 (2017 Session). The department				
24	shall contract or amend an existing contract with a non-profit entity as necessary in order				
25	to do so. The department shall require its contractor to establish a separate and distinct				
26	Emergency Department Care Coordination Advisory Council (ED Council) to whom				
27	responsibility for implementing this program shall be delegated under the department's				
28	supervision. The contractor may utilize an existing governance, legal and trust framework				
29	in order to fulfill the requirements of House Bill 2209 and Senate Bill 1561 and to				
30	expedite the implementation of the program.				
31	2. The ED Council, under the department's governance and direction shall: (i) specify the				
32	necessary functionalities to meet the needs of all key stakeholders; (ii) develop and				
33	oversee a competitive selection process for a vendor or vendors that will provide a single,				
34	statewide technology solution to fulfill the required functionalities and advance the goals				
35	of the initiative; and (iii) select and oversee the implementation of successful information				
36	technologies, with implementation no later than June 30, 2018. The ED Council shall				
37	include three representatives from the Commonwealth appointed by the Secretary,				
38	including the department, the Department of Medical Assistance Services, and the				
39	Department of Health Professions; three representatives from hospitals and health				
40	systems, nominated by the Virginia Hospital and Healthcare Association; three health plan				
41	representatives, nominated by the Virginia Association of Health Plans; and six physician				
42	representatives, nominated by the Medical Society of Virginia with representation from				
43	the Virginia College of Emergency Physicians, the Virginia Academy of Family				
44	Physicians and the Virginia Chapter, American Academy of Pediatrics.				
45	3. The department shall coordinate with the Department of Medical Assistance Services to				
46	seek federal Health Information Technology for Economic and Clinical Health (HITECH)				
47	Act matching funds. The department shall coordinate with the Department of Medical				
48	Assistance Services to seek any additional eligible federal matching funds supporting				
49	provider electronic health record implementation and integration in order to implement the				
50	program. The department may use up to \$100,000 for administrative costs.				
51	4. The implementation of this initiative is contingent upon the receipt of federal HITECH				
52	Act funds, and neither the department nor its contractor shall be obligated to implement				
53	the program without HITECH Act matching funds. The appropriation in this paragraph is				
54	contingent upon the receipt of federal HITECH Act funds.				
55	5. Effective July 1, 2017 or upon program implementation, all hospitals operating				

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1	emergency departments in the Commonwealth and all Medicaid Managed Care contracted			
2	health plans shall participate in the program. Effective June 30, 2018, all hospital operating			
3	emergency departments in the Commonwealth, all Medicaid Managed Care contracted health			
4	plans, the State Employee Health Plan, all Medicare plans operating in the Commonwealth,			
5	and all commercial plans operating in the Commonwealth, excluding ERISA plans, shall			
6	participate in the program. The department, in coordination with the Department of Medical			
7	Assistance Services, shall determine the amount of federal funds available to support program			
8	operations in the second year. Accordingly, the department, in coordination with the			
9	Department of Medical Assistance Services and the ED Council, shall recommend, by			
10	December 15, 2017, a funding structure for program operations in fiscal year 2019 that			
11	apportions program costs across the Commonwealth, participating hospitals, and participating			
12	health plans.			
13	6. The department, in coordination with the ED Council, shall report annually beginning			
14	November 1, 2017 to the Secretary of Health and Human Resources and the Chairmen of the			
15	House Appropriations and the Senate Finance Committees on progress, including, but not			
16	limited to: (i) the participation rate of hospitals and health systems, physicians and			
17	subscribing health plans; (ii) strategies for sustaining the program and methods to continue to			
18	improve care coordination; and (iii) the impact on health care utilization and quality goals			
19	such as reducing the frequency of visits by high-volume Emergency Department utilizers and			
20	avoiding duplication of prescriptions, imaging, testing or other health care services.			
21	E. The Virginia Department of Health shall assess the feasibility of developing a home			
22	visiting Pay for Success pilot program. The department shall develop a workgroup comprised			
23	of Virginia home visiting organizations and early childhood education organizations in			
24	examining this issue. The department shall determine if the recent provisions of the federal			
25	Bipartisan Budget Act of 2018 allow for the department to access federal funding to develop a			
26	pilot Pay for Success program for home visiting. The department shall report on the feasibility			
27	analysis, the availability of federal funding and the steps necessary to proceed with a pilot			
28	program, if feasible, to the Chairmen of the House Appropriations and Senate Finance			
29	Committees by December 1, 2018.			
30	F: The Virginia Department of Health shall modify the Emergency Room Care Coordination			
31	Program to track individuals who present in the emergency room under an Emergency			
32	Custody Order (ECO): The program shall identify the legal disposition of individuals being			
33	evaluated for psychiatric hospitalization as Temporary Detention Order at the hospital;			
34	Temporary Detention Order at another Hospital; Voluntary Admission at the Hospital; or			
35	Voluntary Admission at Other Hospital; or released to the community. The department shall			
36	report the data monthly on its website by hospital and provide an annual report to the General			
37	Assembly for each fiscal year; no later than September 1, after the the end of the fiscal year.			
38	G. Out of the amounts in this Item, the department shall use \$1,775,701 from indirect cost			
39	recoveries the second year to supplant general fund amounts for General Management and			
40	Direction.			
41	Total for Department of Health.....		\$730,311,560	\$731,945,928
42				\$730,120,227
43	General Fund Positions.....	1,503.00	1,504.50	
44	Nongeneral Fund Positions.....	2,196.00	2,198.00	
45	Position Level.....	3,699.00	3,702.50	
46	Fund Sources: General.....	\$182,107,747	\$182,537,044	
47			\$180,711,343	
48	Special.....	\$156,740,424	\$157,767,760	
49	Dedicated Special Revenue.....	\$112,231,055	\$112,231,055	
50	Federal Trust.....	\$279,232,334	\$279,410,069	
51	298. Not set out.			
52	299. Not set out.			

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1 300.	Not set out.			
2 301.	Not set out.			
3 302.	Children's Health Insurance Program Delivery			
4	(44600).....		\$213,752,531	\$221,851,578
5				\$228,649,287
6	Reimbursements for Medical Services Provided			
7	Under the Family Access to Medical Insurance			
8	Security Plan (44602).....		\$213,752,531	\$221,851,578
9				\$228,649,287
10	Fund Sources: General.....		\$11,212,749	\$31,182,684
11				\$33,417,135
12	Dedicated Special Revenue.....		\$14,065,627	\$14,065,627
13	Federal Trust.....		\$188,474,155	\$176,603,267
14				\$181,166,525
15	Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act,			
16	Federal Code.			
17	A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission			
18	shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium			
19	differential between: (i) 0.75 percent of the direct gross subscriber fee income derived			
20	from eligible contracts and (ii) the amount of license tax revenue generated pursuant to			
21	subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the			
22	Comptroller of the Commonwealth to transfer such amounts to the Family Access to			
23	Medical Insurance Security Plan Trust Fund as established on the books of the State			
24	Comptroller.			
25	B. As a condition of this appropriation, revenues from the Family Access to Medical			
26	Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's			
27	Health Insurance Program.			
28	C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13,			
29	Code of Virginia, shall be enrolled and served in the program.			
30	D. To the extent that appropriations in this Item are insufficient, the Department of			
31	Planning and Budget shall transfer general fund appropriation, as needed, from Medicaid			
32	Program Services (45600) and Medical Assistance Services for Low Income Children			
33	(46600), if available, into this Item to be used as state match for federal Title XXI funds.			
34	E. The Department of Medical Assistance Services shall make the monthly capitation			
35	payment to managed care organizations for the member months of each month in the first			
36	week of the subsequent month.			
37	F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the			
38	application thereof is declared by the United States Department of Health and Human			
39	Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal			
40	law or regulation, such decisions shall not affect the validity of the remaining portions of			
41	this Item, which shall remain in force as if this Item had passed without the conflicting			
42	part, section, subsection, paragraph, clause, or phrase. Further, if the United States			
43	Department of Health and Human Services or the Centers for Medicare and Medicaid			
44	Services determines that the process for accomplishing the intent of a part, section,			
45	subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict			
46	with federal law and regulation and recommends another method of accomplishing the			
47	same intent, the Director, Department of Medical Assistance Services, after consultation			
48	with the Attorney General, is authorized to pursue the alternative method.			
49	303.	Medicaid Program Services (45600).....		\$11,840,531,648
50				\$14,915,068,263
51		Reimbursements to State-Owned Mental Health		\$14,335,157,860
52		and Intellectual Disabilities Facilities (45607).....	\$123,671,762	\$81,678,750

ITEM 303.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Reimbursements for Behavioral Health Services				
2	(45608).....	\$186,076,126	\$43,601,628		
3			\$48,432,736		
4	Reimbursements for Medical Services (45609).....	\$8,994,264,674	\$9,664,682,683		
5			\$9,347,164,286		
6	Reimbursements for Long-Term Care Services				
7	(45610).....	\$1,442,690,738	\$1,497,658,506		
8			\$1,466,893,570		
9	Payments for Healthcare Coverage for Low-Income				
10	Uninsured Adults (45611).....	\$1,093,828,348	\$3,627,446,696		
11			\$3,390,988,518		
12	Fund Sources: General.....	\$4,875,329,958	\$4,988,700,277		
13			\$4,726,697,399		
14	Dedicated Special Revenue.....	\$675,249,477	\$1,062,068,926		
15			\$1,114,008,760		
16	Federal Trust.....	\$6,289,952,213	\$8,864,299,060		
17			\$8,494,451,701		
18	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title				
19	XIX, Social Security Act, Federal Code.				
20	A.1.Out of this appropriation, \$61,835,881 the first year and \$40,839,375 the second year				
21	from the general fund and \$61,835,881 the first year and \$40,839,375 the second year from				
22	the federal trust fund is provided for reimbursement to the institutions within the Department				
23	of Behavioral Health and Developmental Services.				
24	2. Out of this appropriation, \$18,969,647 the first year from the general fund is provided to				
25	cover any federal deferrals associated with payments made to Piedmont and Catawba				
26	hospitals. The Department of Planning and Budget shall unallot these funds and shall not allot				
27	the funds until the Department of Medical Assistance Services (DMAS) provides				
28	documentation of a federal deferral. The Department of Planning and Budget shall be				
29	authorized to transfer any unspent portion of this amount, along with first year appropriation				
30	in service area 45607 of this Item, to agency 793 (Mental Health Treatment Centers) should				
31	DMAS cease Medicaid payments to either Piedmont or Catawba hospitals.				
32	B.1. Included in this appropriation is \$44,675,958 the first year and \$9,017,369 \$9,219,839				
33	the second year from the general fund and \$63,864,717 the first year and \$28,206,128				
34	\$28,408,598 the second year from nongeneral funds to reimburse the Virginia Commonwealth				
35	University Health System for indigent health care costs as reported by the hospital and				
36	adjusted by the department for indigent care savings related to Medicaid expansion. This				
37	funding is composed of disproportionate share hospital (DSH) payments, indirect medical				
38	education (IME) payments, and any Medicaid profits realized by the Health System.				
39	Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-				
40	4.				
41	2. Included in this appropriation is \$26,274,229 the first year and \$3,054,908 \$17,873,547 the				
42	second year from the general fund and \$40,989,007 the first year and \$17,769,686				
43	\$32,588,325 the second year from nongeneral funds to reimburse the University of Virginia				
44	Health System for indigent health care costs as reported by the hospital and adjusted by the				
45	department for indigent care savings related to Medicaid expansion. This funding is				
46	comprised of disproportionate share hospital (DSH) payments, indirect medical education				
47	(IME) payments, and any Medicaid profits realized by the Health System. Payments made				
48	from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.				
49	3. The general fund amounts for the state teaching hospitals have been reduced to mirror the				
50	general fund impact of reduced and no inflation for inpatient services in prior years. It also				
51	includes reductions associated with prior year indigent care reductions. However, the				
52	nongeneral funds are appropriated. In order to receive the nongeneral funds in excess of the				
53	amount of the general fund appropriated, the health systems shall certify the public				
54	expenditures.				
55	4. The Department of Medical Assistance Service shall have the authority to increase				
56	Medicaid payments for Type One hospitals and physicians consistent with the appropriations				
57	to compensate for limits on disproportionate share hospital (DSH) payments to Type One				

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	hospitals that the department would otherwise make. In particular, the department shall			
2	have the authority to amend the State Plan for Medical Assistance to increase physician			
3	supplemental payments for physician practice plans affiliated with Type One hospitals up			
4	to the average commercial rate as demonstrated by University of Virginia Health System			
5	and Virginia Commonwealth University Health System, to change reimbursement for			
6	Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the			
7	formula for indirect medical education reimbursement for HMO discharges for Type One			
8	hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The			
9	department shall have the authority to implement these changes prior to completion of any			
10	regulatory process undertaken in order to effect such change.			
11	C.1. The estimated revenue for the Virginia Health Care Fund is \$410,279,068 the first			
12	year and \$364,019,578 \$408,419,831 the second year, to be used pursuant to the uses			
13	stated in § 32.1-367, Code of Virginia.			
14	2. Notwithstanding § 32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5			
15	percent of the Commonwealth's allocation of the Master Settlement Agreement with			
16	tobacco product manufacturers, as defined in § 3.2-3100, Code of Virginia, to the Virginia			
17	Health Care Fund.			
18	3. Notwithstanding any other provision of law, the State Comptroller shall deposit 50			
19	percent of the Commonwealth's allocation of the Strategic Contribution Fund payment			
20	pursuant to the Master Settlement Agreement with tobacco product manufacturers into the			
21	Virginia Health Care Fund.			
22	4. Notwithstanding any other provision of law, revenues deposited to the Virginia Health			
23	Care Fund shall only be used as the state share of Medicaid unless specifically authorized			
24	by this Act.			
25	D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the			
26	application thereof is declared by the United States Department of Health and Human			
27	Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal			
28	law or regulation, such decisions shall not affect the validity of the remaining portions of			
29	this Item, which shall remain in force as if this Item had passed without the conflicting			
30	part, section, subsection, paragraph, clause, or phrase. Further, if the United States			
31	Department of Health and Human Services or the Centers for Medicare and Medicaid			
32	Services determines that the process for accomplishing the intent of a part, section,			
33	subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict			
34	with federal law and regulation and recommends another method of accomplishing the			
35	same intent, the Director, Department of Medical Assistance Services, after consultation			
36	with the Attorney General, is authorized to pursue the alternative method.			
37	E. At least 30 days prior to the submission of any state plan or waiver amendment to the			
38	Centers for Medicare and Medicaid Services (CMS) or change in the contracts with			
39	managed care organizations that may impact the capitation rates, the Department of			
40	Medical Assistance Services (DMAS) shall provide written notification to the Director,			
41	Department of Planning and Budget as to the purpose of such change. This notice shall			
42	also assess whether the amendment will require any future state regulatory action or			
43	expenditure beyond that which is appropriated in this Act. If the Department of Planning			
44	and Budget, after review of the proposed change, determines that it may likely result in a			
45	material fiscal impact on the general fund, for which no legislative appropriation has been			
46	provided, then the Department of Medical Assistance Services shall delay the proposed			
47	change until the General Assembly authorizes such action.			
48	F.1. The Director, Department of Medical Assistance Services shall seek the necessary			
49	waivers from the United States Department of Health and Human Services to authorize the			
50	Commonwealth to cover health care services and delivery systems, as may be permitted			
51	by Title XIX of the Social Security Act, which may provide less expensive alternatives to			
52	the State Plan for Medical Assistance.			
53	2. At least 30 days prior to the submission of an application for any new waiver of Title			
54	XIX or Title XXI of the Social Security Act, the Department of Medical Assistance			
55	Services shall notify the Chairmen of the House Appropriations and Senate Finance			
56	Committees of such pending application and provide information on the purpose and			

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	justification for the waiver along with any fiscal impact. If the department receives an official			
2	letter from either Chairmen raising an objection about the waiver during the 30-day period,			
3	the department shall not submit the waiver application and shall request authority for such			
4	waiver as part of the normal legislative or budgetary process. If the department receives no			
5	objection, then the application may be submitted. Any waiver specifically authorized			
6	elsewhere in this item is not subject to this provision. Waiver renewals are not subject to the			
7	provisions of this paragraph.			
8	3. The director shall promulgate such regulations as may be necessary to implement those			
9	programs which may be permitted by Titles XIX and XXI of the Social Security Act, in			
10	conformance with all requirements of the Administrative Process Act.			
11	G. To the extent that appropriations in this Item are insufficient, the Department of Planning			
12	and Budget shall transfer general fund appropriation, as needed, from Children's Health			
13	Insurance Program Delivery (44600) and Medical Assistance Services for Low Income			
14	Children (46600), if available, into this Item to be used as state match for federal Title XIX			
15	funds.			
16	H. It is the intent of the General Assembly that the medically needy income limits for the			
17	Medicaid program are adjusted annually to account for changes in the Consumer Price Index.			
18	I.1.a. As of July 1, 2017, the Community Living (CL) waiver authorizes 11,302 slots.			
19	b. As of July 1, 2017, the Family and Individuals Support (FIS) waiver authorizes 1,762 slots.			
20	c. As of July 1, 2017, the Building Independence (BI) waiver authorizes 360 slots.			
21	2. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-			
22	323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add			
23	any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family			
24	Developmental Disabilities and Support Medicaid Waiver other than those slots authorized			
25	specifically to support the Money Follows the Person Demonstration, individuals who are			
26	exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011			
27	Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this			
28	Act.			
29	3. Upon approval by the Centers for Medicare and Medicaid Services of the application for			
30	renewal of the CL, FIS and BI waivers, expeditious implementation of any revisions shall be			
31	deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act.			
32	Therefore, to meet this emergency situation, the Department of Medical Assistance Services			
33	shall promulgate emergency regulations to implement the provisions of this Act.			
34	4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to			
35	add 189 new slots effective July 1, 2018 and an additional 195 slots effective July 1, 2019. An			
36	amount estimated at \$8,156,426 the first year and \$16,537,788 the second year from the			
37	general fund and \$8,156,426 the first year and \$16,537,788 the second year from nongeneral			
38	funds is provided to cover the anticipated costs of the new slots. These estimated amounts			
39	assumes that 60 of the additional slots in each year may be filled with individuals			
40	transitioning from facility care. DMAS shall seek federal approval for necessary changes to			
41	the CL waiver to add the additional slots.			
42	b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to			
43	add 414 new slots effective July 1, 2018 and an additional 481 slots effective July 1, 2019. An			
44	amount estimated at \$6,347,617 the first year and \$13,720,427 the second year from the			
45	general fund and \$6,347,617 the first year and \$13,720,427 the second year from nongeneral			
46	funds is provided to cover the anticipated costs of the new slots. DMAS shall seek federal			
47	approval for necessary changes to the FIS waiver to add the additional slots.			
48	c. The Department of Medical Assistance Services (DMAS) shall amend the BI waiver to add			
49	40 new slots effective July 1, 2019. An amount estimated at \$257,680 the second year from			
50	the general fund and \$257,680 the second year from nongeneral funds is provided to cover the			
51	anticipated costs of the new slots. DMAS shall seek federal approval for necessary changes to			
52	the BI waiver to add the additional slots.			
53	d. In addition to the new slots added in 4.a. and b., the Department of Medical Assistance			

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Services (DMAS) shall amend the CL waiver to add 25 new slots effective July 1, 2018			
2	and an additional 25 slots effective July 1, 2019. These slots shall be held as reserve			
3	capacity by the Department of Behavioral Health and Disability Developmental Services			
4	(DBHDS) to address emergency situations. An amount estimated at \$937,237 the first			
5	year and \$1,874,475 the second year from the general fund and \$937,237 the first year and			
6	\$1,874,475 the second year from nongeneral funds is provided to cover the anticipated			
7	costs of the emergency slots. DMAS shall seek federal approval for necessary changes to			
8	the CL waiver to add the additional slots. Beginning July 1, 2018, DBHDS shall provide a			
9	quarterly report on the use of the emergency slot provided in this paragraph.			
10	e. In addition to the new slots added in 4.b., the Department of Medical Assistance			
11	Services shall amend the FIS waiver to add 326 new slots effective July 1, 2019 to address			
12	the Priority One waiting list. An amount estimated at \$5,000,000 from the general fund			
13	and \$5,000,000 from nongeneral funds the second year is provided to cover the anticipated			
14	costs of the additional slots.			
15	f. The Department of Medical Assistance Services, in collaboration with the Department			
16	of Behavioral Health and Disability Services, shall separately track all costs, placements			
17	and services associated with the additional slots added in paragraphs I.4.a., I.4.b., and			
18	I.4.c. of this Item. By October 1 of each year, the department shall report this data to the			
19	Chairmen of the House Appropriations and Senate Finance Committees and the Director,			
20	Department of Planning and Budget.			
21	J. The Department of Medical Assistance Services and the Virginia Department of Health			
22	shall work with representatives of the dental community: to expand the availability and			
23	delivery of dental services to pediatric Medicaid recipients; to streamline the			
24	administrative processes; and to remove impediments to the efficient delivery of dental			
25	services and reimbursement thereof. The Department of Medical Assistance Services shall			
26	report its efforts to expand dental services to the Chairmen of the House Appropriations			
27	and Senate Finance Committees and the Director, Department of Planning and Budget by			
28	December 15 each year.			
29	K. The Department of Medical Assistance Services shall not require dentists who agree to			
30	participate in the delivery of Medicaid pediatric dental care services, or services provided			
31	to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any			
32	variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of			
33	the managed care vendor, unless the dentist is a willing participant in the commercial			
34	managed care plan.			
35	L. The Department of Medical Assistance Services shall implement continued			
36	enhancements to the drug utilization review (DUR) program. The department shall			
37	continue the Pharmacy Liaison Committee and the DUR Board. The department shall			
38	continue to work with the Pharmacy Liaison Committee, meeting at least semi-annually,			
39	to implement initiatives for the promotion of cost-effective services delivery as may be			
40	appropriate. The department shall solicit input from the Pharmacy Liaison Committee			
41	regarding pharmacy provisions in the development and enforcement of all managed care			
42	contracts. The department shall report on the Pharmacy Liaison Committee's and the DUR			
43	Board's activities to the Board of Medical Assistance Services and to the Chairmen of the			
44	House Appropriations and Senate Finance Committees and the Department of Planning			
45	and Budget no later than December 15 each year of the biennium.			
46	M.1. The Department of Medical Assistance Services shall have the authority to seek			
47	federal approval of changes to its Medallion 4.0 waiver.			
48	2. In order to conform the state regulations to the federally approved changes and to			
49	implement the provisions of this Act, the department shall promulgate emergency			
50	regulations to become effective within 280 days or less from the enactment of this Act.			
51	N.1. The Department of Medical Assistance Services shall develop and pursue cost saving			
52	strategies internally and with the cooperation of the Department of Social Services,			
53	Virginia Department of Health, Office of the Attorney General, Children's Services Act			
54	program, Department of Education, Department of Juvenile Justice, Department of			
55	Behavioral Health and Developmental Services, Department for Aging and Rehabilitative			
56	Services, Department of the Treasury, University of Virginia Health System, Virginia			

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Commonwealth University Health System Authority, Department of Corrections, federally			
2	qualified health centers, local health departments, local school divisions, community service			
3	boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and			
4	cost recoveries. Any revenues generated through these activities shall be transferred to the			
5	Virginia Health Care Fund to be used for the purposes specified in this Item.			
6	2. The Department of Medical Assistance Services shall retain the savings necessary to			
7	reimburse a vendor for its efforts to implement paragraph. N.1. of this Item. However, prior to			
8	reimbursement, the department shall identify for the Secretary of Health and Human			
9	Resources each of the vendor's revenue maximization efforts and the manner in which each			
10	vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior			
11	approval of the above plan by the Secretary.			
12	O. The Department of Medical Assistance Services shall have the authority to pay			
13	contingency fee contractors, engaged in cost recovery activities, from the recoveries that are			
14	generated by those activities. All recoveries from these contractors shall be deposited to a			
15	special fund. After payment of the contingency fee any prior year recoveries shall be			
16	transferred to the Virginia Health Care Fund. The Director, Department of Medical Assistance			
17	Services, shall report to the Chairmen of the House Appropriations and Senate Finance			
18	Committees the increase in recoveries associated with this program as well as the areas of			
19	audit targeted by contractors by November 1 each year.			
20	P. The Department of Medical Assistance Services in cooperation with the State Executive			
21	Council, shall provide semi-annual training to local Children's Services Act teams on the			
22	procedures for use of Medicaid for residential treatment and treatment foster care services,			
23	including, but not limited to, procedures for determining eligibility, billing, reimbursement,			
24	and related reporting requirements. The department shall include in this training information			
25	on the proper utilization of inpatient and outpatient mental health services as covered by the			
26	Medicaid State Plan.			
27	Q.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical			
28	Assistance Services, in consultation with the Department of Behavioral Health and			
29	Developmental Services, shall amend the State Plan for Medical Assistance Services to			
30	modify the delivery system of pharmaceutical products to include a Preferred Drug List. In			
31	developing the modifications, the department shall consider input from physicians,			
32	pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.			
33	2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the			
34	development and ongoing administration of the Preferred Drug List program. The Pharmacy			
35	and Therapeutics Committee shall be composed of 8 to 12 members, including the			
36	Commissioner, Department of Behavioral Health and Developmental Services, or his			
37	designee. Other members shall be selected or approved by the department. The membership			
38	shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at			
39	least one-half of the physicians and pharmacists are either direct providers or are employed			
40	with organizations that serve recipients for all segments of the Medicaid population.			
41	Physicians on the committee shall be licensed in Virginia, one of whom shall be a			
42	psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee			
43	shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs,			
44	and one of whom has clinical expertise in community-based mental health treatment. The			
45	Pharmacy and Therapeutics Committee shall recommend to the department (i) which			
46	therapeutic classes of drugs should be subject to the Preferred Drug List program and prior			
47	authorization requirements; (ii) specific drugs within each therapeutic class to be included on			
48	the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-			
49	psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders,			
50	schizophrenia, and depression; (iv) appropriate exclusions for medications used for the			
51	treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for			
52	therapeutic classes in which there is only one drug in the therapeutic class or there is very low			
53	utilization, or for which it is not cost-effective to include in the Preferred Drug List program;			
54	and (vi) appropriate grandfather clauses when prior authorization would interfere with			
55	established complex drug regimens that have proven to be clinically effective. In developing			
56	and maintaining the preferred drug list, the cost effectiveness of any given drug shall be			
57	considered only after it is determined to be safe and clinically effective.			

ITEM 303.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-				
2	annually and may meet at other times at the discretion of the chairperson and members. At				
3	the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class				
4	subject to the Preferred Drug List that is newly approved by the Federal Food and Drug				
5	Administration, provided there is at least thirty (30) days notice of such approval prior to				
6	the date of the quarterly meeting.				
7	3. The department shall establish a process for acting on the recommendations made by				
8	the Pharmacy and Therapeutics Committee, including documentation of any decisions				
9	which deviate from the recommendations of the committee.				
10	4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-				
11	hour emergency supply of the prescribed drug when requested by a physician and a				
12	dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization				
13	decisions to be made within 24 hours and timely notification of the recipient and/or the				
14	prescribing physician of any delays or negative decisions; (iii) an expedited review				
15	process of denials by the department; and (iv) consumer and provider education, training				
16	and information regarding the Preferred Drug List prior to implementation, and ongoing				
17	communications to include computer access to information and multilingual material.				
18	5. The Preferred Drug List program shall generate savings as determined by the				
19	department that are net of any administrative expenses to implement and administer the				
20	program.				
21	6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes,				
22	the Department of Medical Assistance Services shall promulgate emergency regulations to				
23	become effective within 280 days or less from the enactment of this Act. With respect to				
24	such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code				
25	of Virginia, shall not apply. In addition, the department shall work with the Department of				
26	Behavioral Health and Development Services to consider utilizing a Preferred Drug List				
27	program for its non-Medicaid clients.				
28	7. The Department of Medical Assistance Services shall (i) continually review utilization				
29	of behavioral health medications under the State Medicaid Program for Medicaid				
30	recipients; and (ii) ensure appropriate use of these medications according to federal Food				
31	and Drug Administration (FDA) approved indications and dosage levels. The department				
32	may also require retrospective clinical justification according to FDA approved				
33	indications and dosage levels for the use of multiple behavioral health drugs for a				
34	Medicaid patient. For individuals 18 years of age and younger who are prescribed three or				
35	more behavioral health drugs, the department may implement clinical edits that target				
36	inefficient, ineffective, or potentially harmful prescribing patterns in accordance with				
37	FDA-approved indications and dosage levels.				
38	8. The Department of Medical Assistance Services shall ensure that in the process of				
39	developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers				
40	the value of including those prescription medications which improve drug regimen				
41	compliance, reduce medication errors, or decrease medication abuse through the use of				
42	medication delivery systems that include, but are not limited to, transdermal and injectable				
43	delivery systems.				
44	R.1. The Department of Medical Assistance Services may amend the State Plan for				
45	Medical Assistance Services to modify the delivery system of pharmaceutical products to				
46	include a specialty drug program. In developing the modifications, the department shall				
47	consider input from physicians, pharmacists, pharmaceutical manufacturers, patient				
48	advocates, the Pharmacy Liaison Committee, and others as appropriate.				
49	2. In developing the specialty drug program to implement appropriate care management				
50	and control drug expenditures, the department shall contract with a vendor who will				
51	develop a methodology for the reimbursement and utilization through appropriate case				
52	management of specialty drugs and distribute the list of specialty drug rates, authorized				
53	drugs and utilization guidelines to medical and pharmacy providers in a timely manner				
54	prior to the implementation of the specialty drug program and publish the same on the				
55	department's website.				

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1	3. In the event that the Department of Medical Assistance Services contracts with a vendor,				
2	the department shall establish the fee paid to any such contractor based on the reasonable cost				
3	of services provided. The department may not offer or pay directly or indirectly any material				
4	inducement, bonus, or other financial incentive to a program contractor based on the denial or				
5	administrative delay of medically appropriate prescription drug therapy, or on the decreased				
6	use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who				
7	receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on				
8	the percentage of cost savings generated under the benefit management of services.				
9	4. The department shall: (i) review, update and publish the list of authorized specialty drugs,				
10	utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to				
11	revise the list or modify specialty drug program utilization guidelines and rates, consistent				
12	with changes in the marketplace; and (iii) provide an administrative appeals procedure to				
13	allow dispensing or prescribing provider to contest the listed specialty drugs and rates.				
14	5. The department shall have authority to enact emergency regulations under § 2.2-4011 of				
15	the Administrative Process Act to effect these provisions.				
16	S.1. The Department of Medical Assistance Services shall reimburse school divisions who				
17	sign an agreement to provide administrative support to the Medicaid program and who				
18	provide documentation of administrative expenses related to the Medicaid program 50 percent				
19	of the Federal Financial Participation by the department.				
20	2. The Department of Medical Assistance Services shall retain five percent of the Federal				
21	Financial Participation for reimbursement to school divisions for medical and transportation				
22	services.				
23	T. In the event that the Department of Medical Assistance Services decides to contract for				
24	pharmaceutical benefit management services to administer, develop, manage, or implement				
25	Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor				
26	based on the reasonable cost of services provided. The department may not offer or pay				
27	directly or indirectly any material inducement, bonus, or other financial incentive to a				
28	program contractor based on the denial or administrative delay of medically appropriate				
29	prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a				
30	reduction in the proportion of beneficiaries who receive prescription drug therapy under the				
31	Medicaid program. Bonuses cannot be based on the percentage of cost savings generated				
32	under the benefit management of services.				
33	U. The Department of Medical Assistance Services, in cooperation with the Department of				
34	Social Services' Division of Child Support Enforcement (DSCE), shall identify and report				
35	third party coverage where a medical support order has required a custodial or noncustodial				
36	parent to enroll a child in a health insurance plan. The Department of Medical Assistance				
37	Services shall also report to the DCSE third party information that has been identified through				
38	their third party identification processes for children handled by DCSE.				
39	V.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying				
40	that an overpayment for medical assistance services has been made to a provider, the Director,				
41	Department of Medical Assistance Services shall notify the provider of the amount of the				
42	overpayment. Such notification of overpayment shall be issued within the earlier of (i) four				
43	years after payment of the claim or other payment request, or (ii) four years after filing by the				
44	provider of the complete cost report as defined in the Department of Medical Assistance				
45	Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost				
46	report as defined in the Department of Medical Assistance Services' regulations subsequent to				
47	sale of the facility or termination of the provider.				
48	2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue				
49	an informal fact-finding conference decision concerning provider reimbursement in				
50	accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of				
51	Virginia, and applicable federal law. The informal fact-finding conference decision shall be				
52	issued within 180 days of the receipt of the appeal request, except as provided herein. If the				
53	agency does not render an informal fact-finding conference decision within 180 days of the				
54	receipt of the appeal request or, in the case of a joint agreement to stay the appeal decision as				
55	detailed below, within the time remaining after the stay expires and the appeal timeframes				
56	resume, the decision is deemed to be in favor of the provider. An appeal of the director's				

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1	informal fact-finding conference decision concerning provider reimbursement shall be			
2	heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et			
3	seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of			
4	Virginia. The Department of Medical Assistance Services and the provider may jointly			
5	agree to stay the deadline for the informal appeal decision or for the formal appeal			
6	recommended decision of the Hearing Officer for a period of up to sixty (60) days to			
7	facilitate settlement discussions. If the parties reach a resolution as reflected by a written			
8	settlement agreement within the sixty-day period, then the stay shall be extended for such			
9	additional time as may be necessary for review and approval of the settlement agreement			
10	in accordance § 2.2-514 of the Code of Virginia. Once a final agency case decision has			
11	been made, the director shall undertake full recovery of such overpayment whether or not			
12	the provider disputes, in whole or in part, the informal fact-finding conference decision or			
13	the final agency case decision. Interest charges on the unpaid balance of any overpayment			
14	shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency			
15	case decision becomes final.			
16	W. Any hospital that was designated a Medicare-dependent small rural hospital, as			
17	defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be			
18	designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after			
19	September 30, 2004.			
20	X.1. The Department of Medical Assistance Services shall make programmatic changes in			
21	the provision of Intensive In-Home services and Community Mental Health services in			
22	order to ensure appropriate utilization and cost efficiency. The department shall consider			
23	all available options including, but not limited to, prior authorization, utilization review			
24	and provider qualifications. The Department of Medical Assistance Services shall			
25	promulgate regulations to implement these changes within 280 days or less from the			
26	enactment date of this Act.			
27	2. The Department of Medical Assistance Services shall have the authority to implement			
28	prior authorization and utilization review for community-based mental health services for			
29	children and adults. The department shall have the authority to promulgate emergency			
30	regulations to implement this amendment within 280 days or less from the enactment of			
31	this Act.			
32	Y. The Department of Medical Assistance Services shall delay the last quarterly payment			
33	of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the			
34	first quarter of the following year. Quarterly payments that shall be delayed from each			
35	June to each July shall be Disproportionate Share Hospital payments, Indirect Medical			
36	Education payments, and Direct Medical Education payments. The department shall have			
37	the authority to implement this reimbursement change effective upon passage of this Act,			
38	and prior to the completion of any regulatory process undertaken in order to effect such			
39	change.			
40	Z. The Department of Medical Assistance Services shall make the monthly capitation			
41	payment to managed care organizations for the member months of each month in the first			
42	week of the subsequent month. The department shall have the authority to implement this			
43	reimbursement schedule change effective upon passage of this Act, and prior to the			
44	completion of any regulatory process undertaken in order to effect such change.			
45	AA. In every June the remittance that would normally be paid to providers on the last			
46	remittance date of the state fiscal year shall be delayed one week longer than is normally			
47	the practice. This change shall apply to the remittances of Medicaid and FAMIS providers.			
48	This change does not apply to providers who are paid a per-month capitation payment.			
49	The department shall have the authority to implement this reimbursement change effective			
50	upon passage of this Act, and prior to the completion of any regulatory process undertaken			
51	in order to effect such change.			
52	BB. The Department of Medical Assistance Services shall impose an assessment equal to			
53	6.0 percent of revenue on all ICF-ID providers. The department shall determine			
54	procedures for collecting the assessment, including penalties for non-compliance. The			
55	department shall have the authority to adjust interim rates to cover new Medicaid costs as			
56	a result of this assessment.			

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1	CC. The Department of Medical Assistance Services shall not adjust rates or the rate ceiling				
2	of residential psychiatric facilities for inflation.				
3	DD. The Department of Medical Assistance Services shall work with the Department of				
4	Behavioral Health and Developmental Services in consultation with the Virginia Association				
5	of Community Services Boards, the Virginia Network of Private Providers, the Virginia				
6	Coalition of Private Provider Associations, and the Association of Community Based				
7	Providers, to establish rates for the Intensive In-Home Service based on quality indicators and				
8	standards, such as the use of evidence-based practices.				
9	EE. The Department of Medical Assistance Services shall seek federal authority through the				
10	necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social				
11	Security Act to expand principles of care coordination to all geographic areas, populations,				
12	and services under programs administered by the department. The expansion of care				
13	coordination shall be based on the principles of shared financial risk such as shared savings,				
14	performance benchmarks or risk and improving the value of care delivered by measuring				
15	outcomes, enhancing quality, and monitoring expenditures. The department shall engage				
16	stakeholders, including beneficiaries, advocates, providers, and health plans, during the				
17	development and implementation of the care coordination projects. Implementation shall				
18	include specific requirements for data collection to ensure the ability to monitor utilization,				
19	quality of care, outcomes, costs, and cost savings. The department shall report by November 1				
20	of each year to the Governor and the Chairmen of the House Appropriations and Senate				
21	Finance Committees detailing implementation progress including, but not limited to, the				
22	number of individuals enrolled in care coordination, the geographic areas, populations and				
23	services affected and cost savings achieved. Unless otherwise delineated, the department shall				
24	have authority to implement necessary changes upon federal approval and prior to the				
25	completion of any regulatory process undertaken in order to effect such change. The intent of				
26	this Item may be achieved through several steps, including, but not limited to, the following:				
27	a. In fulfillment of this Item, the department and the Department of Behavioral Health and				
28	Developmental Services, in collaboration with the Community Services Boards and in				
29	consultation with appropriate stakeholders, shall develop a blueprint for the development and				
30	implementation of a care coordination model for individuals in need of behavioral health				
31	services not currently provided through a managed care organization. The overall goal of the				
32	project is to improve the value of behavioral health services purchased by the Commonwealth				
33	of Virginia without compromising access to behavioral health services for vulnerable				
34	populations. Targeted case management services will continue to be the responsibility of the				
35	Community Services Boards. The blueprint shall: (i) describe the steps for development and				
36	implementation of the program model(s) including funding, populations served, services				
37	provided, timeframe for program implementation, and education of clients and providers; (ii)				
38	set the criteria for medical necessity for community mental health rehabilitation services; and				
39	(iii) include the following principles:				
40	1. Improves value so that there is better access to care while improving equity.				
41	2. Engages consumers as informed and responsible partners from enrollment to care delivery.				
42	3. Provides consumer protections with respect to choice of providers and plans of care.				
43	4. Improves satisfaction among providers and provides technical assistance and incentives for				
44	quality improvement.				
45	5. Improves satisfaction among consumers by including consumer representatives on provider				
46	panels for the development of policy and planning decisions.				
47	6. Improves quality, individual safety, health outcomes, and efficiency.				
48	7. Develops direct linkages between medical and behavioral services in order to make it easier				
49	for consumers to obtain timely access to care and services, which could include up to full				
50	integration.				
51	8. Builds upon current best practices in the delivery of behavioral health services.				
52	9. Accounts for local circumstances and reflects familiarity with the community where				
53	services are provided.				

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1	10. Develops service capacity and a payment system that reduces the need for involuntary				
2	commitments and prevents default (or diversion) to state hospitals.				
3	11. Reduces and improves the interface of vulnerable populations with local law				
4	enforcement, courts, jails, and detention centers.				
5	12. Supports the responsibilities defined in the Code of Virginia relating to Community				
6	Services Boards and Behavioral Health Authorities.				
7	13. Promotes availability of access to vital supports such as housing and supported				
8	employment.				
9	14. Achieves cost savings through decreasing avoidable episodes of care and				
10	hospitalizations, strengthening the discharge planning process, improving adherence to				
11	medication regimens, and utilizing community alternatives to hospitalizations and				
12	institutionalization.				
13	15. Simplifies the administration of acute psychiatric, community mental health				
14	rehabilitation, and medical health services for the coordinating entity, providers, and				
15	consumers.				
16	16. Requires standardized data collection, outcome measures, customer satisfaction				
17	surveys, and reports to track costs, utilization of services, and outcomes. Performance data				
18	should be explicit, benchmarked, standardized, publicly available, and validated.				
19	17. Provides actionable data and feedback to providers.				
20	18. In accordance with federal and state regulations, includes provisions for effective and				
21	timely grievances and appeals for consumers.				
22	b. The department may seek the necessary waiver(s) and/or State Plan authorization under				
23	Titles XIX and XXI of the Social Security Act to develop and implement a care				
24	coordination model, that is consistent with the principles in Paragraph a, for individuals in				
25	need of behavioral health services to be effective July 1, 2019. This model may be applied				
26	to individuals on a mandatory basis. The department shall have authority to promulgate				
27	emergency regulations to implement this amendment within 280 days or less from the				
28	enactment date of this Act.				
29	FF. The Department of Medical Assistance Services shall make programmatic changes in				
30	the provision of Residential Treatment Facility (Level C) and Levels A and B residential				
31	services (group homes) for children with serious emotional disturbances in order ensure				
32	appropriate utilization and cost efficiency. The department shall consider all available				
33	options including, but not limited to, prior authorization, utilization review and provider				
34	qualifications. The department shall have authority to promulgate regulations to				
35	implement these changes within 280 days or less from the enactment date of this Act.				
36	GG. The Department of Medical Assistance Services, in consultation with the appropriate				
37	stakeholders, shall seek federal authority to implement a pricing methodology to modify				
38	or replace the current pricing methodology for pharmaceutical products as defined in 13				
39	VAC 30- 80-40, including the dispensing fee, with an alternative methodology that is				
40	budget neutral or that creates a cost savings. The department shall have the authority to				
41	promulgate emergency regulations to implement this amendment within 280 days or less				
42	from the enactment of this Act. The department shall have the authority to implement				
43	these changes prior to completion of any regulatory process undertaken in order to effect				
44	such change.				
45	HH. The Department of Medical Assistance Services (DMAS) shall have the authority to				
46	amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing				
47	centers accredited by the Commission for the Accreditation of Birthing Centers.				
48	Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology				
49	applied in a manner similar to the reimbursement methodology for ambulatory surgery				
50	centers. The department shall have authority to implement necessary changes upon federal				
51	approval and prior to the completion of any regulatory process undertaken in order to				
52	effect such change.				

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1	II. The department may seek federal authority through amendments to the State Plans under				
2	Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to develop				
3	and implement programmatic and system changes that allow expedited enrollment of				
4	Medicaid eligible recipients into Medicaid managed care, most importantly for pregnant				
5	women. The department shall have the authority to promulgate emergency regulations to				
6	implement this amendment within 280 days or less from the enactment date of this Act.				
7	JJ.1. The Department of Medical Assistance Services, related to appeals administered by and				
8	for the department, shall have authority to amend regulations to:				
9	i. Utilize the method of transmittal of documentation to include email, fax, courier, and				
10	electronic transmission.				
11	ii. Clarify that the day of delivery ends at normal business hours of 5:00 pm.				
12	iii. Eliminate an automatic dismissal against DMAS for alleged deficiencies in the case				
13	summary that do not relate to DMAS's obligation to substantively address all issues specified				
14	in the provider's written notice of informal appeal. A process shall be added, by which the				
15	provider shall file with the informal appeals agent within 12 calendar days of the provider's				
16	receipt of the DMAS case summary, a written notice that specifies any such alleged				
17	deficiencies that the provider knows or reasonably should know exist. DMAS shall have 12				
18	calendar days after receipt of the provider's timely written notification to address or cure any				
19	of said alleged deficiencies. The current requirement that the case summary address each				
20	adjustment, patient, service date, or other disputed matter identified in the provider's written				
21	notice of informal appeal in the detail set forth in the current regulation shall remain in force				
22	and effect, and failure to file a written case summary with the Appeals Division in the detail				
23	specified within 30 days of the filing of the provider's written notice of informal appeal shall				
24	result in dismissal in favor of the provider on those issues not addressed by DMAS.				
25	iv. Clarify that appeals remanded to the informal appeal level via Final Agency Decision or				
26	court order shall reset the timetable under DMAS' appeals regulations to start running from				
27	the date of the remand.				
28	v. Clarify the department's authority to administratively dismiss untimely filed appeal				
29	requests.				
30	vi. Clarify the time requirement for commencement of the formal administrative hearing.				
31	vii. Clarify that settlement proposals may be tendered during the appeal process and that				
32	approval is subject to the requirements of § 2.2-514 of the Code of Virginia. The amended				
33	regulations shall develop a framework for the submission of the settlement proposal and state				
34	that the Department of Medical Assistance Services and the provider may jointly agree to stay				
35	the deadline for the informal appeal decision or for the formal appeal recommended decision				
36	of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions.				
37	If the parties reach a resolution as reflected by a written settlement agreement within the				
38	sixty-day period, then the stay shall be extended for such additional time as may be necessary				
39	for review and approval of the settlement agreement in accordance with law.				
40	2. The Department of Medical Assistance Services shall have authority to promulgate				
41	regulations to implement these changes within 280 days or less from the enactment date of				
42	this Act.				
43	KK. It is the intent of the General Assembly that the implementation and administration of the				
44	care coordination contract for behavioral health services be conducted in a manner that				
45	insures system integrity and engages private providers in the independent assessment process.				
46	In addition, it is the intent that in the provision of services that ethical and professional				
47	conflicts are avoided and that sound clinical decisions are made in the best interests of the				
48	individuals receiving behavioral health services. As part of this process, the department shall				
49	monitor the performance of the contract to ensure that these principles are met and that				
50	stakeholders are involved in the assessment, approval, provision, and use of behavioral health				
51	services provided as a result of this contract.				
52	LL. The Department of Medical Assistance Services shall amend the State Plan for Medical				
53	Assistance to allow for delivery of notices of program reimbursement or other items referred				
54	to in the regulations related to provider appeals by electronic means consistent with the				

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1	Uniform Electronic Transactions Act. The department shall implement this change			
2	effective July 1, 2013, and prior to completion of any regulatory process undertaken in			
3	order to effect such changes.			
4	MM.1. The department shall amend the State Plan for Medical Assistance to reimburse the			
5	price-based operating rate rather than the transition operating rate to any nursing facility			
6	whose licensed bed capacity decreased by at least 30 beds after 2011 and whose			
7	occupancy increased from less than 70 percent in 2011 to more than 80 percent in 2013.			
8	The department shall have the authority to implement this reimbursement change effective			
9	July 1, 2015, and prior to completion of any regulatory process in order to effect such			
10	change.			
11	2. Effective July 1, 2017, the department shall amend the State Plan for Medical			
12	Assistance to increase the direct and indirect operating rates under the nursing facility			
13	price based reimbursement methodology by 15 percent for nursing facilities where at least			
14	80 percent of the resident population have one or more of the following diagnoses:			
15	quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In			
16	addition, a qualifying facility must have at least 90 percent Medicaid utilization and a case			
17	mix index of 1.15 or higher in fiscal year 2014. The department shall have the authority to			
18	implement this reimbursement methodology change for rates on or after July 1, 2017, and			
19	prior to completion of any regulatory process in order to effect such change.			
20	3. Effective July 1, 2017 through June 30, 2020, the Department of Medical Assistance			
21	Services shall amend the State Plan for Medical Assistance to pay nursing facilities			
22	located in the former Danville Metropolitan Statistical Area (MSA) the operating rates			
23	calculated for the Other MSA peer group. For purposes of calculating rates under the			
24	rebasings effective July 1, 2017, the department shall use the peer groups based on the			
25	existing regulations. For future rebasings, the department shall permanently move these			
26	facilities to the Other MSA peer group. The department shall have the authority to			
27	implement this reimbursement change effective July 1, 2017 and prior to completion of			
28	any regulatory process undertaken in order to effect such change.			
29	NN. The Department of Medical Assistance Services shall amend its State Plan under			
30	Title XIX of the Social Security Act to implement reasonable restrictions on the amount of			
31	incurred dental expenses allowed as a deduction from income for nursing facility			
32	residents. Such limitations shall include: (i) that routine exams and x-rays, and dental			
33	cleaning shall be limited to twice yearly; (ii) full mouth x-rays shall be limited to once			
34	every three years; and (iii) deductions for extractions and fillings shall be permitted only if			
35	medically necessary as determined by the department.			
36	OO. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia,			
37	and effective upon the availability of subsidized private health insurance offered through a			
38	Health Benefits Exchange in Virginia as articulated through the federal Patient Protection			
39	and Affordable Care Act (PPACA), the Department of Medical Assistance Services shall			
40	eliminate, to the extent not prohibited under federal law, Medicaid Plan First and FAMIS			
41	Moms program offerings to populations eligible for and enrolled in said subsidized			
42	coverage in order to remove disincentives for subsidized private healthcare coverage			
43	through publicly-offered alternatives. To ensure, to the extent feasible, a smooth transition			
44	from public coverage, DMAS shall endeavor to phase out such coverage for existing			
45	enrollees once subsidized private insurance is available through a Health Benefits			
46	Exchange in Virginia. The department shall implement any necessary changes upon			
47	federal approval and prior to the completion of any regulatory process undertaken in order			
48	to effect such change.			
49	PP. The Department of Medical Assistance Services shall have authority to amend the			
50	State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act,			
51	and any waivers thereof, to implement requirements of the federal Patient Protection and			
52	Affordable Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP			
53	eligibility determination and case management standards and practices, including the			
54	Modified Adjusted Gross Income (MAGI) methodology. The department shall have			
55	authority to implement such standards and practices upon federal approval and prior to the			
56	completion of any regulatory process undertaken in order to effect such change.			
57	QQ. Effective July 1, 2013, the Department of Medical Assistance Services shall establish			

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1	a Medicaid Physician and Managed Care Liaison Committee including, but not limited to,				
2	representatives from the following organizations: the Virginia Academy of Family				
3	Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College				
4	of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia				
5	Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of				
6	Virginia; the Virginia Medical Group Management Association; and the Medical Society of				
7	Virginia. The committee shall also include representatives from each of the department's				
8	contracted managed care organizations and a representative from the Virginia Association of				
9	Health Plans. The committee will work with the department to investigate the implementation				
10	of quality, cost-effective health care initiatives, to identify means to increase provider				
11	participation in the Medicaid program, to remove administrative obstacles to quality, cost-				
12	effective patient care, and to address other matters as raised by the department or members of				
13	the committee. The Committee shall establish an Emergency Department Care Coordination				
14	work group comprised of representatives from the Committee, including the Virginia College				
15	of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and				
16	Healthcare Association, the Virginia Academy of Family Physicians and the Virginia				
17	Association of Health Plans to review the following issues: (i) how to improve coordination				
18	of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care				
19	provider incentive funding on improved interoperability between hospital and provider				
20	systems; and (iii) methods for formalizing a statewide emergency department collaboration to				
21	improve care and treatment of Medicaid recipients and increase cost efficiency in the				
22	Medicaid program, including recognized best practices for emergency departments. The				
23	committee shall meet semi-annually, or more frequently if requested by the department or				
24	members of the committee. The department, in cooperation with the committee, shall report				
25	on the committee's activities annually to the Board of Medical Assistance Services and to the				
26	Chairmen of the House Appropriations and Senate Finance Committees and the Department				
27	of Planning and Budget no later than October 1 each year.				
28	RR. The Department of Medical Assistance Services shall realign the billable activities paid				
29	for individual supported employment provided under the Medicaid home- and community-				
30	based waivers to be consistent with job development and job placement services provided				
31	through employment services organizations that are reimbursed by the Department for Aging				
32	and Rehabilitative Services. The department shall have the authority to implement this				
33	reimbursement change effective July 1, 2013, and prior to the completion of any regulatory				
34	process undertaken in order to effect such change.				
35	SS.1. The Department of Medical Assistance Services shall seek federal authority through any				
36	necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social				
37	Security Act to implement a comprehensive value-driven, market-based reform of the				
38	Virginia Medicaid/FAMIS programs.				
39	2. The department is authorized to contract with qualified health plans to offer recipients a				
40	Medicaid benefit package adhering to these principles. Any coordination of non-traditional				
41	behavioral health services covered under contract with qualified health plans or through other				
42	means shall adhere to the principles outlined in paragraph EE.a. This reformed service				
43	delivery model shall be mandatory, to the extent allowed under the relevant authority granted				
44	by the federal government and shall, at a minimum, include (i) limited high-performing				
45	provider networks and medical/health homes; (ii) financial incentives for high quality				
46	outcomes and alternative payment methods; (iii) improvements to encounter data submission,				
47	reporting, and oversight; (iv) standardization of administrative and other processes for				
48	providers; and (v) support of the health information exchange.				
49	3. The Department of Medical Assistance Services shall seek reforms to include all remaining				
50	Medicaid populations and services, including long-term care and home- and community-				
51	based waiver services into cost-effective, managed and coordinated delivery systems. The				
52	department shall begin designing the process and obtaining federal authority to transition all				
53	remaining Medicaid beneficiaries into a coordinated delivery system. DMAS shall promulgate				
54	regulations to implement these provisions to be effective within 280 days of its enactment.				
55	The department may implement any changes necessary to implement these provisions prior to				
56	the promulgation of regulations undertaken in order to effect such changes.				
57	4.a. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, no later than				
58	45 days upon the passage of House Bill 5001, the Department of Medical Assistance Services				

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1	shall have the authority to (1) amend the State Plan for Medical Assistance under Title			
2	XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly			
3	eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection			
4	and Affordable Care Act and (2) begin the process of implementing a § 1115			
5	demonstration project to transform the Medicaid program for newly eligible individuals			
6	pursuant to the provisions of 4.a.(1) and eligible individuals enrolled in the existing			
7	Medicaid program. No later than 150 days from the passage of House Bill 5001, DMAS			
8	shall submit the § 1115 demonstration waiver application to CMS for approval. If the			
9	State Plan amendments are affirmatively approved by CMS prior to the submission of the			
10	waiver, Medicaid coverage for newly eligible individuals may be implemented. If the			
11	State Plan amendment becomes effective without affirmative action by CMS, coverage			
12	may begin upon submission of the completed § 1115 demonstration waiver application,			
13	per CMS notification, but no later than January 1, 2019. If the demonstration waiver			
14	cannot be completed by 150 days, despite a good faith effort to complete the application,			
15	the department may request an extension from the Chairmen of the House Appropriations			
16	and Senate Finance Committees. The department shall provide updates on the progress of			
17	the State Plan amendments and demonstration waiver applications to the Chairmen of the			
18	House Appropriations and Senate Finance Committees, or their designees, upon request,			
19	and provide for participation in discussions with CMS staff. The department shall respond			
20	to all requests for information from CMS on the State Plan amendments and			
21	demonstration waiver applications in a timely manner.			
22	b. At least 10 days prior to the submission of the application for the waiver of Title XIX of			
23	the Social Security Act, the department shall notify the Chairmen of the House			
24	Appropriations and Senate Finance Committees of such pending application and provide a			
25	copy of the application. If the department receives an official letter from either Chairman			
26	raising an objection about the waiver during the 10-day period, the department shall make			
27	all reasonable attempts to address the objection and modify the waiver(s). If the			
28	department receives no objection, then the application may be submitted. Any waiver			
29	specifically authorized elsewhere in this item is not subject to this provision. Waiver			
30	renewals are not subject to the provisions of this paragraph.			
31	c. The Department of Medical Assistance Services shall include provisions to make			
32	referrals to job training, education and job placement assistance for all unemployed, able-			
33	bodied adult enrollees as allowed under current federal law or regulations through the			
34	State Plan amendments, contracts, or other policy changes. DMAS shall also include			
35	provisions to foster personal responsibility and prepare newly eligible enrollees for			
36	participation in commercial health insurance plans to include use of private health plans,			
37	premium support for employer-sponsored insurance, health and wellness accounts,			
38	appropriate utilization of hospital emergency room services, healthy behavior incentives,			
39	and enhanced fraud prevention efforts, among others through the State Plan amendments,			
40	contracts, or other policy changes.			
41	d. The demonstration project shall be designed to empower individuals to improve their			
42	health and well-being and gain employer sponsored coverage or other commercial health			
43	insurance coverage, while simultaneously ensuring the program's long-term fiscal			
44	sustainability. The demonstration project shall include the following elements in the			
45	design:			
46	(i) two pathways for eligible individuals with incomes between 100 percent and 138			
47	percent of the federal poverty level, including income disregards, to obtain health care			
48	coverage: enrollment in an existing Medicaid managed care plan, or premium assistance			
49	for the purchase of employer-sponsored health insurance coverage if cost effective. The			
50	plans will provide a comprehensive benefit package consistent with private market plans,			
51	compliant with all mandated essential health benefits, and inclusive of current Medicaid			
52	covered mental health and addiction recovery and treatment services. The demonstration			
53	shall include (1) the development of a health and wellness account for eligible individuals,			
54	comprised of participant contributions and state funds to be used to fund the health			
55	insurance premiums and to ensure funds are available for the enrollee to cover out-of-			
56	pocket expenses for the deductible, with the ability to roll over the funds from the account			
57	into succeeding years if not fully used. The monthly premium amount for the enrollee			
58	shall be set on a sliding scale based on monthly income, not to exceed two percent of			
59	monthly income, nor be less than \$1 per month; (2) provisions for demonstration coverage			

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1	to begin on the first day of the month following receipt of the premium payment or enrollment			
2	due to treatment of an acute illness; (3) provisions for institution of a grace period for			
3	premium payment, followed by a waiting period before re-enrollment if the premium is not			
4	paid by the participant or if the participant does not maintain continuous coverage; and (4)			
5	provisions to recover premium payments owed to the Commonwealth through debt set-off			
6	collections;			
7	(ii) provisions to enroll newly eligible individuals with incomes between 0 and 100 percent of			
8	the federal poverty level, including income disregards, in existing Medicaid managed care			
9	plans with existing Medicaid benefits or in employer-sponsored health insurance plans, if cost			
10	effective. Such newly eligible enrollees shall be subject to existing Medicaid cost sharing			
11	provisions;			
12	(iii) cost-sharing for eligible enrollees with incomes between 100 percent and 138 percent of			
13	the federal poverty level, including income disregards, designed to promote healthy behaviors			
14	such as the avoidance of tobacco use, and to encourage personal responsibility and			
15	accountability related to the utilization of health care services such as the appropriate use of			
16	emergency room services. However, such individuals who also meet the exemptions listed in			
17	(iv) shall not be subject to premium and copayment requirements more stringent than existing			
18	Medicaid law or regulations. Enrollees who comply with provisions of the demonstration			
19	program, including healthy behavior provisions, may receive a decrease in their monthly			
20	premiums and copayments, not to exceed 50 percent.			
21	(iv) the establishment of the Training, Education, Employment and Opportunity Program			
22	(TEEOP) for every able-bodied, working-age adult enrolled in the Medicaid program to			
23	enable enrollees to increase their health and well-being through community engagement			
24	leading to self-sufficiency. The TEEOP program shall not apply to: (1) children under the age			
25	of 18 or individuals under the age of 19 who are participating in secondary education; (2)			
26	individuals age 65 years and older; (3) individuals who qualify for medical assistance services			
27	due to blindness or disability, including individuals who receive services pursuant to a § 1915			
28	waiver; (4) individuals residing in institutions; (5) individuals determined to be medically			
29	frail; (6) individuals diagnosed with serious mental illness; (7) pregnant and postpartum			
30	women; (8) former foster children under the age of 26; (9) individuals who are the primary			
31	caregiver for a dependent, including a dependent child or adult dependent with a disability;			
32	and (10) individuals who already meet the work requirements of the TANF or SNAP			
33	programs. The TEEOP shall comply with guidance from CMS regarding such programs and			
34	may include other exemptions that may be necessary to achieve the TEEOP's goals of			
35	community engagement and improved health outcomes that are approved by CMS.			
36	The TEEOP shall include provisions for gradually escalating participation in training,			
37	education, employment and community engagement opportunities through the program as			
38	follows:			
39	a. beginning three months after enrollment, at least 20 hours per month;			
40	b. beginning six months after enrollment, at least 40 hours per month;			
41	c. beginning nine months after enrollment, at least 60 hours per month; and			
42	d. beginning 12 months after enrollment, at least 80 hours per month;			
43	The TEEOP shall also include provisions for satisfaction of the requirement for participation			
44	in training, education, employment and community engagement opportunities through			
45	participation in job skills training; job search activities in conformity with Virginia			
46	Employment and Commission guidelines; education related to employment; general			
47	education, including participation in a program of preparation for the General Education			
48	Development (GED) certification examination or community college courses leading to			
49	industry certifications or a STEM-H related degree or credential; vocational education and			
50	training; subsidized or unsubsidized employment; community work experience programs,			
51	community service or public service, excluding political activities, that can reasonably			
52	improve work readiness; or caregiving services for a non-dependent relative or other person			
53	with a chronic, disabling health condition. The department may waive the requirement for			
54	participation in employment in areas of the Commonwealth with unemployment rates equal to			
55	or greater than 150 percent of the statewide average; however, requirements related to			

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1	training, education and other community engagement opportunities shall not be waived in			
2	any area of the Commonwealth.			
3	The TEEOP shall work with Virginia Workforce Centers or One-Stops to provide services			
4	to Medicaid enrollees. Such services shall include career services for program enrollees,			
5	services to link enrollees with industry certification and credentialing programs, including			
6	the New Economy Workforce Credential Grant Program, and individualized case			
7	management services.			
8	The TEEOP shall, to the extent allowed under federal law, utilize federal and state funding			
9	available through the Centers for Medicare and Medicaid Services, Temporary Assistance			
10	for Needy Families program, the Supplemental Nutrition Assistance Program, the			
11	Workforce Innovation and Opportunity Act, and other state and federal workforce			
12	development programs to support program enrollees.			
13	Unless exempt, enrollees shall be ineligible to receive Medicaid benefits if, during any			
14	three months of the 12-month period beginning on the first day of enrollment, they fail to			
15	meet the TEEOP requirements and they will not be permitted to re-enroll until the end of			
16	such 12-month period, unless the failure to comply or report compliance was the result of			
17	a catastrophic event or circumstances beyond the beneficiary's control. However, enrollees			
18	shall be eligible to re-enroll in the program within such 12-month period upon			
19	demonstration of compliance with the TEEOP requirements.			
20	(v) monitoring and oversight of the use of health care services to ensure appropriate			
21	utilization;			
22	(vi) The Department of Medical Assistance Services shall develop a supportive			
23	employment and housing benefit targeted to high risk Medicaid beneficiaries with mental			
24	illness, substance use disorder, or other complex, chronic conditions who need intensive,			
25	ongoing support to obtain and maintain employment and stable housing.			
26	e. The State Plan amendment and the demonstration waiver program shall include (i)			
27	systems for determining eligibility for participation in the program, (ii) provisions for			
28	disenrollment if federal funding is reduced or terminated, and (iii) provisions for			
29	monitoring, evaluating, and assessing the effectiveness of the waiver program in			
30	improving the health and wellness of program participants and furthering the objectives of			
31	the Medicaid program.			
32	f. The department shall have the authority to promulgate emergency regulations to			
33	implement these changes within 280 days or less from the enactment date of House Bill			
34	5001. The department shall have the authority to implement these changes prior to the			
35	completion of any regulatory process undertake in order to effect such changes.			
36	5. In the event that the increased federal medical assistance percentages for newly eligible			
37	individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA are modified			
38	through federal law or regulation from the methodology in effect on January 1, 2014,			
39	resulting in a reduction in federal medical assistance as determined by the department in			
40	consultation with the Department of Planning and Budget, the Department of Medical			
41	Assistance Services shall disenroll and eliminate coverage for individuals who obtained			
42	coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment			
43	process shall include written notification to affected Medicaid beneficiaries, Medicaid			
44	managed care plans, and other providers that coverage will cease as soon as allowable			
45	under federal law following the date the department is notified of a reduction in Federal			
46	Medical Assistance Percentage.			
47	TT. Effective July 1, 2014, the Department of Medical Assistance Services shall replace			
48	the AP-DRG grouper with the APR-DRG grouper for hospital inpatient reimbursement.			
49	The department shall develop budget neutral case rates and Virginia-specific weights for			
50	the APR-DRG grouper based on the FY 2011 base year. The department shall phase in the			
51	APR-DRG weights by blending in 50 percent of the full APR-DRG weights with 50			
52	percent of FY 2014 AP-DRG weights in the first year and 75 percent of the full APR-			
53	DRG weights with 25 percent of the FY 2014 AP-DRG weights in the second year for			
54	each APR-DRG group and severity. FY 2014 AP-DRG weights shall be calculated as a			
55	weighted average FY 2014 AP-DRG weight for all claims in the base year that group to			

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1	each APR-DRG group and severity. Full APR-DRG weights shall be used in the third year			
2	and succeeding years for each APR-DRG group and severity. The department shall have the			
3	authority to implement these reimbursement changes effective July 1, 2014, and prior to			
4	completion of any regulatory process in order to effect such changes.			
5	UU.1. Effective July 1, 2014, the Department of Medical Assistance Services shall replace the			
6	current Disproportionate Share Hospital (DSH) methodology with the following			
7	methodology:			
8	a) DSH eligible hospitals must have a total Medicaid Inpatient Utilization Rate equal to 14			
9	percent or higher in the base year using Medicaid days eligible for Medicare DSH or a Low			
10	Income Utilization Rate in excess of 25 percent and meet other federal requirements.			
11	Eligibility for out of state cost reporting hospitals shall be based on total Medicaid utilization			
12	or on total Medicaid NICU utilization equal to 14 percent or higher.			
13	b) Each hospital's DSH payment shall be equal to the DSH per diem multiplied by each			
14	hospital's eligible DSH days in a base year. Days reported in provider fiscal years in state FY			
15	2011 will be the base year for FY 2015 prospective DSH payments. DSH will be recalculated			
16	annually with an updated base year. DSH payments are subject to applicable federal limits.			
17	c) Eligible DSH days are the sum of all Medicaid inpatient acute, psychiatric and			
18	rehabilitation days above 14 percent for each DSH hospital subject to special rules for out of			
19	state cost reporting hospitals. Eligible DSH days for out of state cost reporting hospitals shall			
20	be the higher of the number of eligible days based on the calculation in the first sentence			
21	times Virginia Medicaid utilization (Virginia Medicaid days as a percent of total Medicaid			
22	days) or the Medicaid NICU days above 14 percent times Virginia NICU Medicaid utilization			
23	(Virginia NICU Medicaid days as a percent of total NICU Medicaid days). Eligible DSH days			
24	for out of state cost reporting hospitals who qualify for DSH but who have less than 12			
25	percent Virginia Medicaid utilization shall be 50 percent of the days that would have			
26	otherwise been eligible DSH days.			
27	d) Additional eligible DSH days are days that exceed 28 percent Medicaid utilization for			
28	Virginia Type Two hospitals (excluding Children's Hospital of the Kings Daughters).			
29	e) The DSH per diem shall be calculated in the following manner:			
30	a. The DSH per diem for Type Two hospitals is calculated by dividing the total Type Two			
31	DSH allocation by the sum of eligible DSH days for all Type Two DSH hospitals. For			
32	purposes of DSH, Type Two hospitals do not include Children's Hospital of the Kings			
33	Daughters (CHKD) or any hospital whose reimbursement exceeds its federal uncompensated			
34	care cost limit. The Type Two Hospital DSH allocation shall equal the amount of DSH paid to			
35	Type Two hospitals in state FY 2014 increased annually by the percent change in the federal			
36	allotment, including any reductions as a result of the Affordable Care Act, adjusted for the			
37	state fiscal year.			
38	b. The DSH per diem for State Inpatient Psychiatric Hospitals is calculated by dividing the			
39	total State Inpatient Psychiatric Hospital DSH allocation by the sum of eligible DSH days.			
40	The State Inpatient Psychiatric Hospital DSH allocation shall equal the amount of DSH paid			
41	in state FY 2013 increased annually by the percent change in the federal allotment, including			
42	any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.			
43	c. The DSH per diem for CHKD shall be three times the DSH per diem for Type Two			
44	hospitals.			
45	d. The DSH per diem for Type One hospitals shall be 17 times the DSH per diem for Type			
46	Two hospitals.			
47	2. Each year, the department shall determine how much Type Two DSH has been reduced as			
48	a result of the Affordable Care Act and adjust the percent of cost reimbursed for outpatient			
49	hospital reimbursement.			
50	3. The department shall convene the Hospital Payment Policy Advisory Council at least once			
51	a year to consider additional changes to the DSH methodology.			
52	4. The department shall have the authority to implement these reimbursement changes			

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1	effective July 1, 2014, and prior to completion of any regulatory process in order to effect			
2	such changes.			
3	VV. The Department of Medical Assistance Services shall have authority to amend the			
4	State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act,			
5	and any waivers thereof, to implement requirements of the federal Patient Protection and			
6	Affordable Care Act (PPACA), P.L. 111-148, as it pertains to implementation of Medicaid			
7	and CHIP eligibility determination and case management standards and practices,			
8	including the Modified Adjusted Gross Income (MAGI) methodology and,			
9	notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the process for			
10	administrative appeals of MAGI-related eligibility determinations. The department shall			
11	have authority to implement such standards and practices upon federal approval and prior			
12	to the completion of any regulatory process undertaken in order to effect such changes.			
13	WW.1. Notwithstanding § 32.1-330 of the Code of Virginia, the Department of Medical			
14	Assistance Services shall improve the preadmission screening process for individuals who			
15	will be eligible for long-term care services, as defined in the state plan for medical			
16	assistance. The community-based screening team shall consist of a licensed health care			
17	professional and a social worker who are employees or contractors of the Department of			
18	Health or the local department of social services, or other assessors contracted by the			
19	department. The department shall not contract with any entity for whom there exists a			
20	conflict of interest. For community-based screening for children, the screening shall be			
21	performed by an individual or entity with whom the department has entered into a contract			
22	for the performance of such screenings.			
23	2. The department shall track and monitor all requests for screenings and report on those			
24	screenings that have not been completed within 30 days of an individual's request for			
25	screening. The screening teams and contracted entities shall use the reimbursement and			
26	tracking mechanisms established by the department.			
27	3. The Department of Medical Assistance Services shall promulgate regulations to			
28	implement these provisions to be effective within 280 days of its enactment. The			
29	department may implement any changes necessary to implement these provisions prior to			
30	the promulgation of regulations undertaken in order to effect such changes.			
31	XX.1.a. There is hereby appropriated sum-sufficient nongeneral funds for the Department			
32	of Medical Assistance Services (DMAS) to pay the state share of supplemental payments			
33	for qualifying private hospital partners of Type One hospitals (consisting of state-owned			
34	teaching hospitals) as provided in the State Plan for Medical Assistance Services.			
35	Qualifying private hospitals shall consist of any hospital currently enrolled as a Virginia			
36	Medicaid provider and owned or operated by a private entity in which a Type One hospital			
37	has a non-majority interest. The supplemental payments shall be based upon the			
38	reimbursement methodology established for such payments in Attachments 4.19-A and			
39	4.19-B of the State Plan for Medical Assistance Services. DMAS shall enter into a transfer			
40	agreement with any Type One hospital whose private hospital partner qualifies for such			
41	supplemental payments, under which the Type One hospital shall provide the state share			
42	in order to match federal Medicaid funds for the supplemental payments to the private			
43	hospital partner. The department shall have the authority to implement these			
44	reimbursement changes consistent with the effective date in the State Plan amendment			
45	approved by the Centers for Medicare and Medicaid Services (CMS) and prior to			
46	completion of any regulatory process in order to effect such changes.			
47	b. The department shall adjust capitation payments to Medicaid managed care			
48	organizations for the purpose of securing access to Medicaid hospital services for the			
49	qualifying private hospital partners of Type One hospitals (consisting of state-owned			
50	teaching hospitals). The department shall revise its contracts with managed care			
51	organizations to incorporate these supplemental capitation payments and provider			
52	payment requirements. DMAS shall enter into a transfer agreement with any Type One			
53	hospital whose private hospital partner qualifies for such supplemental payments, under			
54	which the Type One hospital shall provide the state share in order to match federal			
55	Medicaid funds for the supplemental payments to the private hospital partner. The			
56	department shall have the authority to implement these reimbursement changes consistent			
57	with the effective date approved by the Centers for Medicare and Medicaid Services			

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1	(CMS). No payment shall be made without approval from CMS.			
2	2.a. The Department of Medical Assistance Services shall promulgate regulations to make			
3	supplemental payments to Medicaid physician providers with a medical school located in			
4	Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the			
5	supplemental payment shall be based on the difference between the average commercial rate			
6	approved by CMS and the payments otherwise made to physicians. The department shall have			
7	the authority to implement these reimbursement changes consistent with the effective date in			
8	the State Plan amendment approved by CMS and prior to completion of any regulatory			
9	process in order to effect such changes.			
10	b. The department shall increase payments to Medicaid managed care organizations for the			
11	purpose of securing access to Medicaid physician services in Eastern Virginia, through higher			
12	rates to physicians affiliated with a medical school located in Eastern Virginia that is a			
13	political subdivision of the Commonwealth subject to applicable limits. The department shall			
14	revise its contracts with managed care organizations to incorporate these supplemental			
15	capitation payments, and provider payment requirements, subject to approval by CMS. No			
16	payment shall be made without approval from CMS.			
17	c. Funding for the state share for these Medicaid payments is authorized in Item 244.			
18	3.a. The Department of Medical Assistance Services (DMAS) shall have the authority to			
19	amend the State Plan for Medical Assistance Services (State Plan) to implement a			
20	supplemental Medicaid payment for local government-owned nursing homes. The total			
21	supplemental Medicaid payment for local government-owned nursing homes shall be based			
22	on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by			
23	CMS and all other Medicaid payments subject to such limit made to such nursing homes.			
24	There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the			
25	supplemental Medicaid payment hereunder. However, DMAS shall not submit such State			
26	Plan amendment to CMS until it has entered into an intergovernmental agreement with			
27	eligible local government-owned nursing homes or the local government itself which requires			
28	them to transfer funds to DMAS for use as the state share for the supplemental Medicaid			
29	payment each nursing home is entitled to and to represent that each has the authority to			
30	transfer funds to DMAS and that the funds used will comply with federal law for use as the			
31	state share for the supplemental Medicaid payment. If a local government-owned nursing			
32	home or the local government itself is unable to comply with the intergovernmental			
33	agreement, DMAS shall have the authority to modify the State Plan. The department shall			
34	have the authority to implement the reimbursement change consistent with the effective date			
35	in the State Plan amendment approved by CMS and prior to the completion of any regulatory			
36	process undertaken in order to effect such change.			
37	b. If by June 30, 2017, the Department of Medical Assistance Services has not secured			
38	approval from the Centers for Medicare and Medicaid Services to use a minimum fee			
39	schedule pursuant to 42 C.F.R. § 438.6(c)(1)(iii) for local government-owned nursing homes			
40	participating in Commonwealth Coordinated Care Plus (CCC Plus) at the same level as and in			
41	lieu of the supplemental Medicaid payments authorized in Section XX.3.a., then DMAS shall:			
42	(i) exclude Medicaid recipients who elect to receive nursing home services in local			
43	government-owned nursing homes from CCC Plus; (ii) pay for such excluded recipient's			
44	nursing home services on a fee-for-service basis, including the related supplemental Medicaid			
45	payments as authorized herein; and (iii) prohibit CCC Plus contracted health plans from in			
46	any way limiting Medicaid recipients from electing to receive nursing home services from			
47	local government-owned nursing homes. The department may include in CCC Plus Medicaid			
48	recipients who elect to receive nursing home services in local government-owned nursing			
49	homes in the future when it has secured federal CMS approval to use a minimum fee schedule			
50	as described above.			
51	4. The Department of Medical Assistance Services shall have the authority to amend the State			
52	Plan for Medical Assistance Services to implement a supplemental payment for clinic services			
53	furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total			
54	supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the			
55	Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH may			
56	transfer general fund to the department from funds already appropriated to VDH to cover the			
57	non-federal share of the Medicaid payments. The department shall have the authority to			

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1	implement the reimbursement change effective July 1, 2015, and prior to the completion				
2	of any regulatory process undertaken in order to effect such changes.				
3	5. The Department of Medical Assistance Services shall amend the State Plan for Medical				
4	Assistance to increase the supplemental physician payments for physicians employed at a				
5	freestanding children's hospital serving children in Planning District 8 with more than 50				
6	percent Medicaid inpatient utilization in fiscal year 2014 to the maximum allowed by the				
7	Centers for Medicare and Medicaid Services within the limit of the appropriation provided				
8	for this purpose. The total supplemental Medicaid payment shall be based on the Upper				
9	Payment Limit approved by the Centers for Medicare and Medicaid Services and all other				
10	Virginia Medicaid fee-for-service payments. The department shall have the authority to				
11	implement these reimbursement changes effective July 1, 2016, and prior to the				
12	completion of any regulatory process undertaken in order to effect such change.				
13	6.a. The Department of Medical Assistance Services shall promulgate regulations to make				
14	supplemental Medicaid payments to the primary teaching hospitals affiliated with a				
15	Liaison Committee on Medical Education (LCME) accredited medical school located in				
16	Planning District 23 that is a political subdivision of the Commonwealth and an LCME				
17	accredited medical school located in Planning District 5 that has a partnership with a				
18	public university. The amount of the supplemental payment shall be based on the				
19	reimbursement methodology established for such payments in Attachments 4.19-A and				
20	4.19-B of the State Plan for Medical Assistance and/or the department's contracts with				
21	managed care organizations. The department shall have the authority to implement these				
22	reimbursement changes consistent with the effective date in the State Plan amendment or				
23	the managed care contracts approved by the Centers for Medicare and Medicaid Services				
24	(CMS) and prior to completion of any regulatory process in order to effect such changes.				
25	No payment shall be made without approval from CMS.				
26	b. Funding for the state share for these Medicaid payments is authorized in Item 244 and				
27	Item 4-5.03.				
28	c. Payments authorized in this subsection shall sunset after the effective date of a				
29	statewide supplemental payment for private acute care hospitals authorized in Item 3-5.16.				
30	For purposes of the upper payment limit, the department shall prorate the upper payment				
31	limit if the sunset date is mid-fiscal year. The department shall have the authority to				
32	implement this change prior to the completion of any regulatory process undertaken in				
33	order to effect such change.				
34	7. The department shall amend the State plan for Medical Assistance to implement a				
35	supplemental inpatient and outpatient payment for Chesapeake Regional Hospital based				
36	on the difference between reimbursement with rates using an adjustment factor of 100%				
37	minus current authorized reimbursement subject to the inpatient and outpatient Upper				
38	Payment Limits for non-state government owned hospitals. The department shall include				
39	in its contracts with managed care organizations a minimum fee schedule for Chesapeake				
40	Regional Hospital consistent with rates using an adjustment factor of 100%. The				
41	department shall adjust capitation payments to Medicaid managed care organizations to				
42	fund this minimum fee schedule. Both the contract changes and capitation rate				
43	adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS				
44	approval. Prior to submitting the State Plan Amendment or making the managed care				
45	contract changes, Chesapeake Regional Hospital shall enter into an agreement with the				
46	department to transfer the non-federal share for these payments. The department shall				
47	have the authority to implement these reimbursement changes consistent with the effective				
48	date(s) approved by the Centers for Medicare and Medicaid (CMS). No payments shall be				
49	made without CMS approval.				
50	8.a. There is hereby appropriated sum-sufficient nongeneral funds for the department to				
51	pay the state share of supplemental payments for nursing homes owned by Type One				
52	hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for				
53	Medical Assistance Services. The total supplemental payment shall be based on the				
54	difference between the Upper Payment Limit of 42 CFR § 447.272 as approved by CMS				
55	and all other Medicaid payments subject to such limit made to such nursing homes.				
56	DMAS shall enter into a transfer agreement with any Type One hospital whose nursing				
57	home qualifies for such supplemental payments, under which the Type One hospital shall				

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1	provide the state share in order to match federal Medicaid funds for the supplemental			
2	payments. The department shall have the authority to implement these reimbursement			
3	changes consistent with the effective date in the State Plan amendment approved by CMS and			
4	prior to completion of any regulatory process in order to effect such changes.			
5	b. The department shall adjust capitation payments to Medicaid managed care organizations			
6	to fund a minimum fee schedule compliant with requirements in 42 C.F.R. § 438.6(c)(1)(iii)			
7	at a level consistent with the State Plan amendment authorized above for nursing homes			
8	owned by Type One hospitals. The department shall revise its contracts with managed care			
9	organizations to incorporate these supplemental capitation payments and provider payment			
10	requirements. DMAS shall enter into a transfer agreement with any Type One hospitals whose			
11	nursing home qualifies for such supplemental payments, under which the Type One hospital			
12	shall provide the state share in order to match federal Medicaid funds for the supplemental			
13	payments. The department shall have the authority to implement these reimbursement			
14	changes consistent with the effective date approved by CMS. No payment shall be made			
15	without approval from CMS.			
16	YY. The Department of Medical Assistance Services shall amend the State Plan for Medical			
17	Assistance to provide coverage for cessation services for tobacco users, including			
18	pharmacology, group and individual counseling, and other treatment services including the			
19	most current version of or an official update to the Clinical Health Guideline "Treating			
20	Tobacco Use and Dependence" published by the Public Health Service of the U.S.			
21	Department of Health and Human Services. These services shall be subject to copayment			
22	requirements. The department shall have authority to implement this reimbursement change			
23	effective July 1, 2014 and prior to the completion of any regulatory process undertaken in			
24	order to effect such changes.			
25	ZZ. The Department of Medical Assistance Services shall have the authority to implement			
26	Section 1902(a)(10)(A)(i)(IX) of the federal Social Security Act to provide Medicaid benefits			
27	up until the age of 26 to individuals who are or were in foster care at least until the age of 18			
28	in any state.			
29	AAA.1.a The Department of Medical Assistance Services shall amend the Medicaid			
30	demonstration project (Project Number 11-W-00297/3) to modify eligibility provided through			
31	the project to individuals with serious mental illness to be effective July 1, 2015. Income			
32	eligibility shall be modified to limit services to seriously mentally ill adults with effective			
33	household incomes up to 60 percent of the federal poverty level (FPL). All individuals			
34	enrolled in this Medicaid demonstration project with incomes between 61% and 100% of the			
35	Federal Poverty Level as of May 15, 2015 who continue to meet other program eligibility			
36	rules, shall maintain enrollment in the demonstration until their next eligibility renewal period			
37	or July 1, 2016, whichever comes first. Benefits shall include the following services: (i)			
38	primary care office visits including diagnostic and treatment services performed in the			
39	physician's office, (ii) outpatient specialty care, consultation, and treatment, (iii) outpatient			
40	hospital including observation and ambulatory diagnostic procedures, (iv) outpatient			
41	laboratory, (v) outpatient pharmacy, (vi) outpatient telemedicine, (vii) medical equipment and			
42	supplies for diabetic treatment, (viii) outpatient psychiatric treatment, (ix) mental health case			
43	management, (x) psychosocial rehabilitation assessment and psychosocial rehabilitation			
44	services, (xi) mental health crisis intervention, (xii) mental health crisis stabilization, (xiii)			
45	therapeutic or diagnostic injection, (xiv) behavioral telemedicine, (xv) outpatient substance			
46	abuse treatment services, and (xvi) intensive outpatient substance abuse treatment services.			
47	Care coordination, Recovery Navigation (peer supports), crisis line and prior authorization for			
48	services shall be provided through the agency's Behavioral Health Services Administrator.			
49	b. The Department of Medical Assistance Services shall amend the Medicaid demonstration			
50	project described in paragraph AAA.1.a. to increase the income eligibility for adults with			
51	serious mental illness from 60 to 80 percent of the federal poverty level effective July 1, 2016			
52	and from 80 to 100 percent of the federal poverty level effective October 1, 2017. Effective			
53	October 1, 2017, the department shall amend the Medicaid demonstration project to include			
54	the provision of addiction recovery and treatment services, including partial day			
55	hospitalization and residential treatment services. The department shall have authority to			
56	implement necessary changes upon federal approval and prior to the completion of any			
57	regulatory process undertaken in order to effect such changes.			

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1	c. The Department of Medical Assistance Services, in cooperation with the Department of				
2	Social Services and the League of Social Service Executives, shall provide information				
3	and conduct outreach activities with the Department of Corrections and local and regional				
4	jails to increase access to the Medicaid demonstration waiver for individuals with serious				
5	mental illness who are preparing to be released from custody, or are under the supervision				
6	of state or local community corrections programs.				
7	d. The Department of Medical Assistance Services, in cooperation with the Department of				
8	Social Services and the League of Social Service Executives, shall provide information				
9	and conduct outreach activities with the Department of Corrections and local and regional				
10	jails to increase access to the Medicaid demonstration waiver for individuals with serious				
11	mental illness who are preparing to be released from custody, or are under the supervision				
12	of state or local community corrections programs.				
13	2. The Department of Medical Assistance Services is authorized to amend the State Plan				
14	under Title XIX of the Social Security Act to add coverage for comprehensive dental				
15	services to pregnant women receiving services under the Medicaid program to include: (i)				
16	diagnostic, (ii) preventive, (iii) restorative, (iv) endodontics, (v) periodontics, (vi)				
17	prosthodontics both removable and fixed, (vii) oral surgery, and (viii) adjunctive general				
18	services.				
19	3. The Department of Medical Assistance Services is authorized to amend the FAMIS				
20	MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS				
21	enrollees to add coverage for dental services to align with pregnant women's coverage				
22	under Medicaid.				
23	4. The Department of Medical Assistance Services is authorized to amend the State Plan				
24	under Title XXI of the Social Security Act to plan to allow enrollment for dependent				
25	children of state employees who are otherwise eligible for coverage.				
26	5. The department shall have authority to implement necessary changes upon federal				
27	approval and prior to the completion of any regulatory process undertaken in order to				
28	effect such changes.				
29	BBB. The Department of Medical Assistance Services shall amend the State Plan for				
30	Medical Assistance Services to eliminate the requirement for pending, reviewing and				
31	reducing fees for emergency room claims for 99283 codes. The department shall have the				
32	authority to implement this reimbursement change effective July 1, 2015, and prior to the				
33	completion of any regulatory process undertaken in order to effect such change.				
34	CCC. The Department of Medical Assistance Services shall amend the State Plan for				
35	Medical Assistance to increase the supplemental physician payments for practice plans				
36	affiliated with a freestanding children's hospital with more than 50 percent Medicaid				
37	inpatient utilization in fiscal year 2009 to the maximum allowed by the Centers for				
38	Medicare and Medicaid Services. The department shall have the authority to implement				
39	these reimbursement changes effective July 1, 2015, and prior to completion of any				
40	regulatory process undertaken in order to effect such change.				
41	DDD. The Department of Medical Assistance Services (DMAS) shall amend its July 1,				
42	2016, managed care contracts in order to conform to the requirement pursuant to House				
43	Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior				
44	authorization of drug benefits.				
45	EEE.1. Out of this appropriation, \$1,400,000 the first year and \$2,350,000 the second year				
46	from the general fund and \$1,400,000 the first year and \$2,250,000 the second year from				
47	nongeneral funds shall be used for supplemental payments to fund the second and third				
48	years of graduate medical education for 15 funded slots for residents who began their				
49	residencies in July 2017, the first and second years of graduate medical education of 13				
50	funded slots for residents beginning their residencies in July 2018, the first year of				
51	graduate medical education of 20 funded slots for residencies in July 2019, and two one				
52	year post graduate fellowships in July 2019.				
53	2. The supplemental payment for each qualifying residency slot shall be \$100,000				
54	annually minus any Medicare residency payment for which the sponsoring institution is				

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1	eligible. For any residency program at a facility whose Medicaid payments are capped by the			
2	Centers for Medicare and Medicaid Services, the supplemental payments for each qualifying			
3	residency slot shall be \$50,000 from the general fund annually minus any Medicare residency			
4	payments for which the residency program is eligible. Supplemental payments shall be made			
5	for up to four years for each qualifying resident. Payments shall be made quarterly following			
6	the same schedule used for other medical education payments.			
7	3.The Department of Medical Assistance Services shall submit a State Plan amendment based			
8	on the authorization in EEE.1. of this item to make supplemental payments for graduate			
9	medical education residency slots. The supplemental payments are subject to federal Centers			
10	for Medicare and Medicaid Services approval. The department shall have the authority to			
11	promulgate emergency regulations to implement this amendment within 280 days or less from			
12	the enactment of this Act.			
13	4.a. Effective July 1, 2017, the department shall make supplemental payments to the			
14	following sponsoring institutions for the specified number of primary care residencies:			
15	Sentara Norfolk General (2 residencies), Carilion Medical Center (6 residencies), Centra			
16	Lynchburg General Hospital (1 residency), Riverside Regional Medical Center (2			
17	residencies), Bon Secours St. Francis Medical Center (2 residencies). The department shall			
18	make supplemental payments to Carilion Medical Center for 2 psychiatry residencies.			
19	b. Effective July 1, 2018, the department shall make supplemental payments to the following			
20	sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk			
21	General (1 residency), Maryview Hospital (1 residency) and Carilion Medical Center (6			
22	residencies). The department shall make supplemental payments to Carilion Medical Center			
23	for 2 psychiatric residencies and to Sentara Norfolk General for 1 OB/GYN residency and 2			
24	psychiatric residencies.			
25	c. Effective July 1, 2019, the department shall make supplemental payments to the following			
26	sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk			
27	General (1 residency), Maryview Hospital (1 residency), Carilion Medical Center (6			
28	residencies), Centra Health (2 residencies), and Riverside Regional Medical Center (2			
29	residencies). The department shall make supplemental payments to Inova Fairfax Hospital for			
30	1 General Surgery residency and to Carilion Medical Center for 2 psychiatric residencies. The			
31	department shall make supplemental payments to Sentara Norfolk General for 2 psychiatric			
32	residencies, 1 OB/GYN residency, and 2 urology residencies. The department shall make			
33	supplemental payments to the University of Virginia Health System for a one year fellowship			
34	in Addiction Medicine and to the Virginia Commonwealth University Health System for a			
35	one year fellowship in Addiction Medicine.			
36	5. Preference shall be given for residency slots located in underserved areas. Applications for			
37	slots that involve multiple medical care providers collaborating in training residents and that			
38	involve providing residents the opportunity to train in underserved areas are encouraged. A			
39	majority of the new residency slots funded each year shall be for primary care. The			
40	department shall adopt criteria for primary care, high need specialties and underserved areas			
41	as developed by the Virginia Health Workforce Development Authority. Beginning July 1,			
42	2018, the department shall also review and consider applications from non-hospital			
43	sponsoring institutions, such as Federally Qualified Health Centers (FQHCs).			
44	6. If the number of qualifying residency slots exceeds the available number of supplemental			
45	payments, the Virginia Health Workforce Development Authority shall determine which new			
46	residency slots to fund based on priorities developed by the authority.			
47	7. The sponsoring institution will be eligible for the supplemental payments as long as it			
48	maintains the number of residency slots in total and by category as a result of the increase.			
49	The sponsoring institutions must certify by June 1 each year that they continue to meet the			
50	criteria for the supplemental payments and report any changes during the year to the number			
51	of residents.			
52	8. The department shall require all sponsoring institutions receiving Medicaid medical			
53	education funding to report annually by September 15 on the number of residents in total and			
54	by specialty/subspecialty. Medical education funding includes payments for graduate medical			
55	education (GME) and indirect medical education (IME).			

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1	9. The Virginia Health Workforce Authority shall study options to help institutions in			
2	underserved and rural areas acquire and maintain specialists and instructors vital to			
3	maximize the quality of residency programs and report to the Chairmen of the House			
4	Appropriations and Senate Finance Committees by November 1, 2018.			
5	FFF.1. The Department of Medical Assistance Services, in consultation with the			
6	appropriate stakeholders, shall amend the state plan for medical assistance and/or seek			
7	federal authority through an 1115 demonstration waiver, as soon as feasible, to provide			
8	coverage of inpatient detoxification, inpatient substance abuse treatment, residential			
9	detoxification, residential substance abuse treatment, and peer support services to			
10	Medicaid individuals in the Fee-for-Service and Managed Care Delivery Systems.			
11	2. The Department of Medical Assistance Services shall have the authority to make			
12	programmatic changes in the provision of all Substance Abuse Treatment Outpatient,			
13	Community Based and Residential Treatment services (group homes and facilities) for			
14	individuals with substance abuse disorders in order to ensure parity between the substance			
15	abuse treatment services and the medical and mental health services covered by the			
16	department and to ensure comprehensive treatment planning and care coordination for			
17	individuals receiving behavioral health and substance use disorder services. The			
18	department shall ensure appropriate utilization and cost efficiency, and adjust			
19	reimbursement rates within the limits of the funding appropriated for this purpose based			
20	on current industry standards. The department shall consider all available options			
21	including, but not limited to, service definitions, prior authorization, utilization review,			
22	provider qualifications, and reimbursement rates for the following Medicaid services:			
23	substance abuse day treatment for pregnant women, substance abuse residential treatment			
24	for pregnant women, substance abuse case management, opioid treatment, substance abuse			
25	day treatment, and substance abuse intensive outpatient. Any amendments to the State			
26	Plan or waivers initiated under the provisions of this paragraph shall not exceed funding			
27	appropriated in this Act for this purpose. The department shall have the authority to			
28	promulgate regulations to implement these changes within 280 days or less from the			
29	enactment date of this Act.			
30	3. The Department of Medical Assistance Services shall amend the State Plan for Medical			
31	Assistance and any waivers thereof to include peer support services to children and adults			
32	with mental health conditions and/or substance use disorders. The department shall work			
33	with its contractors, the Department of Behavioral Health and Developmental Services,			
34	and appropriate stakeholders to develop service definitions, utilization review criteria and			
35	provider qualifications. Any amendments to the State Plan or waivers initiated under the			
36	provisions of this paragraph shall not exceed funding appropriated in this Act for this			
37	purpose. The department shall have the authority to promulgate regulations to implement			
38	these changes within 280 days or less from the enactment date of this Act.			
39	4. The Department of Medical Assistance Services shall, prior to the submission of any			
40	state plan amendment or waivers to implement paragraphs FFF.1., FFF.2., and FFF.3.,			
41	submit a plan detailing the changes in provider rates, new services added, other			
42	programmatic changes, and a certification of budget neutrality to the Director, Department			
43	of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance			
44	Committees.			
45	GGG. The Department of Medical Assistances shall amend the State Plan for Medical			
46	Assistance to convert the specialized care rates to a prospective rate consistent with the			
47	existing cost-based methodology by adding inflation to the per diem costs subject to			
48	existing ceilings for direct, indirect and ancillary costs from the most recent settled cost			
49	report prior to the state fiscal year for which the rates are being established. The same			
50	inflation adjustment shall apply to plant costs for specialized care facilities that do not			
51	have prospective capital rates that are based on fair rental value. The department shall use			
52	the state fiscal year rate methodology recently adopted for regular nursing facilities.			
53	Partial year inflation shall be applied to per diem costs if the provider fiscal year end is			
54	different than the state fiscal year. Ceilings shall also be maintained by state fiscal year.			
55	The department shall have the authority to implement these changes effective July 1,			
56	2016, and prior to completion of any regulatory process to effect such changes.			
57	HHH. The Department of Medical Assistance Services (DMAS), in consultation with the			

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1	appropriate stakeholders, shall seek federal authority via a state plan amendment to cover				
2	low-dose computed tomography (LDCT) lung cancer screenings for high-risk adults. The				
3	department shall promulgate emergency regulations to implement this amendment within 280				
4	days or less from the enactment of this Act.				
5	III. The Department of Medical Assistance Services shall not expend any appropriation for an				
6	approved Delivery System Reform Incentive Program (DSRIP) §1115 waiver unless the				
7	General Assembly appropriates the funding. The department shall notify the Chairmen of the				
8	House Appropriations and Senate Finance Committees within 15 days of any final negotiated				
9	waiver agreement with the Centers for Medicare and Medicaid Services.				
10	JJJ. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the				
11	managed care regulations to specify that all contracts with health plans in a Medicaid				
12	managed care delivery model, including long-term services and supports, require				
13	reimbursement to nursing facility and specialized care services at no less than the Medicaid				
14	established per diem rate for Medicaid covered days, using the department's methodologies,				
15	unless the managed care organization and the nursing facility or specialized care services				
16	provider mutually agree to an alternative payment. The department shall have authority to				
17	implement this provision prior to the completion of any regulatory process in order to effect				
18	such change.				
19	KKK.1. The Department of Medical Assistance Services shall monitor the capacity available				
20	under the Upper Payment Limit (UPL) for all hospital supplemental payments and adjust				
21	payments accordingly when the UPL cap is reached. The department shall make an				
22	adjustment to stay under the UPL cap by reducing or eliminating as necessary supplemental				
23	payments to hospitals based on when the first supplemental payments were actually made so				
24	that the newest supplemental payments to hospitals would be impacted first and so on.				
25	2. The Department of Medical Assistance Services shall have the authority to implement				
26	reimbursement changes deemed necessary to meet the requirements of this paragraph prior to				
27	the completion of any regulatory process in order to effect such changes.				
28	LLL.1 By October 1, 2019, the Department of Medical Assistance Services shall require				
29	consumer-directed aides providing personal care, respite care and companion services in the				
30	Medicaid Commonwealth Coordinated Care (CCC) Plus Waiver and Developmental				
31	Disability waiver programs and the Early and Periodic Screening Diagnosis and Treatment				
32	(EPSDT) program to utilize an Electronic Visit Verification (EVV) system. The department is				
33	authorized to contract with a vendor to provide access to an EVV system for use by				
34	consumer-directed aides.				
35	2. For personal care, respite care and companion services agencies, the department shall work				
36	with the appropriate stakeholders to develop standards for electronic visit verification systems				
37	and certification requirements to ensure EVV systems used by such agencies meet all federal				
38	requirements and are capable of providing the necessary data the department may require.				
39	3. Nothing stated above shall apply to respite services provided by a DBHDS licensed				
40	provider in a DBHDS licensed program site such as a group home, sponsored residential				
41	home, supervised living, supported living or similar facility/location licensed to provide				
42	respite, as allowed by the Centers for Medicare and Medicaid.				
43	4. The department shall ensure that implementation of electronic visit verification complies				
44	with all requirements of the federal Centers of Medicare and Medicaid Services. The				
45	department shall have authority to implement these provisions prior to the completion of any				
46	regulatory process in order to effect such changes.				
47	MMM.1. Effective July 1, 2017, the Department of Medical Assistance Services shall amend				
48	the State Plan for Medical Assistance to increase the formula for indirect medical education				
49	(IME) for freestanding children's hospitals with greater than 50 percent Medicaid utilization				
50	in 2009 as a substitute for DSH payments. The formula for these hospitals for indirect medical				
51	education for inpatient hospital services provided to Medicaid patients but reimbursed by				
52	capitated managed care providers shall be identical to the formula for Type One hospitals.				
53	The IME payments shall continue to be limited such that total payments to freestanding				
54	children's hospitals with greater than 50 percent Medicaid utilization do not exceed the federal				
55	uncompensated care cost limit to which disproportionate share hospital payments are				

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1	subject,excluding third party reimbursement for Medicaid eligible patients. The			
2	department shall have the authority to implement these changes effective July 1, 2017, and			
3	prior to completion of any regulatory action to effect such changes.			
4	<i>2. The Department of Medical Assistance Services (DMAS) shall have the authority to</i>			
5	<i>create additional hospital supplemental payments for freestanding children's hospitals</i>			
6	<i>with greater than 50 percent Medicaid utilization in 2009 to replace payments that have</i>			
7	<i>been reduced due to the federal regulation on the definition of uncompensated care costs</i>			
8	<i>effective June 2, 2017. These new payments shall equal what would have been paid to the</i>			
9	<i>freestanding children's hospitals under the current disproportionate share hospital (DSH)</i>			
10	<i>formula without regard to the uncompensated care cost limit. These additional hospital</i>			
11	<i>supplemental payments shall take precedence over supplemental payments for private</i>			
12	<i>acute care hospitals. If the federal regulation is voided, DMAS shall continue DSH</i>			
13	<i>payments to the impacted hospitals and adjust the additional hospital supplemental</i>			
14	<i>payments authorized in this paragraph accordingly. The department shall have the</i>			
15	<i>authority to implement these changes prior to completion of any regulatory process</i>			
16	<i>undertaken in order to effectuate such change.</i>			
17	NNN. Effective July 1, 2019, the Department of Medical Assistance Services shall			
18	increase the rates for agency and consumer directed personal care, respite and companion			
19	services in the home and community based services waivers and Early Periodic Screening,			
20	and Diagnosis and Treatment (EPSDT) program by two percent. The department shall			
21	have the authority to implement these changes prior to completion of any regulatory			
22	process undertaken in order to effect such change.			
23	OOO. The Department of Planning and Budget, in cooperation with the Department of			
24	Medical Assistance Services, the Department of Social Services and other agencies as			
25	necessary, shall transfer appropriations across items, service areas and agencies within the			
26	budget to properly account for the costs and savings of the implementation of Medicaid			
27	coverage of newly eligible individuals pursuant to the Patient Protection and Affordable			
28	Care Act, including the Training, Education, Employment and Opportunity Program			
29	(TEEOP), consistent with the intent of the General Assembly.			
30	PPP. For the period beginning September 1, 2016 until 180 days after publication and			
31	distribution of the Developmental Disabilities Waivers provider manual by the			
32	Department of Medical Assistance Services (DMAS), retraction of payment from			
33	Developmental Disabilities Waivers providers following an audit by DMAS or one of its			
34	contractors is only permitted when the audit points identified are supported by the Code of			
35	Virginia, regulations, DMAS general providers manuals, or DMAS Medicaid Memos in			
36	effect during the date of services being audited.			
37	QQQ. The Department of Medical Assistance Services shall review of the rates paid to			
38	residential psychiatric treatment facilities and determine if those rates are appropriate for			
39	those facilities. The department shall require residential psychiatric treatment facilities to			
40	submit cost reports to be used to conduct its review. The department shall report its			
41	findings to the Chairmen of the House Appropriations and Senate Finance Committees by			
42	October 1, 2019.			
43	RRR. The Department of Medical Assistance Services shall submit a report annually on			
44	all supplemental payments made to hospitals through the Medicaid program. This report			
45	shall include information for each hospital and by type of supplemental payment			
46	(Disproportionate Share Hospital, Graduate Medical Education, Indirect Medical			
47	Education, Upper Payment Limit program, and others). The report shall include total			
48	Medicaid payments from all sources and calculate the percent of overall payments that are			
49	supplemental payments. Furthermore, it shall include a description of each type of			
50	supplemental payment and the methodology used to calculate the payments. Each report			
51	shall reflect the data for the prior three fiscal years and shall be submitted to the Chairmen			
52	of the House Appropriations and Senate Finance Committees by September 1 each year.			
53	SSS. Effective July 1, 2018, the Department of Medical Assistance Services shall amend			
54	the State Plan for Medical Assistance to make the following changes. The department			
55	shall: (i) eliminate eligibility for Disproportionate Share Hospital (DSH) payments for			
56	Children's National Medical Center (CNMC); (ii) increase the annual indirect medical			
57	education (IME) payments for CNMC by the amount of DSH the hospital was eligible for			

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1	in fiscal year 2018; and (iii) reduce the Type 2 DSH allocation by this same amount. The				
2	department shall have the authority to implement these changes effective July 1, 2018, and				
3	prior to completion of any regulatory action to effect such change.				
4	TTT.1. The Department of Medical Assistance Services shall work with stakeholders to				
5	review and adjust medical necessity criteria for Medicaid-funded nursing services including				
6	private duty nursing, skilled nursing, and home health. The department shall adjust the				
7	medical necessity criteria to reflect advances in medical treatment, new technologies, and use				
8	of integrated care models including behavioral supports. The department shall have the				
9	authority to amend the necessary waiver(s) and the State Plan under Titles XIX and XXI of				
10	the Social Security Act to include changes to services covered, provider qualifications,				
11	medical necessity criteria, and rates and rate methodologies for private duty nursing. The				
12	adjustments to these services shall meet the needs of members and maintain budget neutrality				
13	by not requiring any additional expenditure of general fund beyond the current projected				
14	appropriation for such nursing services.				
15	2. The department shall have authority to implement these changes to be effective July 1,				
16	2019. The department shall also have authority to promulgate any emergency regulations				
17	required to implement these necessary changes within 280 days or less from the enactment				
18	dated of this act. The department shall submit a report and estimates of any projected cost				
19	savings to the Chairmen of the House Appropriations and Senate Finance Committees 30 days				
20	prior to implementation of such changes.				
21	3. The department shall work with stakeholders to review changes to services covered,				
22	provider qualifications, rates and rate methodologies for private duty nursing services, and				
23	make recommendations to the Chairmen of the House Appropriations and Senate Finance				
24	Committees by December 15, 2018.				
25	UUU. Effective July 1, 2018, the Department of Medical Assistance Services shall explore				
26	private sector technology based platforms and service delivery options to allow qualified,				
27	licensed providers to deliver the Consumer-Directed Agency with Choice model in the				
28	Commonwealth of Virginia. The department shall work with stakeholders to examine this				
29	model of care and assess the changes that would be required including the services covered,				
30	provider qualifications, medical necessity criteria, reimbursement methodologies and rates to				
31	implement the model. The department shall submit a report on its findings to the Chairmen of				
32	the House Appropriations and Senate Finance Committees by December 1, 2018.				
33	VVV. Effective July 1, 2019, the department shall amend the State Plan for Medical				
34	Assistance to clarify payment rules for new nursing homes or renovations that qualify for				
35	mid-year rate adjustments, to include the following:				
36	1. For any facility whose Fair Rental Value report has less than 12 months of experience, the				
37	department shall develop an occupancy schedule that represents average statewide occupancy				
38	by month of operation for use in calculating the per diem rate in lieu of a minimum occupancy				
39	requirement or actual occupancy.				
40	2. Any new beds or renovations placed in service between the reporting year and the rate year				
41	shall be treated as a mid-year rate adjustment. No new rate will be made after April 30. Rate				
42	updates that fall between May 1 and June 30 shall be effective July 1 of the same year.				
43	3. The department shall annualize real estate taxes, property taxes and property insurance				
44	costs that do not represent a full year's cost.				
45	4. Costs shall be based on currently available documentation at the time but are subject to				
46	audit. The department may use any reasonable method to estimate costs for which there is				
47	inadequate documentation. Any adjustments based on subsequent documentation or audit for				
48	a current rate year shall be applied beginning with the next rate year.				
49	5. The department shall have 15 days from the date of the provider's submission to determine				
50	if the filing is complete for purposes of setting a rate for a new or renovated facility. The				
51	facility shall have 15 days from the date the filing is deemed incomplete to submit the				
52	required information. The deadline for setting the rate shall be extended for 30 days after the				
53	filing is deemed complete.				
54	6. Providers may propose a phased renovation subject to approval by the department. The				

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1	phased renovation may include reductions to available beds. Any modifications to the				
2	proposed renovation are also subject to approval by the department.				
3	7. The department shall have the authority to implement these reimbursement changes				
4	effective July 1, 2019 and prior to the completion of any regulatory process undertaken in				
5	order to effect such change.				
6	WWW. The Department of Medical Assistance Services shall amend the State Plan for				
7	Medical Assistance and any relevant waivers thereof to modify reimbursement for				
8	Hospice services provided to patients residing in facilities to include at least 100 percent				
9	of the relevant Medicaid facility rate for that individual, a component commonly referred				
10	to as "room and board." To the extent allowed under federal law and regulation, the				
11	Department shall further amend the State plan and/or relevant waivers thereof to pay this				
12	"room and board" rate in effect with no discount applied to the facility directly, thus				
13	eliminating the Hospice from its role in passing-through this facility payment to the				
14	facility. To the extent federal approval of this direct payment component is dependent on				
15	whether it is in the State Plan or in relevant waivers, the Department shall implement the				
16	direct payment where federal approval is achieved. The department shall have authority to				
17	implement these changes effective July 1, 2019 and prior to the completion of any				
18	regulatory process undertaken in order to effect such change.				
19	XXX. Effective July 1, 2019, the Department of Medical Assistance Services shall				
20	increase the telehealth originating site facility fee to 100 percent of the Medicare rate and				
21	shall reflect changes annually based on any changes in the Medicare rate. The department				
22	shall exempt Federally Qualified Health Centers and Rural Health Centers from this				
23	reimbursement change. The department shall have the authority to implement these				
24	changes prior to completion of any regulatory process undertaken in order to effect such				
25	change.				
26	YYY.1. The Department of Medical Assistance Services shall work with the Department				
27	of Behavioral Health and Developmental Services and stakeholders to develop the				
28	continuum of evidence-based, trauma-informed, and cost-effective mental health services				
29	recommended by the University of Colorado Farley Center for Health Policy that will				
30	result in the best outcomes for Medicaid and FAMIS members. This continuum shall				
31	include community mental health rehabilitation services (including early intervention				
32	services) and integrated behavioral health in primary care and school settings.				
33	2. The department shall develop the necessary waiver(s) and the State Plan amendments				
34	under Titles XIX and XXI of the Social Security Act to fulfill this item, including but not				
35	limited to, changes to the medical necessity criteria, services covered, provider				
36	qualifications, and reimbursement methodologies and rates for Community Mental Health				
37	and Rehabilitation Services. The department shall work with its contractors, the				
38	Department of Behavioral Health and Developmental Services, and appropriate				
39	stakeholders to develop service definitions, utilization review criteria, provider				
40	qualifications, and rates and reimbursement methodologies. The department shall also				
41	work with its actuary to model the fiscal impact of the proposed continuum.				
42	3. Prior to the submission of any state plan amendment or waivers to implement these				
43	changes, the Department of Medical Assistance Services and Department of Behavioral				
44	Health and Developmental Services shall submit a plan detailing the changes in provider				
45	rates, new services added and any other programmatic or cost changes to the Chairmen of				
46	the House Appropriations and Senate Finance Committees. The departments shall submit				
47	this report no later than December 1, 2019.				
48	4. Upon approval of the 2020 General Assembly and the federal Centers for Medicare and				
49	Medicaid Services, the department shall have authority to implement these changes.				
50	ZZZ. The Department of Medical Assistance Services shall amend the State Plan for				
51	Medical Assistance to increase reimbursement for Critical Access Hospitals by using an				
52	adjustment factor or percent of cost reimbursement of 100% for inpatient operating and				
53	capital rates and outpatient rates effective July 1, 2019. The department shall have the				
54	authority to implement these changes effective July 1, 2019 and prior to completion of any				
55	regulatory action to effect such change.				

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1	AAAA. The Department of Medical Assistance Services shall pursue any and all alternatives			
2	and cost based reimbursement models to allow a private hospital in rural Southwest Virginia			
3	that has closed in the last five years to recoup capital startup costs and minimize operating			
4	losses for the next five years, including but not limited to optimizing federal matching dollars			
5	in accordance with federal law.			
6	BBBB. The Department of Medical Assistance Services and the Department of Behavioral			
7	Health and Developmental Services shall recognize the Certified Employment Support			
8	Professional (CESP) and Association of Community Rehabilitation Educators (ACRE)			
9	certifications in lieu of competency requirements for supported employment staff in the			
10	Medicaid Community Living, Family and Individual Support and Building Independence			
11	Waiver programs and shall allow providers that are Department for the Aging and			
12	Rehabilitative Services vendors that hold a national three-year accreditation from the			
13	Commission on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to			
14	meet employment staff competency requirements, provided the provider submits the results			
15	from their CARF surveys including recommendations received to the Department of			
16	Behavioral Health and Developmental Services so that the agency can verify that there are no			
17	recommendations for the standards that address staff competency.			
18	CCCC. Effective July 1, 2019, the Department of Medical Assistance Services shall amend			
19	the State Plan for Medical Assistance to increase the practitioner rates for primary care			
20	services by five percent and rates for Emergency Department services by one percent to			
21	reflect the equivalent of 70 percent of the 2018 Medicare rates. The department shall ensure			
22	through its contracts with managed care organizations that the rate increase is reflected in			
23	their rates to providers. The department shall have the authority to implement these			
24	reimbursement changes prior to the completion of the regulatory process.			
25	DDDD. Effective July 1, 2019, the Department of Medical Assistance Services shall amend			
26	the State Plan for Medical Assistance to create a separate service category for psychiatric			
27	services and to increase practitioner rates for psychiatric services by 21 percent to reflect the			
28	equivalent of 100 percent of the 2018 Medicare rates. All practitioners who bill these services			
29	shall receive new rates. The department shall have the authority to implement these			
30	reimbursement changes prior to the completion of the regulatory process.			
31	EEEE. The Department of Medical Assistance Services shall develop a methodology for			
32	Disproportionate Share Hospital (DSH) payments that recognizes and creates incentives for			
33	private hospitals in providing medical services for individuals subject to temporary detention			
34	orders (TDOs). The methodology shall factor in utilization related to TDOs in the DSH			
35	methodology. The department shall have the authority to modify the State Plan for Medical			
36	Assistance and to implement the changes in the DSH methodology effective January 1, 2019			
37	and prior to the completion of the regulatory process. The department shall report on the			
38	details of the methodology, and the potential impact on allocations to hospitals, to the			
39	Chairmen of the House Appropriations and Senate Finance Committees by December 1,			
40	2019.			
41	FFFF. Notwithstanding any other provision of law, any unexpended general fund			
42	appropriation remaining in this item on the last day of each fiscal year shall revert to the			
43	general fund and shall not be reappropriated in the following fiscal year.			
44	GGGG. The Department of Medical Assistance Services shall amend its contracts with			
45	managed care organizations to require written notification and training to agency-directed			
46	personal care providers at least 60 days prior to the implementation of all changes to Quality			
47	Management Review and prior authorization policies and processes consistent with state and			
48	federal regulations.			
49	304.	Not set out.		
50	305.	Medical Assistance Services for Low Income		
51		Children (46600).....		\$187,688,174
52				\$204,876,631
53		Reimbursements for Medical Services Provided to		
54		Low-Income Children (46601).....		\$187,688,174
55				\$204,876,631
				\$199,730,527

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		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: General.....	\$21,802,581	\$40,866,198		
2			\$39,882,173		
3	Federal Trust.....	\$165,885,593	\$164,010,433		
4			\$159,848,354		
5	Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended,				
6	Titles XIX and XXI, Social Security Act, Federal Code.				
7	To the extent that appropriations in this Item are insufficient, the Department of Planning				
8	and Budget shall transfer general fund appropriation, as needed, from Children's Health				
9	Insurance Program Delivery (44600) and Medicaid Program Services (45600), if				
10	available, into this Item to be used as state match for federal Title XXI funds.				
11	306. Not set out.				
12	307. Administrative and Support Services (49900).....			\$276,209,635	\$288,267,024
13	General Management and Direction (49901).....	\$265,655,182	\$277,712,571		
14	Administrative Support for the Family Access to				
15	Medical Insurance Security Plan (49932).....	\$10,554,453	\$10,554,453		
16	Fund Sources: General.....	\$63,468,138	\$66,081,185		
17	Special.....	\$2,305,332	\$2,334,320		
18	Dedicated Special Revenue.....	\$11,620,070	\$18,553,043		
19	Federal Trust.....	\$198,816,095	\$201,298,476		
20	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles				
21	XIX and XXI, Social Security Act, Federal Code.				
22	A.1. By November 1 of each year, the Department of Planning and Budget, in cooperation				
23	with the Department of Medical Assistance Services, shall prepare and submit a forecast				
24	of Medicaid expenditures, upon which the Governor's budget recommendations will be				
25	based, for the current and subsequent two years to the Chairmen of the House				
26	Appropriations and Senate Finance Committees. In addition to the expenditure forecast,				
27	the Department of Medical Assistance Services shall provide a breakout that shows				
28	forecasted expenditures by caseload/utilization, inflation, and policy changes. An				
29	enrollment forecast for the same forecast period shall also be submitted with the				
30	expenditure forecast.				
31	2. The forecast shall be based upon current state and federal laws and regulations. The				
32	forecast shall only include expenditures for medical services in Program 45600 and shall				
33	exclude administrative expenditures. Rebasement and inflation estimates that are required by				
34	existing law or regulation for any Medicaid provider shall be included in the forecast. The				
35	forecast shall also include an estimate of projected increases or decreases in managed care				
36	costs, including estimates regarding changes in managed care rates for the three-year				
37	period. In preparing for each year's forecast of the managed care portions of the budget,				
38	the department shall submit to its actuarial contractor a letter, with a copy sent to the				
39	Department of Planning and Budget and the Chairmen of the House Appropriations and				
40	Senate Finance Committees. This letter shall document the department's request for a				
41	point estimate of the rate of increase in rates, based on application of actuarial principals				
42	and methodologies and information available at the time of the forecast, that the contractor				
43	estimates will occur in the years being forecast, and shall specify the population groupings				
44	for which estimates are requested. The department shall request that the contractor reply in				
45	writing with a copy to all parties copied on the department's letter.				
46	3. The Department of Planning and Budget and the Department of Medical Assistance				
47	Services shall convene a meeting on or before October 15 of each year with the				
48	appropriate staff from the House Appropriations and Senate Finance Committees to				
49	review current trends and the assumptions used in the Medicaid forecast prior to its				
50	finalization. The departments shall provide at this meeting a complete list of all policy and				
51	manual adjustments along with the estimated amounts of each adjustment by fiscal year				
52	that will be included in the Medicaid forecast due November 1.				
53	B.1. The Department of Medical Assistance Services (DMAS) shall submit monthly				
54	expenditure reports of the Medicaid program by service that shall compare expenditures to				

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1	the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly			
2	Session. The monthly report shall be submitted to the Department of Planning and Budget and			
3	the Chairmen of the House Appropriations and Senate Finance Committees within 20 days			
4	after the end of each month. DMAS shall convene a meeting each quarter with the Secretary			
5	of Finance, Secretary of Health and Human Resources, or their designees, and appropriate			
6	staff from the Department of Planning and Budget, House Appropriations and Senate Finance			
7	Committees, and Joint Legislative Audit and Review Commission to explain any material			
8	differences in expenditures compared to the official Medicaid forecast, adjusted to reflect			
9	budget actions from each General Assembly Session. If necessary, the department shall			
10	provide options to bring expenditures in line with available resources. At each quarterly			
11	meeting, the department shall provide an update on any changes to the managed care			
12	programs, or contracts with managed care organizations, that includes detailed information			
13	and analysis on any such changes that may have an impact on the capitation rates or overall			
14	fiscal impact of the programs, including changes that may result in savings. Specifically, the			
15	department shall report on the Discrete Incentive Transition Program with information			
16	regarding the number of individuals that transition from nursing facilities, payments to			
17	managed care organizations, and outcomes and quality data for the individual plan members			
18	that transition into the community. In addition, the department shall report on utilization and			
19	other trends in the managed care programs.			
20	2. The Department of Medical Assistance Services shall submit a quarterly report			
21	summarizing managed care encounter data by service category in a format similar to the			
22	report in paragraph B.1. This quarterly report shall be submitted to the Department of			
23	Planning and Budget and the Chairmen of the House Appropriations and Senate Finance			
24	Committees no later than 30 days after the end of each quarter.			
25	3. The Department of Medical Assistance Services shall track expenditures for the prior fiscal			
26	year that ended on June 30, that includes the expenditures associated with changes in services			
27	and eligibility made in the Medicaid and FAMIS programs adopted by the General Assembly			
28	in the past session(s). Expenditures related to changes in services and eligibility adopted in a			
29	General Assembly Session shall be included in the report for five fiscal years beginning from			
30	the first year the policy impacted expenditures in the Medicaid and FAMIS programs. The			
31	department shall report the expenditures of each funding change separately and show the			
32	impact by fiscal year. The report shall be submitted to the Department of Planning and Budget			
33	and the Chairmen of the House Appropriations and Senate Finance Committees by October 1			
34	of each year.			
35	C.1. It is the intent of the General Assembly that the Department of Medical Assistance			
36	Services provide more data regarding Medicaid and other programs operated by the			
37	department on their public website. The department shall create a central website that			
38	consolidates data and statistical information to make the information more readily available to			
39	the general public. At a minimum the information included on such website shall include			
40	monthly enrollment data, expenditures by service, and other relevant data.			
41	2. No later than June 30, 2018, the department shall make Medicaid and other agency data			
42	stored in the agency's data warehouse available through the department's website that			
43	includes, at a minimum, interactive tools for the user to select, display, manipulate and export			
44	requested data.			
45	D. The Department of Medical Assistance Services shall notify the Director, Department of			
46	Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance			
47	Committees at least 30 days prior to any change in capitated rates for managed care			
48	companies. The notification shall include the amount of the rate increase or decrease, and the			
49	projected impact on the state budget.			
50	E.1. Effective January 1, 2018, the Department of Medical Assistance Services shall include			
51	in all its contracts with managed care organizations (MCOs) the following:			
52	a. A provision requiring the MCOs to return one-half of the underwriting gain in excess of			
53	three percent of Medicaid premium income up to 10 percent. The MCOs shall return 100			
54	percent of the underwriting gain above 10 percent.			
55	b. A requirement for detailed financial and utilization reporting. The reported data shall			
56	include: (i) income statements that show expenses by service category; (ii) balance sheets;			

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1	(iii) information about related-party transactions; and (iv) information on service			
2	utilization metrics.			
3	c. Upon the inclusion of behavioral health care in managed care, behavioral health-			
4	specific metrics to identify undesirable trends in service utilization.			
5	d. Upon the inclusion of behavioral health care in managed care, a report on their policies			
6	and processes for identifying behavioral health providers who provide inappropriate			
7	services and the number of such providers that are disenrolled.			
8	2. For rate periods effective January 1, 2018 and thereafter, the Department of Medical			
9	Assistance Services shall direct its actuary as part of the rate setting process to:			
10	a. Identify potential inefficiencies in the Medallion program and adjust capitation rates for			
11	expected efficiencies. The department is authorized to phase-in this adjustment over time			
12	based on the portion of identified inefficiencies that MCOs can reasonably reduce each			
13	year.			
14	b. Monitor medical spending for related-party arrangements and adjust historical medical			
15	spending when deemed necessary to ensure that capitation rates do not cover excessively			
16	high spending as compared to benchmarks. Related-party arrangements shall mean those			
17	in which there is common ownership or control between the entities, and shall not include			
18	Medicaid payments otherwise authorized in this item.			
19	c. Adjust capitation rates in the Medallion program to account for a portion of expected			
20	savings from required initiatives.			
21	d. Allow negative historical trends in medical spending to be carried forward when setting			
22	capitation rates.			
23	e. Annually rebase administrative expenses per member per month for projected			
24	enrollment changes.			
25	f. Annually incorporate findings on unallowable administrative expenses from audits of			
26	MCOs into its calculations of underwriting gain and administrative loss ratios for the			
27	purposes of ongoing financial monitoring, including enforcement of the underwriting gain			
28	cap.			
29	g. Adjust calculations of underwriting gain and medical loss ratio by classifying as profit			
30	medical spending that is excessively high due to related-party arrangements.			
31	3. The Department of Medical Assistance Services shall report to the General Assembly			
32	on spending and utilization trends within Medicaid managed care, with detailed			
33	population and service information and include an analysis and report on the underlying			
34	reasons for these trends, the agency's and MCOs' initiatives to address undesirable trends,			
35	and the impact of those initiatives. The report shall be submitted each year by September			
36	1.			
37	4. The Department of Medical Assistance Services shall develop a proposal for cost			
38	sharing requirements based on family income for individuals eligible for long-term			
39	services and supports through the optional 300 percent of Supplemental Security Income			
40	eligibility category and submit the proposal to the Centers for Medicare and Medicaid			
41	Services to determine if such a proposal is feasible. No cost sharing requirements shall be			
42	implemented unless approved by the General Assembly.			
43	F. The Department of Medical Assistance Services, to the extent permissible under federal			
44	law, shall enter into an agreement with the Department of Behavioral Health and			
45	Developmental Services to share Medicaid claims and expenditure data on all Medicaid-			
46	reimbursed mental health, intellectual disability and substance abuse services, and any			
47	new or expanded mental health, intellectual disability retardation and substance abuse			
48	services that are covered by the State Plan for Medical Assistance. The information shall			
49	be used to increase the effective and efficient delivery of publicly funded mental health,			
50	intellectual disability and substance abuse services.			
51	G. The Department of Medical Assistance Services, in collaboration with the Department			

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1	of Behavioral Health and Developmental Services, shall convene a stakeholder workgroup, to			
2	meet at least once annually, with representatives of the Virginia Association of Community			
3	Services Boards, the Virginia Network of Private Providers, the Virginia Association of			
4	Centers for Independent Living, Virginia Association of Community Rehabilitation Programs			
5	(VaACCSES), the disAbility Law Center of Virginia, the ARC of Virginia, and other			
6	stakeholders including representative family members, as deemed appropriate by the			
7	Department of Medical Assistance Services. The workgroup shall: (i) review data from the			
8	previous year on the distribution of the SIS levels and tiers by region and by waiver; (ii)			
9	review the process, information considered, scoring, and calculations used to assign			
10	individuals to their levels and reimbursement tiers; (iii) review the communication which			
11	informs individuals, families, providers, case managers and other appropriate parties about the			
12	SIS tool, the administration, and the opportunities for review to ensure transparency; and (iv)			
13	review other information as deemed necessary by the workgroup. The department shall report			
14	on the results and recommendations of the workgroup to the General Assembly by October 1			
15	of each year.			
16	H.1. The Department of Medical Assistance Services (DMAS) shall take actions to improve			
17	the reliability of Medicaid eligibility screenings for long-term services and supports,			
18	including: (i) validation of the children's criteria used with the Uniform Assessment			
19	Instrument to determine eligibility for Medicaid long-term services and supports, and (ii)			
20	design and implementation of an inter-rater reliability test for the pre-admission screening			
21	process.			
22	2. The department shall work with relevant stakeholders to (i) assess whether hospital			
23	screening teams are making appropriate recommendations regarding placement in institutional			
24	care or home and community-based care; (ii) determine whether hospitals should have a role			
25	in the screening process; and (iii) determine what steps must be taken to ensure the Uniform			
26	Assessment Instrument is implemented consistently and does not lead to unnecessary			
27	institutional placements.			
28	3. The department shall report to the General Assembly by December 1 on steps taken to			
29	address the risks associated with hospital screenings, including any statutory or regulatory			
30	changes needed to improve such screenings.			
31	I. The Department of Medical Assistance Services (DMAS) shall collect and provide to the			
32	Office of Children's Services (OCS) all information and data necessary to ensure the			
33	continued collection of local matching dollars associated with payments for Medicaid eligible			
34	services provided to children through the Children's Services Act as required in Item 282, C.2.			
35	of this Act. This information and data shall be collected by DMAS and provided to OCS on a			
36	monthly basis.			
37	J. The Departments of Medical Assistance Services (DMAS) and Social Services (DSS) shall			
38	collaborate with the League of Social Services Executives, and other stakeholders to analyze			
39	and report data that demonstrates the accuracy, efficiency, compliance, quality of customer			
40	service, and timeliness of determining eligibility for the Medicaid, CHIP and Governor's			
41	Access Program (GAP) programs. Based on this collaboration, the departments shall develop			
42	meaningful performance metrics on data in agency systems that shall be used to monitor			
43	eligibility trends, address potential compliance problem areas and implement best practices.			
44	DMAS shall maintain on its website a public dashboard on eligibility performance that			
45	includes performance metrics developed through collaborative efforts as well as the			
46	performance of local departments of social services and any centralized eligibility-processing			
47	unit. Effective August 1, 2018 this dashboard shall be updated for the previous quarter and 30			
48	days following the end of each quarter thereafter.			
49	K. In addition to any regional offices that may be located across the Commonwealth, any			
50	statewide, centralized call center facility that operates in conjunction with a brokerage			
51	transportation program for persons enrolled in Medicaid or the Family Access to Medical			
52	Insurance Security plan shall be located in Norton, Virginia.			
53	L. The Department of Medical Assistance Services shall, to the extent possible, require web-			
54	based electronic submission of provider enrollment applications, revalidations and other			
55	related documents necessary for participation in the fee-for-service program under the State			
56	Plans for Title XIX and XXI of the Social Security Act.			

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1	M. The Department of Medical Assistance Services, in collaboration with the Department				
2	of Social Services, shall require Medicaid eligibility workers to search for unreported				
3	assets at the time of initial eligibility determination and renewal, using all currently				
4	available sources of electronic data, including local real estate property databases and the				
5	Department of Motor Vehicles for all Medicaid applicants and recipients whose assets are				
6	subject to an asset limit under Medicaid eligibility requirements.				
7	N.1. The Department of Medical Assistance Services shall require eligibility workers to				
8	verify income, using currently available Virginia Employment Commission data, for				
9	applicants and recipients who report no earned or unearned income. The Department shall,				
10	at the earliest date feasible but no later than October 1, 2017, require all Medicaid				
11	eligibility workers to apply the same protocols when verifying income for all applicants				
12	and recipients, including those who report no earned or unearned income.				
13	2. The Department shall amend the Virginia Medicaid application, upon approval of the				
14	federal Centers for Medicare and Medicaid, to require a Medicaid applicant to opt out if				
15	such applicant does not want to grant permission to the state to use his federal tax returns				
16	for the purposes of renewing eligibility. The Department shall implement the necessary				
17	regulatory changes and other necessary measures to be consistent with federal approval of				
18	any appropriate state plan changes, and prior to the completion of any regulatory process				
19	undertaken in order to effect such change.				
20	O.1. The Department of Medical Assistance Services shall report on the operations and				
21	costs of the Medicaid call center (also known as the Cover Virginia Call Center). This				
22	report shall include number of calls received on a monthly basis, the purpose of the call,				
23	the number of applications for Medicaid submitted through the call center, and the costs of				
24	the contract. The department shall submit the report by August 15 of each year to the				
25	Director, Department of Planning and Budget and the Chairmen of the House				
26	Appropriations and Senate Finance Committees.				
27	2. Out of this appropriation, \$3,283,004 the first year and \$3,283,004 the second year from				
28	the general fund and \$9,839,000 the first year and \$9,839,000 the second year from				
29	nongeneral funds is provided for the enhanced operation of the Cover Virginia Call Center				
30	as a centralized eligibility processing unit (CPU) that shall be limited to processing				
31	Medicaid applications received from the Federally Facilitated Marketplace, telephonic				
32	applications through the call center, or electronically submitted Medicaid-only				
33	applications. The department shall report the number of applications processed on a				
34	monthly basis and payments made to the contractor to the Director, Department of				
35	Planning and Budget and the Chairman of the House Appropriations and Senate Finance				
36	Committees. The report shall be submitted no later than 30 days after the end of each				
37	quarter of the fiscal year.				
38	3. The Secretary of Health and Human Resources shall convene an interagency workgroup				
39	of the Department of Medical Assistance Services (DMAS), the Department of Social				
40	Services (DSS), and the Department of Planning and Budget (DPB) and representatives of				
41	the Virginia League of Social Services Executives to assess the programmatic, operational				
42	and fiscal impact of consolidating the Cover Virginia call center with the call center				
43	operated by DSS to determine if more efficient and cost effective services can be				
44	achieved, prior to the reprocurement of the Cover Virginia call center contract. The				
45	workgroup shall develop an implementation plan and funding adjustments, that may be				
46	needed, to implement a consolidated call center. The Secretary shall report on the results				
47	of the assessment and any recommendations to the Chairmen of the House Appropriations				
48	and Senate Finance Committee by September 1, 2019.				
49	P.1. Out of this appropriation, \$5,835,000 the first year and \$5,835,000 the second year				
50	from the general fund and \$52,515,000 the first year and \$52,515,000 the second year				
51	from nongeneral funds shall be provided to replace the Medicaid Management				
52	Information System.				
53	2. Within 30 days of awarding a contract or contracts related to the replacement project,				
54	the Department of Medical Assistance Services shall provide the Chairmen of the House				
55	Appropriations and Senate Finance Committees, and the Director, Department of Planning				
56	and Budget, with a copy of the contract including costs.				

ITEM 307.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	3. Beginning July 1, 2016, the Department of Medical Assistance Services shall provide				
2	annual progress reports that must include a current project summary, implementation status,				
3	accounting of project expenditures and future milestones. All reports shall be submitted to the				
4	Chairmen of House Appropriations and Senate Finance Committees, and Director,				
5	Department of Planning and Budget.				
6	Q.1. Out of this appropriation, \$1,675,000 the first year and \$1,675,000 the second year from				
7	special funds is appropriated to the Department of Medical Assistance Services (DMAS) for				
8	the disbursement of civil money penalties (CMP) levied against and collected from Medicaid				
9	nursing facilities for violations of rules identified during survey and certification as required				
10	by federal law and regulation. Based on the nature and seriousness of the deficiency, the				
11	Agency or the Centers for Medicare and Medicaid Services may impose a civil money				
12	penalty, consistent with the severity of the violations, for the number of days a facility is not				
13	in substantial compliance with the facility's Medicaid participation agreement. Civil money				
14	penalties collected by the Commonwealth must be applied to the protection of the health or				
15	property of residents of nursing facilities found to be deficient. Penalties collected are to be				
16	used for (1) the payment of costs incurred by the Commonwealth for relocating residents to				
17	other facilities; (2) payment of costs incurred by the Commonwealth related to operation of				
18	the facility pending correction of the deficiency or closure of the facility; and (3)				
19	reimbursement of residents for personal funds or property lost at a facility as a result of				
20	actions by the facility or individuals used by the facility to provide services to residents.				
21	These funds are to be administered in accordance with the revised federal regulations and law,				
22	42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for				
23	Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this				
24	purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in				
25	accordance with this provision.				
26	2. Of the amounts appropriated in Q.1. of this Item, up to \$175,000 the first year and				
27	\$175,000 the second year from special funds may be used for the costs associated with				
28	administering CMP funds.				
29	3. Of the amounts appropriated in Q.1. of this Item, up to \$1,000,000 the first year and				
30	\$1,000,000 the second year from the special funds may be used for special projects that				
31	benefit residents and improve the quality of nursing Facilities.				
32	4. By October 1 of each year, the department shall provide an annual report of the previous				
33	fiscal year that includes the amount of revenue collected and spending activities to the				
34	Chairmen of the House Appropriations and Senate Finance Committees and the Director,				
35	Department of Planning and Budget.				
36	5. No spending or activity authorized under the provisions of paragraph Q. of this Item shall				
37	necessitate general fund spending or require future obligations to the Commonwealth.				
38	6. The department shall maintain CMP special fund balance of at least \$1.0 million to address				
39	emergency situations in Virginia's nursing facilities.				
40	R. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the				
41	general fund shall be provided to contract with the Virginia Center for Health Innovation for				
42	research, development and tracking of innovative approaches to healthcare delivery.				
43	S.1. Out of this appropriation, \$40,332 the first year and \$69,320 the second year from special				
44	funds and \$295,764 the first year and \$266,776 the second year from federal funds shall be				
45	used to contract with Vision to Learn, a non-profit organization, to provide vision exams and				
46	corrective lenses and frames, if necessary, to school age children enrolled in Title I schools				
47	where at least 51 percent of the student body qualifies for free or reduced lunch. Vision to				
48	Learn will provide services through a mobile eye clinic, and must have a formalized				
49	agreement with targeted schools being serviced. The Department of Medical Assistance				
50	Services (DMAS) shall reimburse Vision to Learn for services provided to children that do				
51	not have another source of payment. The department shall reimburse for services rendered at				
52	the standard fee-for-service reimbursement rates.				
53	2. Federal trust funds for these services will be accessed through the Children's Health				
54	Insurance Program (CHIP) Health Services Initiative allowed by Section 2015(a)(1)(D)(ii) of				
55	the Social Security Act and 42 CFR 457.10. The department is authorized to match federal				

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	trust funds with local public and private contributions for the purpose of reimbursing			
2	Vision to Learn for eye exams and corrective lenses and frames, if necessary, to school			
3	age children.			
4	3. The funding of these services is contingent on continued federal funding for the			
5	Children's Health Insurance Program (CHIP), and is further limited by the availability of			
6	CHIP administrative funds. This language should not be construed as authorizing a new			
7	Medicaid or CHIP benefit, or as creating a new entitlement.			
8	T. The Director, the Department of Medical Assistance Services, shall include language in			
9	all managed care contracts, for all department programming, requiring the plan sponsor to			
10	report quarterly to the department for all pharmacy claims; the amount paid to the			
11	pharmacy provider per claim, including but not limited to cost of drug reimbursement;			
12	dispensing fees; copayments; and the amount charged to the plan sponsor for each claim			
13	by its pharmacy benefit manager. In the event there is a difference between these amounts,			
14	the plan sponsor shall report an itemization of all administrative fees, rebates, or			
15	processing charges associated with the claim. All data and information provided by the			
16	plan sponsor shall be kept secure; and notwithstanding any other provision of law, the			
17	department shall maintain the confidentiality of the proprietary information and not share			
18	or disclose the proprietary information contained in the report or data collected with			
19	persons outside the department. Only those department employees involved in collecting,			
20	securing and analyzing the data for the purpose of preparing the report shall have access to			
21	the proprietary data. The department shall annually provide a report using aggregated data			
22	only to the Chairmen of the House Appropriations and Senate Finance Committees on the			
23	implementation of this initiative and its impact on program expenditures by October 1 of			
24	each year. Nothing in the report shall contain confidential or proprietary information.			
25	U. The Department of Medical Assistance Services shall, prior to the end of each fiscal			
26	quarter, determine and properly reflect in the accounting system whether pharmacy			
27	rebates received in the quarter are related to fee-for-service or managed care expenditures			
28	and whether or not the rebates are prior year recoveries or expenditure refunds for the			
29	current year. All pharmacy rebates for the quarter determined to be prior year revenue			
30	shall be deposited to the Virginia Health Care Fund before the end of the fiscal quarter.			
31	The department shall create and use a separate revenue source code to account for			
32	pharmacy rebates in the Virginia Health Care Fund.			
33	V.1. Effective with the development of the 2020-2022 biennium, it is the intent of the			
34	General Assembly that there is hereby established an annual Medicaid state spending			
35	target for each fiscal year. The Joint Subcommittee for Health and Human Resources			
36	Oversight shall establish the annual target by September 15 of each year for the following			
37	two fiscal years. The target shall take into account the following: a 10-year rolling average			
38	of Medicaid expenditures by eligibility category and utilization of services, a 20-year			
39	rolling average of general fund revenue growth, and for policy decisions adopted by			
40	General Assembly during the previous Session which impact Medicaid spending.			
41	2. In the event of an economic recession, the Joint Subcommittee may take into			
42	consideration enrollment and spending trends experienced during previous recessions in			
43	establishing the targets.			
44	3. It is the intent of the General Assembly that the Governor abide by the spending target			
45	for Medicaid state spending, as established by the Joint Subcommittee, in developing the			
46	introduced budget each year and shall notify the Chairmen of the House Appropriations			
47	and Senate Finance Committees in the event the target cannot be met, along with the			
48	reason it cannot be met.			
49	W. Out of this appropriation, \$225,000 the first year from the general fund and \$225,000			
50	the first year from federal funds shall be used to hire an expert contractor or contractors to			
51	review the Department of Medical Assistance Services' (DMAS) federal expenditure and			
52	budget reporting as well as aid the department with improvements to cost allocation plans			
53	and federal advanced planning documents. On or before October 1, 2020, DMAS shall			
54	provide a report that details all areas examined, findings and improvements to Director,			
55	Department of Planning and Budget and the Chairmen of the House Appropriations and			
56	Senate Finance Committees.			

ITEM 307.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	X. The Department of Medical Assistance Services, in collaboration with the Department of				
2	Social Services, may consider and review proofs of concept from vendors for a pilot program				
3	to improve screening services for income and assets as part of the Medicaid eligibility				
4	determination process for both initial applications and renewals. Any such pilot program may				
5	include innovative methods to increase automation of various financial accounts to improve				
6	the verification process for eligibility. The pilot may also include methods to monitor				
7	compliance with the provisions of the Training, Education, Employment, and Opportunity				
8	Program pursuant to a § 1115 Demonstration Waiver. Any proofs of concept submitted by a				
9	vendor shall include cost estimates of such a pilot program. If the Department of Medical				
10	Assistance Services determines that a proof of concept by a vendor may significantly improve				
11	the eligibility determination process, the department shall notify the Chairmen of the House				
12	Appropriations and Senate Finance Committees with details and cost estimates of a potential				
13	pilot program.				
14	Y. The Director, Department of Planning and Budget, shall unallot \$4,611,953 from the				
15	general fund in this Item and revert the appropriation to the general fund, on or before June				
16	30, 2019, which reflects carryforward balances from fiscal year 2018.				
17	Z. The Department of Medical Assistance Services, in collaboration with the Department of				
18	Social Services, shall provide data by the first day of each month, to each managed care				
19	organization, that includes the renewal dates for each member enrolled in their plan that will				
20	occur in the next 60 days. The department shall work with the managed care organizations to				
21	develop processes to reduce the number of renewals lapsing each year for Medicaid and				
22	Family Access to Insurance Security (FAMIS) enrollees.				
23	AA. The Department of Medical Assistance Services shall report a detailed accounting,				
24	annually, of the agency's organization and operations. This report shall include an				
25	organizational chart that shows all full- and part-time positions (by job title) employed by the				
26	agency as well as the current management structure and unit responsibilities. The report shall				
27	also provide a summary of organization changes implemented over the previous year. The				
28	report shall be made available on the department's website by August 15 of each year.				
29	BB. The Department of Medical Assistance Services shall, within 15 days of receiving a				
30	deferral of federal grant funds, or release of a deferral, or a disallowance letter, notify the				
31	Director, Department of Planning and Budget, and the Chairmen of the House Appropriations				
32	and Senate Finance Committees of such deferral action or disallowance. The notice shall				
33	include the amount of the deferral or disallowance and a detailed explanation of the federal				
34	rationale for the action. Any federal documentation received by the department shall be				
35	attached to the notification.				
36	CC. The Department of Medical Assistance Services shall report on the use of emergency				
37	rooms for dental issues by Medicaid covered individuals. The report shall include: (i) data on				
38	the number of Medicaid-covered individuals that utilize emergency rooms primarily for dental				
39	issues; (ii) a summary of the types of dental issues being addressed and the treatments				
40	provided; (iii) data on the frequency of individuals returning to emergency rooms that may be				
41	related to the same dental issues; and (iv) options to consider to improve awareness and				
42	access to available dental care through free clinics and other community providers to resolve				
43	dental issues. The report shall be submitted to the Chairmen of the House Appropriations and				
44	Senate Finance Committees by November 1, 2019.				
45	DD. Out of this appropriation, \$87,500 from the general fund and \$262,500 from nongeneral				
46	funds the second year, shall be provided for support of the All Payer Claims Database				
47	operated by Virginia Health Information. This appropriation is contingent on federal approval				
48	of an Operational Advanced Planning Document.				
49	EE.1. The Department of Medical Assistance Services shall cause its contracted actuary, not				
50	later than October 1, 2019, to evaluate and determine the most cost-effective pharmacy				
51	benefit delivery model, taking into account cost savings and other considerations such as				
52	clinical benefits, for all programs managed or directed by the department. In determining cost				
53	savings for each model considered, the actuary shall consider factors including rebates				
54	captured by the Commonwealth, decreased capitation rates, drug ingredient costs, generic				
55	drug dispensing, dispensing fees, drug utilization, and a single drug formulary (including the				
56	existing Common Core Formulary). The department shall report its findings to the Chairmen				
57	of the House Appropriations and Senate Finance Committees by December 1, 2019.				

ITEM 307.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2. Upon approval of the 2020 General Assembly, the department may permit Medicaid				
2	managed care organizations (MCOs) under the Commonwealth's Children's Health				
3	Insurance Programs, Medallion 4.0, the Commonwealth Coordinated Care Plus or any				
4	other program managed or directed by the department, to develop and implement the most				
5	cost-effective pharmacy benefit delivery model including medication therapy management				
6	programs and medication reconciliation programs, for Medicaid recipients effective as of				
7	July 1, 2020. However, payments for prescribed drugs and dispensing fees shall be aligned				
8	to the model that provides the most beneficial financial solution to the Commonwealth.				
9	Upon approval of the 2020 General Assembly the department is authorized to contract				
10	with a pharmacy benefit manager, provided that the contract requires transparency in				
11	dispensing fees paid, cost control and containment measures, rebates collected and paid,				
12	fees and other charges for its administration of the pharmacy benefit.				
13	3. The department is authorized to contract with a Virginia university for administration of				
14	a common formulary across its programs for pharmacy benefits upon approval of the 2020				
15	General Assembly.				
16	<i>FF. The Director, Department of Planning and Budget, shall unallot \$3,013,376 from the</i>				
17	<i>general fund in this Item and revert the appropriation to the general fund, on or before</i>				
18	<i>June 30, 2020, which reflects carryforward balances from fiscal year 2019.</i>				
19	Total for Department of Medical Assistance				
20	Services.....			\$12,602,316,686	\$15,705,558,966
21					\$15,127,300,168
22	General Fund Positions.....	257.52	259.52		
23	Nongeneral Fund Positions.....	273.48	275.48		
24	Position Level.....	531.00	535.00		
25	Fund Sources: General.....	\$5,008,158,914	\$5,159,981,592		
26			\$4,899,229,140		
27	Special.....	\$2,305,332	\$2,334,320		
28	Dedicated Special Revenue.....	\$701,952,445	\$1,097,071,653		
29			\$1,149,011,487		
30	Federal Trust.....	\$6,889,899,995	\$9,446,171,401		
31			\$9,076,725,221		
32	§ 1-22. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)				
33	308. Not set out.				
34	309. A. It is the intent of the General Assembly that the Department of Behavioral Health and				
35	Developmental Services proceed in transforming its system of care into a model that				
36	embodies best practices and state-of-the-art services. The consumer-driven system of				
37	services and supports shall promote self-determination, empowerment, recovery,				
38	resilience, health, and the highest possible level of consumer participation in all aspects of				
39	community life. The transformed system shall include investments in a suitable array and				
40	adequate quantity of community-based services, with an emphasis on consumer choice				
41	and the appropriate use of facility resources. State facilities shall be redesigned to ensure				
42	high quality care, efficient operation, and capacity necessary for persons most in need of				
43	such care. Amounts authorized herein, and in related legislation, shall be used to support				
44	the transformation of the system of care and to promote the provision of behavioral health				
45	and developmental services in the most efficient and appropriate setting. The Department				
46	of Behavioral Health and Developmental Services may consider the use of public-private				
47	partnerships to deliver behavioral health and intellectual disability services as part of the				
48	comprehensive behavioral health and intellectual disability system of care, in facilities that				
49	are being planned for renovation or replacement. These partnerships may include contracts				
50	with private entities for facility operations, unless the Department of Behavioral Health				
51	and Developmental Services can demonstrate that continued state operation of the facility				
52	is at least as cost effective and provides at least an equivalent or higher level quality care				
53	than operation by a private entity.				
54	B. Notwithstanding any law to the contrary, on July 1, of each year, excluding July 1,				

ITEM 309.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2019, the State Comptroller shall transfer to the general fund any special revenue fund				
2	balance accumulated by the Department of Behavioral Health and Developmental Services in				
3	excess of \$25,000,000. <i>Any special revenue fund allotted for the implementation of electronic</i>				
4	<i>health records shall not be counted in the balance.</i>				
5	C.1. Notwithstanding §4-5.10, §4-5.09 of this Act and paragraph C. of § 2.2-1156, Code of				
6	Virginia, the Department of Behavioral Health and Developmental Services is hereby				
7	authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral				
8	health and intellectual disability facilities into a revolving trust fund. The trust fund may				
9	initially be used for expenses associated with restructuring such facilities. Remaining				
10	proceeds after such expenses shall be dedicated to continuing services for current patients as				
11	facility services are restructured. Thereafter, the fund will be used to enhance services to				
12	individuals with mental illness, intellectual disability and substance abuse problems.				
13	2. Expenditures from the Behavioral Health and Developmental Services Trust Fund shall be				
14	subject to appropriation through an appropriations bill passed by the General Assembly.				
15	3. Any remaining balances in the Behavioral Health and Developmental Services Trust Fund				
16	shall be carried forward to the subsequent fiscal year.				
17	D. Any funds appropriated in this Act for the purpose of complying with the settlement				
18	agreement with the United States Department of Justice pursuant to civil action no:				
19	3:12cv059-JAG that remain unspent at the end of the fiscal year may be carried forward into				
20	the subsequent fiscal year in order to continue implementation of the agreement's				
21	requirements.				
22	310. Administrative and Support Services (49900).....			\$97,756,222	\$97,715,780
23					\$114,261,995
24	General Management and Direction (49901).....	\$20,525,179	\$20,599,429		
25			\$22,692,473		
26	Information Technology Services (49902).....	\$33,621,717	\$33,621,717		
27			\$48,074,888		
28	Architectural and Engineering Services (49904).....	\$2,935,876	\$2,685,876		
29	Collection and Locator Services (49905).....	\$3,079,686	\$3,079,686		
30	Human Resources Services (49914).....	\$548,566	\$548,566		
31	Planning and Evaluation Services (49916).....	\$3,626	\$3,626		
32	Program Development and Coordination (49933).....	\$37,041,572	\$37,176,880		
33	Fund Sources: General.....	\$53,429,075	\$54,594,797		
34			\$56,687,841		
35	Special.....	\$15,568,328	\$15,318,328		
36			\$29,771,499		
37	Dedicated Special Revenue.....	\$1,200,000	\$0		
38	Federal Trust.....	\$27,558,819	\$27,802,655		
39	Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2,				
40	Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.				
41	A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at				
42	the beginning of each fiscal year, establish the current capacity for each facility within the				
43	system. When a facility becomes full, the commissioner or his designee shall give notice of				
44	the fact to all sheriffs.				
45	B. The Commissioner, Department of Behavioral Health and Developmental Services shall				
46	work in conjunction with community services boards to develop and implement a graduated				
47	plan for the discharge of eligible facility clients to the greatest extent possible, utilizing				
48	savings generated from statewide gains in system efficiencies.				
49	C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the				
50	Department of Behavioral Health and Developmental Services is hereby authorized to deposit				
51	the entire proceeds of the sales of surplus land at state-owned behavioral health and				
52	intellectual disability facilities into a revolving trust fund. The trust fund may initially be used				
53	for expenses associated with restructuring such facilities. Remaining proceeds after such				
54	expenses shall be dedicated to continuing services for current patients as facility services are				
55	restructured.				

ITEM 310.		Item Details(\$)		Appropriations(\$)	
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1	D. The Department of Behavioral Health and Developmental Services shall identify and				
2	create opportunities for public-private partnerships and develop the incentives necessary				
3	to establish and maintain an adequate supply of acute-care psychiatric beds for children				
4	and adolescents.				
5	E. The Department of Behavioral Health and Developmental Services, in cooperation with				
6	the Department of Juvenile Justice, where appropriate, shall identify and create				
7	opportunities for public-private partnerships and develop the incentives necessary to				
8	establish and maintain an adequate supply of residential beds for the treatment of juveniles				
9	with behavioral health treatment needs, including those who are mentally retarded,				
10	aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization				
11	but not psychiatric hospitalization.				
12	F. Out of this appropriation, \$656,538 the first year and \$730,788 the second year from				
13	the general fund shall be provided for placement and restoration services for juveniles				
14	found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code				
15	of Virginia.				
16	G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
17	general fund shall be used to pay for legal and medical examinations needed for				
18	individuals living in the community and in need of guardianship services.				
19	H. Out of this appropriation, \$2,751,776 the first year and \$2,938,500 the second year				
20	from the general fund shall be provided for services for the civil commitment of sexually				
21	violent predators including the following: (i) clinical evaluations and court testimony for				
22	sexually violent predators who are being considered for release from state correctional				
23	facilities and who will be referred to the Clinical Review Committee for psycho-sexual				
24	evaluations prior to the state seeking civil commitment, (ii) conditional release services,				
25	including treatment, and (iii) costs associated with contracting with a Global Positioning				
26	System service to closely monitor the movements of individuals who are civilly				
27	committed to the sexually violent predator program but conditionally released.				
28	I. Out of this appropriation, \$146,871 the first year and \$146,871 the second year from the				
29	general fund shall be used to operate a real-time reporting system for public and private				
30	acute psychiatric beds in the Commonwealth.				
31	J. The Department of Behavioral Health and Developmental Services shall submit a report				
32	to the Governor and the Chairmen of the House Appropriations and Senate Finance				
33	Committees no later than December 1 of each year for the preceding fiscal year that				
34	provides information on the operation of Virginia's publicly-funded behavioral health and				
35	developmental services system. The report shall include a brief narrative and data on the				
36	numbers of individuals receiving state facility services or CSB services, including				
37	purchased inpatient psychiatric services, the types and amounts of services received by				
38	these individuals, and CSB and state facility service capacities, staffing, revenues, and				
39	expenditures. The annual report also shall describe major new initiatives implemented				
40	during the past year and shall provide information on the accomplishment of systemic				
41	outcome and performance measures during the year.				
42	K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from				
43	the general fund shall be used for a comprehensive statewide suicide prevention program.				
44	The Commissioner of the Department of Behavioral Health and Developmental Services				
45	(DBHDS), in collaboration with the Departments of Health, Education, Veterans Services,				
46	Aging and Rehabilitative Services, and other partners shall develop and implement a				
47	statewide program of public education, evidence-based training, health and behavioral				
48	health provider capacity-building, and related suicide prevention activity.				
49	L.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral				
50	Health and Developmental Services shall provide quarterly reports to the House				
51	Appropriations and Senate Finance Committees on progress in implementing the plan to				
52	close state training centers and transition residents to the community. The reports shall				
53	provide the following information on each state training center: (i) the number of				
54	authorized representatives who have made decisions regarding the long-term type of				
55	placement for the resident they represent and the type of placement they have chosen; (ii)				

ITEM 310.		Item Details(\$)		Appropriations(\$)	
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1	the number of authorized representatives who have not yet made such decisions; (iii) barriers				
2	to discharge; (iv) the general fund and nongeneral fund cost of the services provided to				
3	individuals transitioning from training centers; and (v) the use of increased Medicaid				
4	reimbursement for congregate residential services to meet exceptional needs of individuals				
5	transitioning from state training centers.				
6	2. At least six months prior to the closure of a state intellectual disabilities training center, the				
7	Commissioner of Behavioral Health and Developmental Services shall complete a				
8	comprehensive survey of each individual residing in the facility slated for closure to				
9	determine the services and supports the individual will need to receive appropriate care in the				
10	community. The survey shall also determine the adequacy of the community to provide care				
11	and treatment for the individual, including but not limited to, the appropriateness of current				
12	provider rates, adequacy of waiver services, and availability of housing. The Commissioner				
13	shall report quarterly findings to the Governor and Chairmen of the House Appropriations and				
14	Senate Finance Committees.				
15	3. The department shall convene quarterly meetings with authorized representatives, families,				
16	and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to				
17	(i) promote routine collaboration between families and authorized representatives, the				
18	department, community services boards, and private providers; (ii) ensure the successful				
19	transition of training center residents to the community; and (iii) gather input on Medicaid				
20	waiver redesign to better serve individuals with intellectual and developmental disability.				
21	4. In the event that provider capacity cannot meet the needs of individuals transitioning from				
22	training centers to the community, the department shall work with community services boards				
23	and private providers to explore the feasibility of developing (i) a limited number of small				
24	community group homes or intermediate care facilities to meet the needs of residents				
25	transitioning to the community, and/or (ii) a regional support center to provide specialty				
26	services to individuals with intellectual and developmental disabilities whose medical, dental,				
27	rehabilitative or other special needs cannot be met by community providers. The				
28	Commissioner shall report on these efforts to the House Appropriations and Senate Finance				
29	Committees as part of the quarterly report, pursuant to paragraph L.1.				
30	M.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in				
31	collaboration with the Secretary of Health and Human Resources and the Department of				
32	Behavioral Health and Developmental Services, shall continue to monitor and review the				
33	closure plans for the three remaining training centers scheduled to close by 2020. As part of				
34	this review process the joint subcommittee may evaluate options for those individuals in				
35	training centers with the most intensive medical and behavioral needs to determine the				
36	appropriate types of facility or residential settings necessary to ensure the care and safety of				
37	those residents is appropriately factored into the overall plan to transition to a more				
38	community-based system. In addition, the joint subcommittee may review the plans for the				
39	redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.				
40	2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental				
41	Services shall provide a quarterly accounting of the costs to operate and maintain each of the				
42	existing training centers at a level of detail as determined by the joint subcommittee. The				
43	quarterly reports for the first, second and third quarter shall be due to the joint subcommittee				
44	20 days after the close of the quarter. The fourth quarter report shall be due on August 15 of				
45	each year.				
46	3. The Department of Behavioral Health and Developmental Services shall provide an update				
47	to the Special Joint Subcommittee to Consult on the Plan to Close State Training Centers no				
48	later than June 30, 2019, regarding any Public-Private Partnerships for CVTC that may allow				
49	continued operation in some form, whether such proposal has been officially proposed or not.				
50	The Commissioner of the Department of Behavioral Health and Developmental Services shall				
51	provide all information and analysis related to any proposals received under the Public-				
52	Private Education Facilities and Infrastructure Act to the Joint Subcommittee.				
53	4. The Department of Behavioral Health and Developmental Services shall provide a report to				
54	the Joint Subcommittee regarding all remaining residents at Central Virginia Training Center				
55	by April 30, 2019. The report shall provide data that provides details on the needs of those				
56	individuals that remain and what services they would need in the community. The department				
57	shall also provide data regarding the number of behavioral specialists in the Commonwealth				

ITEM 310.	Item Details(\$)		Appropriations(\$)	
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1	available to meet the needs of individuals with developmental disabilities in Virginia's			
2	waiver program and an update on the overall crisis system for children and adults with			
3	developmental disabilities, including data regarding the need for these services, current			
4	services available, and outcomes for those using the current system.			
5	N. The Department of Behavioral Health and Developmental Services in collaboration			
6	with the Department of Medical Assistance Services shall provide a detailed report for			
7	each fiscal year on the budget, expenditures, and number of recipients for each specific			
8	intellectual disability (ID) and developmental disability (DD) service provided through the			
9	Medicaid program or other programs in the Department of Behavioral Health and			
10	Developmental Services. This report shall also include the overall budget and			
11	expenditures for the ID, DD and Day Support waivers separately. The Department of			
12	Medical Assistance Services shall provide the necessary information to the Department of			
13	Behavioral Health and Developmental Services 90 days after the end of each fiscal year.			
14	This information shall be published on the Department of Behavioral Health and			
15	Developmental Services' website within 120 days after the end of each fiscal year.			
16	O. Effective July 1, 2015, the Department of Behavioral Health and Developmental			
17	Services shall not charge any fee to Community Services Boards or private providers for			
18	use of the knowledge center, an on-line training system.			
19	P. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the			
20	general fund shall be used to provide mental health first aid training and certification to			
21	recognize and respond to mental or emotional distress. Funding shall be used to cover the			
22	cost of personnel dedicated to this activity, training, manuals, and certification for all			
23	those receiving the training.			
24	Q. Out of this appropriation, \$752,170 the second year from the general fund is provided			
25	to establish community support teams responsible for the development and oversight of a			
26	continuum of integrated community settings for individuals leaving state hospitals.			
27	R. The Department of Behavioral Health and Developmental Services and the Department			
28	of Medical Assistance Services shall recognize Certified Employment Support			
29	Professional (CESP) and Association of Community Rehabilitation Educators (ACRE)			
30	certifications in lieu of competency requirements for supported employment staff in the			
31	developmental disability Medicaid waiver programs to allow providers that are			
32	Department of Aging and Rehabilitative Services (DARS) vendors that hold a national			
33	three-year accreditation from the National Council on Accreditation of Rehabilitation			
34	Facilities (CARF) to be deemed qualified to meet employment competency requirements.			
35	S. Out of this appropriation, \$250,000 the first year from special funds is designated to			
36	conduct the next phase of Environmental Site Assessment (ESA) at the Central Virginia			
37	Training Center to assess the presence of contaminants in the soil and ground water from			
38	the high and medium priority findings presented in the Site Specific Environmental			
39	Conditions Assessment that was performed by EEE Consulting, Inc, in July 2017. The			
40	Department of Behavioral Health and Developmental Services shall be responsible for			
41	conducting and reporting results of the assessment by December 1, 2018, to the Governor			
42	and General Assembly. The department may request assistance from the Department of			
43	General Services in procuring the services for this assessment.			
44	T. The Department of Behavioral Health and Developmental Services is authorized to			
45	receive unsolicited proposals and to solicit proposals under the Public-Private Education			
46	Facilities and Infrastructure Act (PPEA), Chapter 22.1 of Title 56, Code of Virginia, as			
47	amended, to partner with private not-for-profit entities described under Section 501(c)(3)			
48	of the federal Internal Revenue Code to provide the necessary level of care for residents at			
49	the Central Virginia Training Center, which could include either intermediate care or a			
50	nursing facility level of care. The department shall provide to proposers such relevant			
51	information, including financial information, capital assets of the training center,			
52	operational details, information regarding current medical and long-term care needs of			
53	training center residents, in accordance with federal law, and other information as may be			
54	reasonably requested, in order to assist proposers in developing and submitting a proposal.			
55	Proposals may include managing or leasing state property, including some or all of the			
56	buildings at the training center and may also include other facility options offsite from the			
57	training center. Review and approval, if any, of proposals shall follow the requirements of			

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1	Chapter 22.1 of Title 56, Code of Virginia, and shall include information provided by the		
2	Department of Treasury as to state funding of the training center and the financial		
3	consequences related to such funding of entering into a comprehensive agreement under the		
4	PPEA. If a proposal is recommended for approval, after review and consideration by the		
5	Secretary of Health and Human Resources, the Department Behavioral Health and		
6	Developmental Services shall notify the Chairmen of the House Appropriations and Senate		
7	Finance Committees at least thirty days prior to the award of same and execution of any		
8	related comprehensive agreement with details regarding the recommended proposal, and any		
9	operational, financial and legal impacts associated with it, including general fund effects.		
10	U.1. The Department of General Services (DGS), with the cooperation of the Department of		
11	Behavioral Health and Developmental Services (DBHDS), shall work with James City		
12	County to identify the amount of acreage needed on the Eastern State Hospital site to be		
13	purchased or leased at fair market value by James City County for the co-location of a new		
14	facility for Old Town Medical Center and Colonial Behavior Health and the the development		
15	of a community project that serves as a residence for 25 families impacted by a member with		
16	serious mental illness by Hope Family Village Corporation.		
17	2. As part of this process, DGS will work with James City County to update the James City		
18	County comprehensive plan to assist with a master development plan, including the subject		
19	acres, of the entire site to maximize the economic development opportunities, expedite the		
20	rezoning process and the receipt of funds for DBHDS Mental Health Trust fund from the		
21	sale(s) of surplus property.		
22	V. The Department of Behavioral Health and Developmental Services for each fiscal year		
23	shall report the number of waiver slots, by waiver, that becomes available for reallocation		
24	during the year. In addition, the department shall report on the allocation of emergency waiver		
25	slots and reserve slots, which shall include how many slots were allocated in the year and for		
26	which waiver. The information on reserve slots shall indicate for which waiver the reserve		
27	slot was used and the waiver from which the individual moved that was granted the slot.		
28	Furthermore, the report shall show the allocations by each Community Services Board from		
29	new waiver slots, emergency slots and reserve slots for the year. The department shall submit		
30	this report for the prior fiscal year, ending June 30, by September 1 of each year.		
31	W. The Department of Behavioral Health and Developmental Services in conjunction with the		
32	Department of the Treasury shall report on the outstanding bonds related to the future closure		
33	of the Southwest Virginia Training Center and the Central Virginia Training Center. The		
34	report shall indicate the anticipated outstanding bond balance for the date of the planned		
35	facility closure based on facility funding as of the date of the report and the anticipated		
36	outstanding balance each year thereafter until such time as all bonds would be repaid on those		
37	facilities. The department shall submit the report to the Chairmen of the House		
38	Appropriations and Senate Finance Committees by September 1, 2018.		
39	X.1. Out of this appropriation, \$75,000 the second year from the general fund is provided for		
40	compensation to individuals who were involuntarily sterilized pursuant to the Virginia		
41	Eugenical Sterilization Act and who were living as of February 1, 2015. Any funds that are		
42	appropriated but remain unspent at the end of the fiscal year shall be carried forward into the		
43	subsequent fiscal year in order to provide compensation to individuals who qualify for		
44	compensation.		
45	2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act		
46	on the individual's behalf. A claim may be submitted by the estate of or personal		
47	representative of an individual who died on or after February 1, 2015.		
48	3. Reimbursement shall be contingent on the individual or their representative providing		
49	appropriate documentation and information to certify the claim under guidelines established		
50	by the department.		
51	4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding		
52	being available, with disbursements being prioritized based on the date at which sufficient		
53	documentation is provided.		
54	5. Should the funding provided in the paragraph be exhausted prior to the end of the fiscal		
55	year, the department may use available special fund revenue balances to provide		

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1	compensation. The department shall report to the Governor and the Chairmen of the			
2	House Appropriations and Senate Finance Committees on a quarterly basis on the number			
3	of additional individuals who have applied.			
4	Y.1. The Department of Behavioral Health and Developmental Services, in consultation			
5	with the Department of Medical Assistance Services, shall, on a monthly basis, monitor			
6	the fiscal impact of Medicaid expansion on community services boards. The Department			
7	of Behavioral Health and Developmental Services shall require community services			
8	boards to submit monthly expenditure reports documenting additional federal revenues			
9	received as a result of Medicaid expansion on a timely basis. In the event that the			
10	reduction in general fund appropriation allocated to a community services board in this			
11	Act in anticipation of additional revenues from Medicaid expansion exceeds, by more than			
12	ten percent, the total additional revenue collections as of May 15, 2019, the			
13	Commissioner, Department of Behavioral Health and Developmental Services, may			
14	allocate up to \$7,000,000 from available special fund revenue balances to address			
15	shortfalls, on a pro rata basis, if necessary.			
16	2. Prior to the distribution of any special revenue fund balances for this purpose, the			
17	Department shall notify the Secretary of Finance and the Chairmen of the House			
18	Appropriations and Senate Finance Committees.			
19	3. The Department of Behavioral Health and Developmental Services, in consultation with			
20	the Department of Medical Assistance Services, shall submit a letter to the Secretary of			
21	Health and Human Resources and the Chairmen of the House Appropriations and Senate			
22	Finance Committees by May 15, 2019, and each fiscal quarter thereafter, that reports on:			
23	(i) the state general fund reductions taken by each Community Services Board (CSB) or			
24	Behavioral Health Authority (BHA) in fiscal year 2019 in anticipation of projected			
25	savings from the expansion of Medicaid eligibility to existing CSB clients who were			
26	previously uninsured; (ii) the actual Medicaid-generated reimbursements realized by each			
27	CSB/BHA in fiscal year 2019 as a result of the expansion of Medicaid eligibility to			
28	existing CSB clients who were previously uninsured; (iii) the state general fund reductions			
29	to be taken by each CSB/BHA in fiscal year 2020 in anticipation of projected savings			
30	from the expansion of Medicaid eligibility; and (iv) the amount of Medicaid			
31	reimbursements that each CSB/BHA would have to achieve in order to meet the			
32	anticipated general fund savings/budget reductions in fiscal year 2020, as well as any			
33	actions the Department proposes to take to address any shortfalls and to ensure continuity			
34	in the provision of services. The Department of Medical Assistance Services shall require			
35	the managed care organizations to report encounter data impacting Community Services			
36	Boards on a monthly basis, with the data submitted no later than 20 days after the end of			
37	each month in order to determine the revenue impact to fulfill the intent of this paragraph.			
38	Z. Upon approval by the 2020 General Assembly, the Department of Behavioral Health			
39	and Developmental Services shall have the authority to promulgate regulations to: (i)			
40	ensure that licensing regulations support high quality community-based mental health			
41	services and align with changes being made to the Medicaid behavioral health regulations			
42	that support evidence-based, trauma-informed, prevention-focused and cost-effective			
43	services for individuals served across the lifespan; and (ii) incorporate the American			
44	Society of Addiction Medicine Levels of Care Criteria or an equivalent set of criteria into			
45	substance use licensing regulations to ensure the provision of outcome-oriented and			
46	strengths-based care in the treatment of addiction.			
47	AA. The Department of Behavioral Health and Development Services and the Department			
48	of Medical Assistance Services shall not implement the proposed individualized supports			
49	budget process for the Medicaid Community Living, Family and Individual Support and			
50	Building Independence Waiver programs without the explicit authorization of the General			
51	Assembly through legislation or authorizing budget language.			
52	BB. The Department of Behavioral Health and Developmental Services shall report on the			
53	allocation and funding for Programs of Assertive Community Treatment (PACT) in the			
54	Commonwealth. The report shall include information on the cost of each team, the cost			
55	per individual served and the cost effectiveness of each PACT in diverting individuals			
56	from state and local hospitalization and stabilizing individuals in the community. The			
57	department shall provide the report to the Chairmen of the House Appropriations and			

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1	Senate Finance Committees by November 1, 2019.				
2	CC.1. The Department of Behavioral Health and Developmental Services shall establish a				
3	workgroup, which shall include the Virginia Hospital and Healthcare Association, other state				
4	agencies, and other stakeholders as deemed necessary by the department, to examine the				
5	impact of Temporary Detention Order admissions on the state behavioral health hospitals. The				
6	workgroup shall develop options to relieve the census pressure on state behavioral health				
7	hospitals, which shall include options for diverting more admissions to private hospitals and				
8	other opportunities to increase community services that may reduce the number of Temporary				
9	Detention Orders. The workgroup shall develop an action plan, that includes actions that can				
10	be implemented immediately and other actions that may require action by the 2020 General				
11	Assembly. The action plan shall take into account the need to take short-term actions to				
12	relieve the census pressure on state behavioral health hospitals in order to develop a plan for				
13	the right sizing of the state behavioral health hospital system. The department shall report its				
14	findings to the Governor and the Chairmen of the House Appropriations and Senate Finance				
15	Committees by October 15, 2019.				
16	2. In conjunction with the workgroup in paragraph CC.1., the Department of Behavioral				
17	Health and Developmental Services shall develop a conceptual plan to "right size" the state				
18	behavioral health hospital system, including future capacity and distribution of capacity, that				
19	aligns with the action plan that is recommended by the workgroup. The department shall				
20	submit the plan to the Governor and the Chairmen of the House Appropriations and Senate				
21	Finance Committees by November 1, 2019.				
22	3. As part of the plan in paragraph CC.2., the Department of Behavioral Health and				
23	Developmental Services shall include a proposal for construction of a new Central State				
24	Hospital. The plan shall establish the scope of the new hospital within a "right sized" system				
25	and the appropriate timeline to coincide with efforts to relieve census pressures on the state				
26	mental health hospital system.				
27	DD. The Department of Behavioral Health and Developmental Services shall work with the				
28	Fairfax-Falls Church Community Services Board, and the provider, to ensure that future				
29	openings for the Miller House in Falls Church allow residents of Falls Church, that have been				
30	allocated a developmental disability waiver slot, be given first choice in the Miller House, if				
31	the group home is appropriate to meet their needs. In addition, the department shall work with				
32	the Community Services Board and the City of Falls Church to explore options for				
33	establishing a special allocation within the Community Services Board allocation of waiver				
34	slots for Falls Church residents who are on the Priority One waiting list and could live in the				
35	Miller House when future openings occur in the group home.				
36	4. Also as part of the plan in paragraph CC.2., DBHDS, in consultation with the Department				
37	of General Services, shall address the feasibility of relocating forensic beds to state-owned				
38	property other than the current Central State Hospital location authorized in C-48.10. The				
39	analysis shall at a minimum address the issue of cost and timeline for construction.				
40	EE. The Department of Behavioral Health and Developmental Services shall lease 25 acres of				
41	land at Eastern State Hospital to Hope Family Village Corporation for one dollar for the				
42	development of a village of residence and common areas to create a culture of self-care and				
43	neighborly support for families and their loved ones impacted by serious mental illness. The				
44	department shall work with the Hope Family Village Corporation to identify a 25 acre plot of				
45	land that is suitable for the project.				
46	FF. The Department of Behavioral Health and Developmental Services shall report a detailed				
47	accounting, annually, of the agency's organization and operations. This report shall include an				
48	organizational chart that shows all full- and part-time positions (by job title) employed by the				
49	agency as well as the current management structure and unit responsibilities. The report shall				
50	also provide a summary of organization changes implemented over the previous year. The				
51	report shall be made available on the department's website by August 15, of each year.				
52	GG. The Department of Behavioral Health and Developmental Services shall facilitate a				
53	mental health coordination workgroup in the Northern Virginia region so that public and				
54	private providers of services and advocates for such services may collectively determine how				
55	to develop the most effective and most comprehensive services for persons who need such				
56	services. This mental health coordination workgroup shall seek agreement on how the				

ITEM 310.	Item Details(\$)		Appropriations(\$)	
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1	services provided can best promote mental health, help people receive services needed			
2	when they are needed, provide intensive treatment when needed, ensure that crisis care is			
3	provided, provide care management in ways that help maintain mental health, and provide			
4	the supportive services necessary for individuals with mental health needs to live fully			
5	within the community. Participants in the workgroup shall include but not be limited to			
6	community services boards, state facilities and programs, private hospitals, partial			
7	hospitalization and crisis stabilization programs, residential treatment facilities, private			
8	community providers, criminal justice personnel, consumers and advocates for consumers,			
9	and others. The department shall facilitate the initiation of the workgroup and once it is			
10	fully operational shall allow it to operate independently, however the department may			
11	continue to participate in the workgroup to provide assistance as needed. The department			
12	shall report on the composition, participation and any actions of the workgroup to the			
13	Chairmen of the House Appropriations and Senate Finance Committees by November 30,			
14	2019.			
15	<i>HH. The Department of Behavioral Health and Developmental Services shall develop and</i>			
16	<i>implement a plan to manage the census at Catawba Hospital and to reduce the number of</i>			
17	<i>staffed beds to 110 by no later than June 30, 2021. As part of the plan the department</i>			
18	<i>shall consider all opportunities to maximize the use of funding provided for the purpose of</i>			
19	<i>reducing the census across the state mental health hospitals. The department shall submit</i>			
20	<i>its plan to the Chairs of the House Appropriations and Senate Finance and</i>			
21	<i>Appropriations Committees by June 30, 2020.</i>			
22	<i>II. Notwithstanding the provisions of Acts of Assembly Chapter 610 of the 2019 Session or</i>			
23	<i>any other provision of law, the Department of General Services is hereby authorized to</i>			
24	<i>sell, pursuant to § 2.2-1156, certain real property in Carroll County outside the town of</i>			
25	<i>Hillsville on which the former Southwestern Virginia Training Center was situated,</i>			
26	<i>subject to the following conditions: (1) the sale price shall be, at a minimum, an amount</i>			
27	<i>sufficient to fully cover any debt or other financial obligations currently on the property;</i>			
28	<i>(2) the purchaser shall be responsible for all transactional expenses associated with the</i>			
29	<i>transfer of the property; and (3) the sale shall be made to a health care company that</i>			
30	<i>agrees to use the property for the provision of health care services for a minimum of five</i>			
31	<i>years established through a deed restriction.</i>			
32	311. Central Office Managed Community and			
33	Individual Health Services (44400).....		\$12,960,077	\$19,030,992
34	Individual and Developmental Disability Services			
35	(44401).....	\$4,810,077	\$5,800,992	
36	Mental Health Services (44402).....	\$8,150,000	\$11,630,000	
37	Substance Abuse Services (44403).....	\$0	\$1,600,000	
38	Fund Sources: General.....	\$12,960,077	\$19,030,992	
39	Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2,			
40	Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.			
41	A. Out of this appropriation, \$3,900,000 the first year and \$5,200,000 the second year			
42	from the general fund shall be used for Developmental Disability Health Support			
43	Networks in regions served, or previously served, by Southside Virginia Training Center,			
44	Central Virginia Training Center, Northern Virginia Training Center, and Southwestern			
45	Virginia Training Center.			
46	B. Out of this appropriation, \$565,000 the first year and \$565,000 the second year from			
47	the general fund shall be used to provide community-based services to individuals			
48	transitioning from state training centers to community settings who are not eligible for			
49	Medicaid.			
50	C. Out of this appropriation, \$2,900,000 the first year and \$2,900,000 the second year			
51	from the general fund shall be used to address census issues at state facilities by providing			
52	community-based services for those individuals determined clinically ready for discharge			
53	or for the diversion of admissions to state facilities by purchasing acute inpatient or			
54	community-based psychiatric services at private facilities.			
55	D. Out of this appropriation, \$1,750,000 the first year and \$1,750,000 the second year			

ITEM 311.		Item Details(\$)		Appropriations(\$)	
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1	from the general fund is provided for the development or acquisition of clinically appropriate				
2	housing options to provide comprehensive community-based care for individuals in state				
3	hospitals who have complex and resource-intensive needs who have been clinically				
4	determined able to move from a hospital to a more integrated setting. In addition, \$250,000				
5	the second year from the general fund is provided for a community support team to assist				
6	housing providers in addressing the complex needs of residents who have been discharged				
7	from state facilities or individuals who are at risk of institutionalization.				
8	E. Out of this appropriation, \$2,500,000 the first year and \$4,500,000 the second year from				
9	the general fund shall be provided to the Department of Behavioral Health and Developmental				
10	Services to provide alternative transportation for adults and children under a temporary				
11	detention order. The department shall structure the contract to phase in the program over a				
12	three-year period such that in year three the contract will result in the provision of services				
13	statewide. The department shall report on the disbursement of the funds to the Governor and				
14	Chairmen of the House Appropriations and Senate Finance Committees no later than				
15	November 1, 2018. Annually, thereafter on October 1, the department shall report to the				
16	Governor and Chairmen of the House Appropriations and Senate Finance Committees on the				
17	effectiveness and outcomes of the program funding.				
18	F. Out of this appropriation, \$1,230,000 the second year from the general fund shall be				
19	provided to the Department of Behavioral Health and Developmental Services to contract				
20	with the Virginia Mental Health Access Program to develop integrated mental health services				
21	for children.				
22	G. Out of this appropriation, \$1,600,000 the second year from the general fund shall be used				
23	to purchase and distribute additional REVIVE! kits and associated doses of naloxone used to				
24	treat emergency cases of opioid overdose or suspected opioid overdose.				
25	<i>H. Upon passage of this Act, the Department of Behavioral Health and Developmental</i>				
26	<i>Services shall establish a workgroup, including stakeholders as deemed necessary by the</i>				
27	<i>Department, to examine and identify possible alternative treatment services and sites for</i>				
28	<i>minors that otherwise would be placed at the Commonwealth Center for Children and</i>				
29	<i>Adolescents (CCCA). The work group shall also examine underlying systemic issues that are</i>				
30	<i>contributing to the increase in admissions and projected admissions at CCCA and identify</i>				
31	<i>potential strategies and recommendations for reducing admissions to CCCA. The membership</i>				
32	<i>of the work group shall include representatives from the Department of Medical Assistance</i>				
33	<i>Services, the Department of Juvenile Justice, the Office of Children's Services, the Virginia</i>				
34	<i>Association of Community Services Boards, the Virginia Hospital and Healthcare</i>				
35	<i>Association, VOICES, the Virginia Coalition of Private Provider Associations, the Virginia</i>				
36	<i>Network of Private Providers, and other relevant stakeholders. The work group will submit its</i>				
37	<i>findings to the Governor and the Chairmen of the House Appropriations and Senate Finance</i>				
38	<i>Committees by June 15, 2020.</i>				
39	Total for Department of Behavioral Health and				
40	Developmental Services.....			\$114,797,435	\$121,800,944
41					\$138,347,159
42	General Fund Positions.....	399.75	423.50		
43			451.50		
44	Nongeneral Fund Positions.....	31.25	31.25		
45	Position Level.....	431.00	454.75		
46			482.75		
47	Fund Sources: General.....	\$70,014,613	\$78,224,286		
48			\$80,317,330		
49	Special.....	\$15,664,192	\$15,414,192		
50			\$29,867,363		
51	Dedicated Special Revenue.....	\$1,200,000	\$0		
52	Federal Trust.....	\$27,918,630	\$28,162,466		
53					
		Grants to Localities (790)			
54	312. Financial Assistance for Health Services (44500).....			\$465,217,537	\$504,170,491
55					\$505,418,309
56	Community Substance Abuse Services (44501).....	\$116,094,031	\$121,844,031		

ITEM 312.	Item Details(\$)		Appropriations(\$)		
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1	Community Mental Health Services (44506).....	\$267,125,162	\$287,571,247		
2	Community Developmental Disability Services				
3	(44507).....	\$81,998,344	\$94,755,213		
4			\$96,003,031		
5	Fund Sources: General.....	\$371,417,537	\$411,670,491		
6			\$412,918,309		
7	Dedicated Special Revenue.....	\$3,800,000	\$2,500,000		
8	Federal Trust.....	\$90,000,000	\$90,000,000		
9	Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.				
10	A. It is the intent of the General Assembly that community mental health, intellectual				
11	disability and substance abuse services are to be improved throughout the state. Funds				
12	provided in this Item shall not be used to supplant the funding effort provided by localities				
13	for services existing as of June 30, 1996.				
14	B. Further, it is the intent of the General Assembly that funds appropriated for this Item				
15	may be used by Community Services Boards to purchase, develop, lease, or otherwise				
16	obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property				
17	necessary to the provision of residential services funded by this Item.				
18	C. Out of the appropriation for this Item, funds are provided to Community Services				
19	Boards in an amount sufficient to reimburse the Virginia Housing Development Authority				
20	for principal and interest payments on residential projects for the mentally disabled				
21	financed by the Housing Authority.				
22	D. The Department of Behavioral Health and Developmental Services shall make				
23	payments to the Community Services Boards from this Item in twenty-four equal				
24	semimonthly installments, except for necessary budget revisions or the operational phase-				
25	in of new programs.				
26	E. Failure of a board to participate in Medicaid covered services and to meet all				
27	requirements for provider participation shall result in the termination of a like amount of				
28	state grant support.				
29	F. Community Services Boards may establish a line of credit loan for up to three months'				
30	operating expenses to assure adequate cash flow.				
31	G. Out of this appropriation \$190,000 the first year and \$190,000 the second year from the				
32	general fund shall be provided to Virginia Commonwealth University for the continued				
33	operation and expansion of the Virginia Autism Resource Center.				
34	H.1. Out of this appropriation, \$18,587,143 the first year and \$19,761,265 \$21,009,083 the				
35	second year from the general fund shall be provided for Virginia's Part C Early				
36	Intervention System for infants and toddlers with disabilities.				
37	2. By November 15 of each year, the department shall report to the Chairmen of the House				
38	Appropriations and Senate Finance Committees on the (a) total revenues used to support				
39	Part C services, (b) total expenses for all Part C services, (c) total number of infants,				
40	toddlers and families served using all Part C revenues, and (d) services provided to those				
41	infants, toddlers, and families.				
42	I. Out of this appropriation \$6,148,128 the first year and \$6,148,128 the second year from				
43	the general fund shall be provided for mental health services for children and adolescents				
44	with serious emotional disturbances and related disorders, with priority placed on those				
45	children who, absent services, are at-risk for custody relinquishment, as determined by the				
46	Family and Assessment Planning Team of the locality. The Department of Behavioral				
47	Health and Developmental Services shall provide these funds to Community Services				
48	Boards through the annual Performance Contract. These funds shall be used exclusively				
49	for children and adolescents, not mandated for services under the Comprehensive Services				
50	Act for At-Risk Youth, who are identified and assessed through the Family and				
51	Assessment Planning Teams and approved by the Community Policy and Management				
52	Teams of the localities. The department shall provide these funds to the Community				
53	Services Boards based on an individualized plan of care methodology.				

ITEM 312.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	J. The Commissioner, Department of Behavioral Health and Developmental Services shall				
2	allocate \$1,000,000 the first year and \$1,000,000 the second year from the federal Community				
3	Mental Health Services Block Grant for two specialized geriatric mental health services				
4	programs. One program shall be located in Health Planning Region II and one shall be located				
5	in Health Planning Region V. The programs shall serve elderly populations with mental				
6	illness who are transitioning from state mental health geriatric units to the community or who				
7	are at risk of admission to state mental health geriatric units. The commissioner is authorized				
8	to reduce the allocation in each year in an amount proportionate to any reduction in the				
9	federal Community Mental Health Services Block Grant funds awarded to the				
10	Commonwealth.				
11	K. The Commissioner, Department of Behavioral Health and Developmental Services shall				
12	allocate \$750,000 the first year and \$750,000 the second year from the federal Community				
13	Mental Health Services Block Grant for consumer-directed programs offering specialized				
14	mental health services that promote wellness, recovery and improved self-management. The				
15	commissioner is authorized to reduce the allocation in each year in an amount proportionate				
16	to any reduction in the federal Community Mental Health Services Block Grant funds				
17	awarded to the Commonwealth.				
18	L. Out of this appropriation, \$2,197,050 the first year and \$2,197,050 the second year from				
19	the general fund shall be used for jail diversion and reentry services. Funds shall be				
20	distributed to community-based contractors based on need and community preparedness as				
21	determined by the commissioner.				
22	M. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year from				
23	the general fund shall be used for treatment and support services for substance use disorders,				
24	including individuals with acquired brain injury and co-occurring substance use disorders.				
25	Funded services shall focus on recovery models and the use of best practices.				
26	N. Out of this appropriation, \$2,780,645 the first year and \$2,780,645 the second year from				
27	the general fund shall be used to provide outpatient clinician services to children with mental				
28	health needs. Each Community Services Board shall receive funding as determined by the				
29	commissioner to increase the availability of specialized mental health services for children.				
30	The department shall require that each Community Services Board receiving these funds				
31	agree to cooperate with Court Service Units in their catchment areas to provide services to				
32	mandated and nonmandated children, in their communities, who have been brought before				
33	Juvenile and Domestic Relations Courts and for whom treatment services are needed to				
34	reduce the risk these children pose to themselves and their communities or who have been				
35	referred for services through family assessment and planning teams through the				
36	Comprehensive Services Act for At-Risk Youth and Families.				
37	O. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year from				
38	the general fund shall be used to provide emergency services, crisis stabilization services, case				
39	management, and inpatient and outpatient mental health services for individuals who are in				
40	need of emergency mental health services or who meet the criteria for mental health treatment				
41	set forth pursuant to §§ 19.2-169.6 , 19.2-176 , 19.2-177.1 , 37.2-808 , 37.2-809 , 37.2-813 , 37.2-				
42	815 , 37.2-816 , 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item				
43	also shall be used to offset the fiscal impact of (i) establishing and providing mandatory				
44	outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General				
45	Assembly; and (ii) attendance at involuntary commitment hearings by community services				
46	board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6 , 19.2-176 ,				
47	19.2-177.1 , 37.2-808 , 37.2-809 , 37.2-813 , 37.2-815 , 37.2-816 , 37.2-817 and 53.1-40.2 of the				
48	Code of Virginia.				
49	P. Out of this appropriation, \$10,056,250 the first year and \$10,475,000 the second year from				
50	the general fund shall be used to provide community crisis intervention services in each				
51	region for individuals with intellectual or developmental disabilities and co-occurring mental				
52	health or behavioral disorders.				
53	Q. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from				
54	the general fund shall be used to expand community-based services in Health Planning				
55	Region V. These funds shall be used for services intended to delay or deter placement, or				
56	provide discharge assistance for patients in a state mental health facility.				

ITEM 312.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year				
2	from the general fund shall be used to expand crisis stabilization and related services				
3	statewide intended to delay or deter placement in a state mental health facility.				
4	S. Out of this appropriation, \$8,400,000 the first year and \$8,400,000 the second year				
5	from the general fund shall be used to provide child psychiatry and children's crisis				
6	response services for children with mental health and behavioral disorders. These funds,				
7	divided among the health planning regions based on the current availability of the				
8	services, shall be used to hire or contract with child psychiatrists who can provide direct				
9	clinical services, including crisis response services, as well as training and consultation				
10	with other children's health care providers in the health planning region such as general				
11	practitioners, pediatricians, nurse practitioners, and community service boards staff, to				
12	increase their expertise in the prevention, diagnosis, and treatment of children with mental				
13	health disorders. Funds may also be used to create new or enhance existing community-				
14	based crisis response services in a health planning region, including mobile crisis teams				
15	and crisis stabilization services, with the goal of diverting children from inpatient				
16	psychiatric hospitalization to less restrictive services in or near their communities. The				
17	Department of Behavioral Health and Developmental Services shall report annually on the				
18	use and impact of this funding to the Chairmen of the House Appropriations and Senate				
19	Finance Committees by October 1.				
20	T.1. Out of this appropriation, \$10,500,000 the first year and \$10,500,000 the second year				
21	from the general fund shall be used for up to 32 drop-off centers to provide an alternative				
22	to incarceration for people with serious mental illness and individuals with acquired brain				
23	injury and co-occurring serious mental health illness. Priority for new funding shall be				
24	given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102				
25	and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement				
26	drop-off centers.				
27	2. Out of this appropriation, \$900,000 the first year and \$1,800,000 the second year from				
28	the general fund is provided for grants to establish Crisis Intervention assessment centers				
29	in six unserved rural communities.				
30	3. Out of this appropriation, \$657,648 the first year and \$657,648 the second year from the				
31	general fund is provided for grants to establish CIT training programs in six rural				
32	communities.				
33	U. Out of this appropriation, \$2,375,000 the first year and \$2,750,000 the second year				
34	from the general fund shall be used to develop and implement crisis services for children				
35	with intellectual or developmental disabilities.				
36	V. Out of this appropriation, \$29,758,441 the first year and \$37,298,441 the second year				
37	from the general fund shall be used to provide community-based services or acute				
38	inpatient services in a private facility to individuals residing in state hospitals who have				
39	been determined clinically ready for discharge, and for continued services for those				
40	individuals currently being served under a discharge assistance plan. Of this appropriation,				
41	\$1,305,000 the first year and \$1,305,000 the second year shall be allocated for individuals				
42	currently or previously residing at Western State Hospital.				
43	W. Out of this appropriation, \$620,000 the first year and \$620,000 the second year from				
44	the general fund shall be used to expand access to telepsychiatry and telemedicine				
45	services.				
46	X. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year				
47	from the general fund shall be used to increase availability of community-based mental				
48	health outpatient services for youth and young adults.				
49	Y. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from				
50	the general fund shall be used to increase mental health inpatient treatment purchased in				
51	community hospitals. Priority shall be given to regions that exhaust available resources				
52	before the end of the year in order to ensure treatment is provided in the community and				
53	do not result in more restrictive placements.				
54	Z. Out of this appropriation, \$10,496,105 the first year and \$17,083,710 the second year				

ITEM 312.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	from the general fund is provided for programs for permanent or transitional housing for				
2	individuals with serious mental illness. Of this amount, \$8,970,500 the first year and				
3	\$8,970,500 the second year shall be used for permanent supportive housing to support rental				
4	subsidies and services to be administered by community services boards or private entities to				
5	provide stable, supportive housing for persons with serious mental illness. Remaining				
6	amounts may be used to expand permanent supportive housing programs or to provide				
7	transitional housing supports for individuals with serious mental illness being discharged from				
8	state facilities into the community. The Department of Behavioral Health and Developmental				
9	Services shall report on the number of individuals who are discharged from state behavioral				
10	health hospitals who receive supportive housing services, the number of individuals who are				
11	on the hospitals' extraordinary barrier list who could receive supportive housing services, and				
12	the number of individuals in the community who receive supportive housing services and				
13	whether they are at risk of institutionalization. In addition, the department shall report on the				
14	average length of stay in permanent supportive housing for individuals receiving such				
15	services and report how the funding is reinvested when individuals discontinue receiving such				
16	services. The report shall be provided to the Chairmen of the House Appropriations and				
17	Senate Finance Committee by November 30, 2019.				
18	AA. Out of this appropriation, \$400,000 the first year and \$400,000 the second year is				
19	provided for rental subsidies and associated costs for individuals served through the Rental				
20	Choice VA program.				
21	BB. Out of this appropriation, \$5,308,836 the first year and \$7,897,833 the second year from				
22	the general fund shall be used for a program of rental subsidies for individuals with				
23	intellectual and developmental disabilities.				
24	CC. Out of this appropriation, \$3,800,000 the first year from the Behavioral Health and				
25	Developmental Services Trust Fund is provided for the development of provider capacity for				
26	individuals with medically complex support needs or those individuals who have multiple				
27	diagnoses.				
28	DD. Out of this appropriation, \$10,795,651 the first year and \$10,795,651 the second year				
29	from the general fund shall be provided to Community Service Boards and Behavioral Health				
30	Authorities to implement same day access for community behavioral health services. The				
31	Department of Behavioral Health and Developmental Services shall report annually by				
32	October 1 to the Governor and Chairmen of the House Appropriations and Senate Finance				
33	Committees on the effectiveness and outcomes of the program funding.				
34	EE. Out of this appropriation, \$5,000,000 the first year from the federal State Targeted				
35	Response to the Opioid Crisis Grant and \$5,000,000 the second year from the general fund is				
36	provided to increase access to medication assisted treatment for individuals with substance				
37	use disorders who are addicted to opioids. In expending this amount, the department shall				
38	ensure that preferred drug classes shall include non-narcotic, non-addictive, injectable				
39	prescription drug treatment regimens. The department shall ensure that a portion of the				
40	funding is used for non-narcotic, non-addictive, prescription drug treatment regimens for				
41	individuals who are: (i) on probation; (ii) in an institution, prison, or jail; or (iii) not able for				
42	clinical or other reasons to participate in buprenorphine or methadone based drug treatment				
43	regimens.				
44	FF. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from				
45	the general fund is provided for community detoxification and sobriety services for				
46	individuals in crisis.				
47	GG. Out of this appropriation, \$880,000 the first year and \$880,000 the second year from the				
48	general fund is provided for one regional, multi-disciplinary team for older adults. This team				
49	shall provide clinical, medical, nursing, and behavioral expertise and psychiatric services to				
50	nursing facilities and assisted living facilities.				
51	HH. Out of this appropriation, \$3,720,000 the first year and \$7,440,000 the second year from				
52	the general fund is provided for primary care outpatient screening services at Community				
53	Services Boards and Behavioral Health Authorities as required by Chapter 607, 2017 Acts of				
54	Assembly.				
55	II. Out of this appropriation, \$15,000,000 the second year from the general fund is provided to				

ITEM 312.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	begin phasing in an expansion of outpatient mental health and substance abuse services at				
2	Community Services Boards and Behavioral Health Authorities pursuant to the System				
3	Transformation, Excellence and Performance in Virginia (STEP-VA) process and				
4	Chapters 607 and 683, 2017 Acts of Assembly.				
5	JJ. Out of this appropriation, \$2,000,000 the second year from the general fund is provided				
6	to begin phasing in an expansion of detoxification services at Community Services Boards				
7	and Behavioral Health Authorities, pursuant to the System Transformation, Excellence				
8	and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of				
9	Assembly.				
10	KK. Out of this appropriation, \$826,200 the first year and \$1,652,400 the second year				
11	from the general fund shall be used to provide permanent supportive housing to pregnant				
12	or parenting women with substance use disorders.				
13	LL. Out of this appropriation, \$11,025,231 the first year and \$11,025,231 the second year				
14	from the general fund shall be used to divert admissions from state hospitals by				
15	purchasing acute inpatient or community-based psychiatric services at private facilities.				
16	MM. Out of this appropriation, \$1,600,000 the first year and \$1,600,000 the second year				
17	from the general fund is provided for discharge planning at jails for individuals with				
18	serious mental illness. Funding shall be used to create staff positions in Community				
19	Services Boards and will be implemented at two jails with a high percentage of inmates				
20	with serious mental illness.				
21	NN. Out of this appropriation, \$708,663 the first year and \$708,663 the second year from				
22	the general fund is provided to establish an Intercept 2 diversion program in up to three				
23	rural communities. The funding shall be used for staffing and to provide access to				
24	treatment services.				
25	OO. Out of this appropriation, \$1,100,000 the first year and \$1,100,000 the second year				
26	from the general fund is provided to establish the Appalachian Telemental Health				
27	Initiative, a telemental health pilot program. Any funds that remain unspent at the end of				
28	each fiscal year shall be carried forward to the subsequent fiscal year.				
29	PP. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from				
30	the general fund shall be provided to the Department of Behavioral Health and				
31	Developmental Services to contract with Best Buddies Virginia to expand inclusion				
32	services for people with intellectual and developmental disabilities to the Richmond and				
33	Virginia Beach areas of the state.				
34	QQ. Out of this appropriation, \$7,800,000 the second year from the general fund is				
35	provided for crisis services at Community Services Boards and Behavioral Health				
36	Authorities pursuant to the System Transformation, Excellence and Performance in				
37	Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.				
38	RR. Out of this appropriation, \$200,000 the second year from the general fund is provided				
39	to the Fairfax-Falls Church Community Services Board to fully fund its Program of				
40	Assertive Community Treatment (PACT) Team.				
41	SS. Out of this appropriation, \$750,000 the second year from the Behavioral Health and				
42	Developmental Services Trust Fund shall be expended for one-time expenditures for				
43	developmental disability services across the Commonwealth. Priority shall be given to				
44	projects that serve critical service gaps for individuals with developmental disability in the				
45	Northern Virginia region (Region 2) who have been discharged from state training centers				
46	or who are at risk of institutional placement. The department shall collaborate with				
47	Community Services Boards and private providers, to determine the best use of such funds				
48	to address critical needs on a one-time basis, for individuals with developmental				
49	disabilities. The department shall report on the allocation of these funds to the Chairmen				
50	of the House Appropriations and Senate Finance Committees by no later than September				
51	15, 2019.				
52	Total for Grants to Localities.....			\$465,217,537	\$504,170,491
53					\$505,418,309

ITEM 312.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: General.....	\$371,417,537	\$411,670,491		
2			\$412,918,309		
3	Dedicated Special Revenue.....	\$3,800,000	\$2,500,000		
4	Federal Trust.....	\$90,000,000	\$90,000,000		
5	Mental Health Treatment Centers (792)				
6	313. Not set out.				
7	314. Not set out.				
8	315. Not set out.				
9	316. State Health Services (43000).....			\$244,851,323	\$259,088,038
10					\$256,198,777
11	Geriatric Care Services (43006).....	\$49,604,517	\$49,604,517		
12	Inpatient Medical Services (43007).....	\$18,252,833	\$18,252,833		
13	State Mental Health Facility Services (43014).....	\$176,993,973	\$191,230,688		
14			\$188,341,427		
15	Fund Sources: General.....	\$192,455,049	\$233,372,078		
16			\$230,482,817		
17	Special.....	\$52,396,274	\$25,715,960		
18	Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
19	A. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the				
20	general fund shall be used to continue operating up to 13 beds at Northern Virginia Mental				
21	Health Institute (NVMHI) that had been scheduled for closure in fiscal year 2013. The				
22	Commissioner of the Department of Behavioral Health and Developmental Services shall				
23	ensure continued operation of at least 123 beds.				
24	B. The Department of Behavioral Health and Developmental Services shall report by				
25	November 1 of each year to the Secretary of Finance and the Chairmen of the House				
26	Appropriations and Senate Finance Committees on the number of individuals served through				
27	discharge assistance plans and the types of services provided.				
28	C. Out of this appropriation, \$850,000 the second year from the general fund shall be used to				
29	provide transition services in alternate settings for children and adolescents who can be				
30	diverted or discharged from state facilities.				
31	317. Facility Administrative and Support Services				
32	(49800).....			\$104,915,227	\$106,915,227
33	General Management and Direction (49801).....	\$46,795,316	\$48,795,316		
34	Information Technology Services (49802).....	\$6,242,139	\$6,242,139		
35	Food and Dietary Services (49807).....	\$13,827,750	\$13,827,750		
36	Housekeeping Services (49808).....	\$8,365,167	\$8,365,167		
37	Linen and Laundry Services (49809).....	\$1,657,504	\$1,657,504		
38	Physical Plant Services (49815).....	\$21,136,325	\$21,136,325		
39	Power Plant Operation (49817).....	\$4,181,654	\$4,181,654		
40	Training and Education Services (49825).....	\$2,709,372	\$2,709,372		
41	Fund Sources: General.....	\$90,086,146	\$92,086,146		
42	Special.....	\$14,765,581	\$14,765,581		
43	Federal Trust.....	\$63,500	\$63,500		
44	Authority: § 37.2-304, Code of Virginia.				
45	A. Out of this appropriation, \$759,000 the first year and \$759,000 the second year from the				
46	general fund shall be used to ensure proper billing and maximum reimbursement for				
47	prescription drugs purchased by mental health treatment centers through the Medicare Part D				
48	drug program.				

ITEM 317.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	B. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a				
2	plan to address the capital and programmatic needs of other state mental health facilities				
3	and state mental retardation training centers when considering expenditures from the trust				
4	fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall				
5	present an expenditure plan to the Chairmen of the Senate Finance and House				
6	Appropriations Committees for their review and consideration.				
7	318. Not set out.				
8	Total for Mental Health Treatment Centers.....			\$390,122,553	\$406,359,268
9					\$403,470,007
10	General Fund Positions.....	3,848.00	4,203.00		
11	Nongeneral Fund Positions.....	602.00	613.00		
12	Position Level.....	4,450.00	4,816.00		
13	Fund Sources: General.....	\$309,879,823	\$352,796,852		
14			\$349,907,591		
15	Special.....	\$80,042,730	\$53,362,416		
16	Federal Trust.....	\$200,000	\$200,000		
17	Intellectual Disabilities Training Centers (793)				
18	319. Not set out.				
19	320. Not set out.				
20	321. State Health Services (43000).....			\$69,918,683	\$69,918,683
21					\$65,418,683
22	Inpatient Medical Services (43007).....	\$32,095,261	\$32,095,261		
23	State Intellectual Disabilities Training Center				
24	Services (43010).....	\$37,823,422	\$37,823,422		
25			\$33,323,422		
26	Fund Sources: General.....	\$15,066,431	\$15,066,431		
27			\$10,566,431		
28	Special.....	\$54,852,252	\$54,852,252		
29	Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
30	The Commissioner of Behavioral Health and Developmental Services shall comply with				
31	all relevant state and federal laws and Supreme Court decisions that govern the discharge				
32	of residents from state intellectual disability training centers and the granting of				
33	intellectual disability waiver slots.				
34	322. Not set out.				
35	323. Not set out.				
36	Total for Intellectual Disabilities Training Centers..			\$139,946,912	\$136,904,289
37					\$132,404,289
38	General Fund Positions.....	1,092.00	1,092.00		
39	Nongeneral Fund Positions.....	665.00	665.00		
40	Position Level.....	1,757.00	1,757.00		
41	Fund Sources: General.....	\$31,636,176	\$28,593,553		
42			\$24,093,553		
43	Special.....	\$108,110,736	\$108,110,736		
44	Federal Trust.....	\$200,000	\$200,000		
45	Virginia Center for Behavioral Rehabilitation (794)				

ITEM 324.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	324.	Not set out.			
2	325.	Secure Confinement (35700).....			
3				\$12,098,368	\$18,159,479
4					\$13,159,479
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10	326.	Not set out.			
11	327.	Not set out.			
12	328.	Facility Administrative and Support Services			
13		(49800).....			
14				\$14,245,696	\$15,945,696
15					\$14,445,696
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ITEM 328.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Grand Total for Department of Behavioral Health				
2	and Developmental Services.....			\$1,150,422,872	\$1,217,429,732
3					\$1,221,334,504
4	General Fund Positions.....	5,971.25	6,497.00		
5			6,406.00		
6	Nongeneral Fund Positions.....	1,298.25	1,309.25		
7	Position Level.....	7,269.50	7,806.25		
8			7,715.25		
9	Fund Sources: General.....	\$823,286,584	\$919,479,922		
10			\$908,931,523		
11	Special.....	\$203,817,658	\$176,887,344		
12			\$191,340,515		
13	Dedicated Special Revenue.....	\$5,000,000	\$2,500,000		
14	Federal Trust.....	\$118,318,630	\$118,562,466		
15	329. Not set out.				
16	330. Not set out.				
17	331. Not set out.				
18	332. Not set out.				
19	333. Not set out.				
20	334. Not set out.				
21	335. Not set out.				
22	336. Not set out.				
23	337. Not set out.				
24	338. Not set out.				
25	§ 1-23. DEPARTMENT OF SOCIAL SERVICES (765)				
26	339. Program Management Services (45100).....			\$42,408,598	\$44,554,972
27					\$43,845,249
28	Training and Assistance to Local Staff (45101).....	\$4,986,679	\$4,986,679		
29	Central Administration and Quality Assurance for				
30	Benefit Programs (45102).....	\$12,541,044	\$12,541,044		
31			\$12,457,475		
32	Central Administration and Quality Assurance for				
33	Family Services (45103).....	\$8,491,978	\$9,436,422		
34			\$10,492,054		
35	Central Administration and Quality Assurance for				
36	Community Programs (45105).....	\$9,992,656	\$11,194,586		
37			\$10,112,800		
38	Central Administration and Quality Assurance for				
39	Child Care Activities (45107).....	\$6,396,241	\$6,396,241		
40			\$5,796,241		
41	Fund Sources: General.....	\$16,701,948	\$18,078,365		
42			\$17,670,988		
43	Special.....	\$100,000	\$100,000		
44	Federal Trust.....	\$25,606,650	\$26,376,607		
45			\$26,074,261		
46	Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI,				

ITEM 339.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended,				
2	Federal Code.				
3	A. The Department of Social Services, in collaboration with the Office of Children's Services,				
4	shall provide training to local staff serving on Family Assessment and Planning Teams and				
5	Community Policy and Management Teams. Training shall include, but need not be limited				
6	to, the federal and state requirements pertaining to the provision of the foster care services				
7	funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance				
8	concerning which services remain the financial responsibility of the local departments of				
9	social services. Training shall be provided on a regional basis at least once per year. Written				
10	guidance shall be updated and provided to local Office of Children's Services teams whenever				
11	there is a change in allowable expenses under federal or state guidelines. In addition, the				
12	Department of Social Services shall provide ongoing local oversight of its federal and state				
13	requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.				
14	B.1. By November 1 of each year, the Department of Planning and Budget, in cooperation				
15	with the Department of Social Services, shall prepare and submit a forecast of expenditures				
16	for cash assistance provided through the Temporary Assistance for Needy Families (TANF)				
17	program, mandatory child day care services under TANF, foster care maintenance and				
18	adoption subsidy payments, upon which the Governor's budget recommendations will be				
19	based, for the current and subsequent two years to the Chairmen of the House Appropriations				
20	and Senate Finance Committees.				
21	2. The forecast of expenditures shall detail the incremental general fund and federal fund				
22	adjustments required by the forecast each year in the biennial budget. The Department of				
23	Planning and Budget shall convene a meeting on or before October 15 of each year with the				
24	appropriate staff from the Department of Social Services, and the House Appropriations and				
25	Senate Finance Committees to review current trends and assumptions used in the forecasts				
26	prior to their finalization.				
27	C. The Department of Social Services shall provide administrative support and technical				
28	assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in				
29	Sections 63.2-2100 through 63.2-2103, Code of Virginia.				
30	D. Out of this appropriation, \$1,829,111 the first year and \$1,829,111 the second year from				
31	the general fund and \$1,829,111 the first year and \$1,829,111 the second year from				
32	nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program				
33	(SNAP) Electronic Benefit Transfer (EBT) contract cost.				
34	E.1. Out of this appropriation, ten positions and the associated funding shall be dedicated to				
35	providing on-going financial oversight of foster care services. Each of the ten positions, with				
36	two working out of each regional office, shall assess and review all foster care spending to				
37	ensure that state and federal standards are met. None of these positions shall be used for				
38	quality, information technology, or clerical functions.				
39	2. By September 1 of each year, the department shall report to the Governor, the Chairmen of				
40	the House Appropriations and Senate Finance Committees, and the Director, Department of				
41	Planning and Budget regarding the foster care program's statewide spending, error rates and				
42	compliance with state and federal reviews.				
43	<i>F. Out of this appropriation, \$187,549 the second year from the Temporary Assistance for</i>				
44	<i>Needy Families block grant shall be provided to manage the two-year summer feeding pilot</i>				
45	<i>program, beginning June 2020 and ending August 2022.</i>				
46	340. Financial Assistance for Self-Sufficiency Programs				
47	and Services (45200).....			\$267,327,852	\$280,389,941
48					\$270,076,970
49	Temporary Assistance for Needy Families (TANF)				
50	Cash Assistance (45201).....	\$65,706,200	\$66,744,124		
51			\$62,984,242		
52	Temporary Assistance for Needy Families (TANF)				
53	Employment Services (45212).....	\$21,657,833	\$21,657,833		
54	Supplemental Nutrition Assistance Program				
55	Employment and Training (SNAPET) Services				
56	(45213).....	\$4,562,444	\$1,017,741		

ITEM 340.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Temporary Assistance for Needy Families (TANF)			
2	Child Care Subsidies (45214).....	\$57,807,905	\$58,676,773	\$55,651,909
3				
4	At-Risk Child Care Subsidies (45215).....	\$110,235,948	\$124,635,948	
5	Unemployed Parents Cash Assistance (45216).....	\$7,357,522	\$7,657,522	\$4,129,297
6				
7	Fund Sources: General.....	\$81,518,741	\$81,818,741	\$78,290,516
8				
9	Federal Trust.....	\$185,809,111	\$198,571,200	\$191,786,454
10				
11	Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title			
12	VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as			
13	amended, Federal Code.			
14	105,902,723 A. It is hereby acknowledged that as of June 30, 2017 there existed with the			
15	federal government an unexpended balance of \$123,754,882 in federal Temporary			
16	Assistance for Needy Families (TANF) block grant funds which are available to the			
17	Commonwealth of Virginia to reimburse expenditures incurred in accordance with the			
18	adopted State Plan for the TANF program. Based on projected spending levels and			
19	appropriations in this act, the Commonwealth's accumulated balance for authorized federal			
20	TANF block grant funds is estimated at \$136,288,696 on June 30, 2018; \$124,901,366 on			
21	June 30, 2019; and \$105,902,723 \$132,893,708 on June 30, 2020.			
22	B. No less than 30 days prior to submitting any amendment to the federal government			
23	related to the State Plan for the Temporary Assistance for Needy Families program, the			
24	Commissioner of the Department of Social Services shall provide the Chairmen of the			
25	House Appropriations and Senate Finance Committees as well as the Director,			
26	Department of Planning and Budget written documentation detailing the proposed policy			
27	changes. This documentation shall include an estimate of the fiscal impact of the proposed			
28	changes and information summarizing public comment that was received on the proposed			
29	changes.			
30	C. Notwithstanding any other provision of state law, the Department of Social Services			
31	shall maintain a separate state program, as that term is defined by federal regulations			
32	governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. §			
33	260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-			
34	parent families. The separate state program shall be funded by state funds and operated			
35	outside of the TANF program. Able-bodied two-parent families shall not be eligible for			
36	TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits			
37	under the separate state program provided for in this paragraph. Although various			
38	conditions and eligibility requirements may be different under the separate state program,			
39	the basic benefit payment for which two-parent families are eligible under the separate			
40	state program shall not be less than what they would have received under TANF. The			
41	Department of Social Services shall establish regulations to govern this separate state			
42	program.			
43	D. As a condition of this appropriation, the Department of Social Services shall disregard			
44	the value of one motor vehicle per assistance unit in determining eligibility for cash			
45	assistance in the Temporary Assistance for Needy Families (TANF) program and in the			
46	separate state program for able-bodied two-parent families.			
47	E. The Department of Social Services, in collaboration with local departments of social			
48	services, shall maintain minimum performance standards for all local departments of			
49	social services participating in the Virginia Initiative for Employment, Not Welfare			
50	(VIEW) program. The department shall allocate VIEW funds to local departments of			
51	social services based on these performance standards and VIEW caseloads. The allocation			
52	formula shall be developed and revised in cooperation with the local social services			
53	departments and the Department of Planning and Budget.			
54	F. A participant whose Temporary Assistance for Needy Families (TANF) financial			
55	assistance is terminated due to the receipt of 24 months of assistance as specified in §			
56	63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion			
57	of 24 months of TANF assistance, excluding cases closed with a sanction for			

ITEM 340.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be				
2	eligible to receive employment and training assistance for up to 12 months after termination,				
3	if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of				
4	Virginia.				
5	G. The Department of Social Services, in conjunction with the Department of Correctional				
6	Education, shall identify and apply for federal, private and faith-based grants for pre-release				
7	parenting programs for non-custodial incarcerated parent offenders committed to the				
8	Department of Corrections, including but not limited to the following grant programs:				
9	Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation				
10	Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special				
11	Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant				
12	programs authorized under the federal Temporary Assistance for Needy Families (TANF)				
13	block grant program.				
14	H.1. Out of this appropriation, \$10,703,748 the first year and \$10,703,748 the second year				
15	from nongeneral funds is included for Head Start wraparound child care services.				
16	2. Included in this Item is funding to carry out the former responsibilities of the Virginia				
17	Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations				
18	allocated for uses associated with the Head Start program shall not be transferred for any				
19	other use until eligible Head Start families have been fully served. Any remaining funds may				
20	be used to provide services to enrolled low-income families in accordance with federal and				
21	state requirements. Families, who are working or in education and training programs, with				
22	income at or below the poverty level, whose children are enrolled in Head Start wraparound				
23	programs paid for with the federal block grant funding in this Item shall not be required to pay				
24	fees for these wraparound services.				
25	I. Out of this appropriation, \$2,647,305 the first year and \$2,647,305 the second year from the				
26	general fund and \$72,503,762 the first year and \$72,503,762 the second year from federal				
27	funds shall be provided to support state child care programs which will be administered on a				
28	sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are				
29	to be set according to the rules and regulations of the State Board of Social Services, except				
30	that the income eligibility thresholds for child care assistance shall account for variations in				
31	the local cost of living index by metropolitan statistical areas. The Department of Social				
32	Services shall make the necessary amendments to the Child Care and Development Funds				
33	Plan to accomplish this intent. Funds shall be targeted to families who are most in need of				
34	assistance with child care costs. Localities may exceed the standards established by the state				
35	by supplementing state funds with local funds.				
36	J. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from				
37	nongeneral funds shall be used to provide scholarships to students in early childhood				
38	education and related majors who plan to work in the field, or already are working in the field,				
39	whether in public schools, child care or other early childhood programs, and who enroll in a				
40	state community college or a state supported senior institution of higher education.				
41	K. Out of this appropriation, \$505,000 the first year and \$505,000 the second year from				
42	nongeneral funds shall be used to provide training of individuals in the field of early				
43	childhood education.				
44	L. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from				
45	nongeneral funds shall be used to provide child care assistance for children in homeless and				
46	domestic violence shelters.				
47	M. Out of this appropriation, the Department of Social Services shall use \$4,800,000 the first				
48	year and \$4,800,000 the second year from the federal Temporary Assistance to Needy				
49	Families (TANF) block grant to provide to each TANF recipient with two or more children in				
50	the assistance unit a monthly TANF supplement equal to the amount the Division of Child				
51	Support Enforcement collects up to \$200, less the \$100 disregard passed through to such				
52	recipient. The TANF child support supplement shall be paid within two months following				
53	collection of the child support payment or payments used to determine the amount of such				
54	supplement. For purposes of determining eligibility for medical assistance services, the TANF				
55	supplement described in this paragraph shall be disregarded. In the event there are sufficient				
56	federal TANF funds to provide all other assistance required by the TANF State Plan, the				

ITEM 340.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Commissioner may use unobligated federal TANF block grant funds in excess of this				
2	appropriation to provide the TANF supplement described in this paragraph.				
3	N. The Board of Social Services shall combine Groups I and II for the purposes of				
4	Temporary Assistance to Needy Families cash benefits and use the Group II rates for the				
5	new group.				
6	O. The Department of Social Services, in cooperation with the University of Virginia's				
7	Center for Advanced Study of Teaching and Learning, shall (i) develop a list of research-				
8	based, age-appropriate curricula to be available as a resource for child care providers				
9	participating in the child care subsidy program, and (ii) develop, publish and maintain a				
10	list of professional development courses and providers to be available as resources for				
11	child care professionals participating in the child care subsidy program.				
12	P. The Department of Social Services shall submit a plan on the intended allocation and				
13	spending of additional federal Child Care and Development Fund monies to improve				
14	access to and quality of child day care in Virginia that are received pursuant to the				
15	Consolidated Appropriations Act of 2018, PL 115-141. The plan shall be submitted to the				
16	Chairmen of the House Appropriations and Senate Finance Committees by September 1,				
17	2018.				
18	Q.1. Out of this appropriation \$925,000 the first year and \$325,000 the second year from				
19	the federal Child Care and Development Fund (CCDF) shall be provided to implement a				
20	pilot program in cooperation with the University of Virginia Center for Advanced Study				
21	of Teaching and Learning (UVA CASTL) to improve early childhood classrooms in faith-				
22	based and private child day care centers. The pilot program shall implement UVA CASTL				
23	developed curricula, professional development and coaching modules to improve				
24	Kindergarten readiness in these centers.				
25	2. Out of the amounts provided in O.1., \$525,000 the first year shall be used to implement				
26	the pilot program in 50 early childhood classrooms in faith-based and private child day				
27	care centers and \$400,000 the first year from the federal CCDF shall be provided to				
28	develop a version of the Virginia Kindergarten Readiness Program for the pilot program to				
29	use in assessing four-year-olds in these early childhood classrooms.				
30	3. Out of the amounts provided in O.1., \$325,000 the second year shall be used to				
31	implement an evaluation of the pilot program.				
32	R. The Department of Social Services shall increase the Temporary Assistance for Needy				
33	Families (TANF) cash benefits by five percent effective July 1, 2019.				
34	S. The Commissioner, Department of Social Services, shall develop a comprehensive plan				
35	for the Temporary Assistance to Needy Families (TANF) block grant and make				
36	recommendations to ensure the block grant is being used in the most effective manner to				
37	best support low-income families in achieving self-sufficiency. The Commissioner shall:				
38	(i) review and evaluate the current uses of TANF block grant funds; (ii) assess the				
39	effectiveness of current TANF benefits in assisting families; (iii) evaluate the				
40	effectiveness of the discretionary uses of TANF in meeting the four goals of the TANF				
41	program and whether such uses have outcome measures; and (iv) provide estimates for the				
42	costs of any recommendations in the plan. The Commissioner shall consult with				
43	stakeholders in developing the plan, and shall submit the plan to the Joint Subcommittee				
44	for Health and Human Resources Oversight by October 1, 2019.				
45	<i>T. Out of this appropriation, \$2,532,800 the second year from the Temporary Assistance</i>				
46	<i>for Needy Families block grant shall be provided for a two-year summer feeding program</i>				
47	<i>pilot. This pilot shall provide fifty dollars for each of the months of June, July, and August</i>				
48	<i>on a qualifying child's family electronic benefits transaction (EBT) card. The funding shall</i>				
49	<i>be used to purchase meals for qualifying low-income children in areas that are currently</i>				
50	<i>unserved by but summer feeding programs. The pilot shall end on August 31, 2022. The</i>				
51	<i>department shall report on annual program performance and shall include monthly</i>				
52	<i>expenditures, number of children served, and localities in which children were served.</i>				
53	<i>This report shall be provided to the Governor, Director of the Department of Planning</i>				
54	<i>and Budget, and the Chairmen of the House Appropriations and Senate Finance</i>				
55	<i>committees by November 1 of each year.</i>				

ITEM 341.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	341.	Financial Assistance for Local Social Services Staff				
2		(46000).....			\$479,100,482	\$488,984,442
3						\$497,124,841
4		Local Staff and Operations (46010).....	\$479,100,482	\$488,984,442		
5				\$497,124,841		
6		Fund Sources: General.....	\$124,596,629	\$125,400,386		
7		Dedicated Special Revenue.....	\$6,508,986	\$8,659,655		
8		Federal Trust.....	\$347,994,867	\$354,924,401		
9				\$363,064,800		
10		Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193,				
11		Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.				
12		A. The amounts in this Item shall be expended under regulations of the Board of Social				
13		Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401,				
14		Code of Virginia, and subject to the same percentage limitations for other administrative				
15		services performed by county and city public welfare/social services boards and				
16		superintendents of public welfare/social services pursuant to other provisions of the Code of				
17		Virginia, as amended.				
18		B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615				
19		Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury				
20		to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be				
21		credited to the applicable general fund account.				
22		C. Included in this appropriation are funds to reimburse local social service agencies for				
23		eligibility workers who interview applicants to determine qualification for public assistance				
24		benefits which include but are not limited to: Temporary Assistance for Needy Families				
25		(TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.				
26		D. Included in this appropriation are funds to reimburse local social service agencies for				
27		social workers who deliver program services which include but are not limited to: child and				
28		adult protective services complaint investigations; foster care and adoption services; and adult				
29		services.				
30		E. Out of the federal fund appropriation for local social services staff, amounts estimated at				
31		\$72,000,000 the first year and \$72,000,000 the second year shall be set aside for allowable				
32		local costs which exceed available general fund reimbursement and amounts estimated at				
33		\$22,000,000 the first year and \$22,000,000 the second year shall be set aside to reimburse				
34		local governments for allowable costs incurred in administering public assistance programs.				
35		F. Out of this appropriation, \$562,260 the first year and \$562,260 the second year from the				
36		general fund and \$540,211 the first year and \$540,211 the second year from nongeneral funds				
37		is provided to cover the cost of the health insurance credit for retired local social services				
38		employees.				
39		G. The Department of Social Services shall work with local departments of social services on				
40		a pilot project in the western region of the state to evaluate the available data collected by				
41		local departments on facilitated care arrangements. The department shall, based on the				
42		findings from the pilot project, determine the most appropriate mechanism for collecting and				
43		reporting such data on a statewide basis.				
44		H.1. Out of this appropriation, \$4,527,969 the first year and \$4,527,969 the second year from				
45		the general fund shall be available for the reinvestment of adoption general fund savings as				
46		authorized in Title IV, parts B and E of the federal Social Security Act (P.L. 110-351).				
47		2. Of the amount in paragraph H.1. above, \$1,333,031 the first year and \$1,333,031 the				
48		second year from the general fund shall be used to provide Child Protective Services (CPS)				
49		assessments and investigations in response to all reports of children born exposed to				
50		controlled substances regardless of whether the substance had been prescribed to the mother				
51		when she has sought or gained substance abuse counseling or treatment.				
52	342.	Child Support Enforcement Services (46300).....			\$775,255,087	\$774,455,087
53						\$768,829,314

ITEM 342.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Support Enforcement and Collection Services			
2	(46301).....	\$110,348,778	\$109,548,778	
3			\$103,923,005	
4	Public Assistance Child Support Payments (46302)			
5		\$11,000,000	\$11,000,000	
6	Non-Public Assistance Child Support Payments			
7	(46303).....	\$653,906,309	\$653,906,309	
8	Fund Sources: General.....	\$17,157,242	\$16,882,124	
9			\$15,444,157	
10	Special.....	\$691,388,199	\$691,663,317	
11	Federal Trust.....	\$66,709,646	\$65,909,646	
12			\$61,721,840	
13	Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19,			
14	Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.			
15	A. Any net revenue from child support enforcement collections, after all disbursements			
16	are made in accordance with state and federal statutes and regulations, and after the state's			
17	share of the cost of administering the program is paid, shall be estimated and deposited			
18	into the general fund by June 30 of the fiscal year in which it is collected. Any additional			
19	moneys determined to be available upon final determination of a fiscal year's costs of			
20	administering the program shall be deposited to the general fund by September 1 of the			
21	subsequent fiscal year in which it is collected.			
22	B. In determining eligibility and amounts for cash assistance, pursuant to the Personal			
23	Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,			
24	the department shall continue to disregard up to \$100 per month in child support payments			
25	and return to recipients of cash assistance up to \$100 per month in child support payments			
26	collected on their behalf.			
27	C. The state share of amounts disbursed to recipients of cash assistance pursuant to			
28	paragraph B of this Item shall be considered part of the Commonwealth's required			
29	Maintenance of Effort spending for the federal Temporary Assistance for Needy Families			
30	program established by the Social Security Act.			
31	D. The department shall expand collections of child support payments through contracts			
32	with private vendors. However, the Department of Social Services and the Office of the			
33	Attorney General shall not contract with any private collection agency, private attorney, or			
34	other private entity for any child support enforcement activity until the State Board of			
35	Social Services has made a written determination that the activity shall be performed			
36	under a proposed contract at a lower cost than if performed by employees of the			
37	Commonwealth.			
38	E. The Division of Child Support Enforcement, in cooperation with the Department of			
39	Medical Assistance Services, shall identify cases for which there is a medical support			
40	order requiring a noncustodial parent to contribute to the medical cost of caring for a child			
41	who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS)			
42	Programs. Once identified, the division shall work with the Department of Medical			
43	Assistance Services to take appropriate enforcement actions to obtain medical support or			
44	repayments for the Medicaid program.			
45	343. Adult Programs and Services (46800).....		\$39,661,169	\$40,660,209
46	Auxiliary Grants for the Aged, Blind, and Disabled			
47	(46801).....	\$20,998,969	\$21,998,009	
48	Adult In-Home and Supportive Services (46802).....	\$6,822,995	\$6,822,995	
49	Domestic Violence Prevention and Support			
50	Activities (46803).....	\$11,839,205	\$11,839,205	
51	Fund Sources: General.....	\$22,456,141	\$23,455,181	
52	Federal Trust.....	\$17,205,028	\$17,205,028	
53	Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social			
54	Security Act, as amended.			

ITEM 343.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	A.1.a. Effective January 1, 2019, the Department of Social Services, in collaboration with the				
2	Department for Aging and Rehabilitative Services, is authorized to base approved licensed				
3	assisted living facility rates for individual facilities on an occupancy rate of 85 percent of				
4	licensed capacity, not to exceed a maximum rate of \$1,292 per month, which rate is also				
5	applied to approved adult foster care homes, unless modified as indicated below. The				
6	department may add a 15 percent differential to the maximum amount for licensed assisted				
7	living facilities and adult foster care homes in Planning District Eight.				
8	b. Effective July 1, 2019, the Department of Social Services, in collaboration with the				
9	Department for Aging and Rehabilitative Services, is authorized to base approved licensed				
10	assisted living facility rates for individual facilities on an occupancy rate of 85 percent of				
11	licensed capacity, not to exceed a maximum rate of \$1,317 per month, which rate is also				
12	applied to approved adult foster care homes, unless modified as indicated below. The				
13	department may add a 15 percent differential to the maximum amount for licensed assisted				
14	living facilities and adult foster care homes in Planning District Eight.				
15	<i>c. Effective January 1, 2020, the Department of Social Services, in collaboration with the</i>				
16	<i>Department for Aging and Rehabilitative Services, is authorized to base approved licensed</i>				
17	<i>assisted living facility rates for individual facilities on an occupancy rate of 85 percent of</i>				
18	<i>licensed capacity, not to exceed a maximum rate of \$1,329 per month, which rate is also</i>				
19	<i>applied to approved adult foster care homes, unless modified as indicated below. The</i>				
20	<i>department may add a 15 percent differential to the maximum amount for licensed assisted</i>				
21	<i>living facilities and adult foster care homes in Planning District Eight.</i>				
22	2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant				
23	recipients who reside in licensed assisted living facilities and approved adult foster care				
24	homes shall be \$82 per month, unless modified as indicated below.				
25	3. The Department of Social Services, in collaboration with the Department for Aging and				
26	Rehabilitative Services, is authorized to increase the assisted living facility and adult foster				
27	care home rates and/or the personal care allowance cited above on January 1 of each year in				
28	which the federal government increases Supplemental Security Income or Social Security				
29	rates or at any other time that the department determines that an increase is necessary to				
30	ensure that the Commonwealth continues to meet federal requirements for continuing				
31	eligibility for federal financial participation in the Medicaid program. Any such increase is				
32	subject to the prior concurrence of the Department of Planning and Budget. Within thirty days				
33	after its effective date, the Department of Social Services shall report any such increase to the				
34	Governor and the Chairmen of the House Appropriations and Senate Finance Committees				
35	with an explanation of the reasons for the increase.				
36	4. The Department of Social Services, in collaboration with the Department for Aging and				
37	Rehabilitative Services and the Department of Behavioral Health and Developmental				
38	Services, shall report annually by August 15, the number of individuals receiving an Auxiliary				
39	Grant supportive housing slot that were discharged from a state behavioral health hospital in				
40	the prior 12 months. The report shall be submitted to the Chairmen of the House				
41	Appropriations and Senate Finance Committees.				
42	B. Out of this appropriation, \$4,185,189 the first year and \$4,185,189 in the second year from				
43	the federal Social Services Block Grant shall be allocated to provide adult companion services				
44	for low-income elderly and disabled adults.				
45	C. The toll-free telephone hotline operated by the Department of Social Services to receive				
46	child abuse and neglect complaints shall also be publicized and used by the department to				
47	receive complaints of adult abuse and neglect.				
48	D. Out of this appropriation, \$248,750 the first year and \$248,750 the second year from the				
49	general fund and \$1,346,792 the first year and \$1,346,792 the second year from federal				
50	Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local				
51	domestic violence programs for purchase of crisis and core services for victims of domestic				
52	violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other				
53	crisis services as a first priority.				
54	E. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the				
55	general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds				

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1	shall be provided for the purchase of services for victims of domestic violence as stated in			
2	§ 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board			
3	of Social Services.			
4	F. Out of this appropriation \$1,100,000 the first year and \$1,100,000 the second year from			
5	the general fund and \$2,500,000 the first year and \$2,500,000 the second year from			
6	federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a			
7	grant to local domestic violence programs for services.			
8	G. The Director, Department of Planning and Budget, shall, on or before June 30, 2019,			
9	unallot \$2,000,000 from the general fund in this item, which reflects unused balances in			
10	the auxiliary grants program.			
11	344. Child Welfare Services (46900).....		\$234,910,203	\$238,176,201
12				\$243,026,935
13	Foster Care Payments (46901).....	\$62,854,331	\$63,509,506	
14			\$59,749,196	
15	Supplemental Child Welfare Activities (46902).....	\$36,763,186	\$38,723,749	
16	Adoption Subsidy Payments (46903).....	\$135,292,686	\$135,942,946	
17			\$144,553,990	
18	Fund Sources: General.....	\$118,060,119	\$119,412,176	
19			\$120,134,515	
20	Special.....	\$1,425,030	\$2,434,593	
21	Dedicated Special Revenue.....	\$585,265	\$585,265	
22	Federal Trust.....	\$114,839,789	\$115,744,167	
23			\$119,872,562	
24	Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294,			
25	P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended,			
26	Federal Code.			
27	A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully			
28	reimbursed except that expenditures otherwise subject to a standard local matching share			
29	under applicable state policy, including local staffing, shall continue to require local			
30	match. The commissioner shall ensure that local social service boards obtain			
31	reimbursement for all children eligible for Title IV-E coverage.			
32	B. The commissioner, in cooperation with the Department of Planning and Budget, shall			
33	establish a reasonable, automatic adjustment for inflation each year to be applied to the			
34	room and board maximum rates paid to foster parents. However, this provision shall apply			
35	only in fiscal years following a fiscal year in which salary increases are provided for state			
36	employees.			
37	C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from			
38	the general fund shall be provided for the purchase of services for victims child abuse and			
39	neglect prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance			
40	with regulations promulgated by the Board of Social Services.			
41	D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from			
42	the general fund and \$99,800 the first year and \$99,800 the second year from nongeneral			
43	funds shall be provided to continue respite care for foster parents.			
44	E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia,			
45	adoption assistance subsidies and supportive services shall not be available for children			
46	adopted through parental placements, except parental placements where the legal guardian			
47	is a child placing agency at the time of the adoption. This restriction does not apply to			
48	existing adoption assistance agreements.			
49	F.1. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year			
50	from the general fund shall be provided to implement pilot programs that increase the			
51	number of foster care children adopted.			
52	2. Beginning July 1, 2017, the department shall provide an annual report, not later than 45			
53	days after the end of the state fiscal year, on the use and effectiveness of this funding			

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1	including, but not limited to, the additional number of special needs children adopted from				
2	foster care as a result of this effort and the types of ongoing supportive services provided, to				
3	the Governor, Chairmen of House Appropriations and Senate Finance Committees, and the				
4	Director, Department of Planning and Budget.				
5	G. Out of this appropriation, \$18,293,004 the first year and \$17,625,719 \$14,864,476 the				
6	second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second				
7	year from nongeneral funds shall be provided for special needs adoptions.				
8	H. Out of this appropriation \$54,830,250 the first year and \$54,830,250 \$61,019,627 the				
9	second year from the general fund and \$54,830,250 the first year and \$54,830,250				
10	\$61,019,627 the second year from nongeneral funds shall be provided for Title IV-E adoption				
11	subsidies.				
12	I. The Commissioner, Department of Social Services, shall ensure that local departments that				
13	provide independent living services to persons between 18 and 21 years of age make certain				
14	information about and counseling regarding the availability of independent living services is				
15	provided to any person who chooses to leave foster care or who chooses to terminate				
16	independent living services before his twenty-first birthday. Information shall include the				
17	option for restoration of independent living services following termination of independent				
18	living services, and the processes whereby independent living services may be restored should				
19	he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of				
20	Virginia.				
21	J.1. Notwithstanding the provisions of § 63.2-1302, Code of Virginia, the Department of				
22	Social Services shall negotiate all adoption assistance agreements with both existing and				
23	prospective adoptive parents on behalf of local departments of social services. This provision				
24	shall not alter the legal responsibilities of the local departments of social services set out in				
25	Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to				
26	appeal.				
27	2. Out of this appropriation, \$342,414 the first year and \$342,414 the second year from the				
28	general fund and \$215,900 the first year and \$215,900 the second year from nongeneral funds				
29	shall be provided for five positions to execute these negotiations.				
30	K.1. The Department of Social Services shall partner with Patrick Henry Family Services to				
31	implement a pilot program in the area encompassing Planning District 11 (Amherst,				
32	Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary				
33	placements of children for children and families in crisis.				
34	The pilot program will allow a parent or legal custodian of a minor, with the assistance of				
35	Patrick Henry Family Services, to delegate to another person by a properly executed power of				
36	attorney any powers regarding care, custody, or property of the minor for a temporary				
37	placement for a period that is not greater than 90 days. The program will allow for an option				
38	of a one-time 90 day extension.				
39	2. The department shall ensure that this pilot program meets the following specific				
40	programmatic and safety requirements outlined in 22 VAC 40-131 and 22 VAC 40-191:				
41	(i) The pilot program organization shall meet the background check requirements described in				
42	22 VAC 40-191.				
43	(ii) The pilot program organization shall develop and implement written policies and				
44	procedures for governing active and closed cases, admissions, monitoring the administration				
45	of medications, prohibiting corporal punishment, ensuring that children are not subjected to				
46	abuse or neglect, investigating allegations of misconduct toward children, implementing the				
47	child's back-up emergency care plan, assigning designated casework staff, management of all				
48	records, discharge policies, and the use of seclusion and restraint (22 VAC 40-131-90).				
49	(iii) The pilot program organization shall provide pre-service and ongoing training for				
50	temporary placement providers and staff (22 VAC 40-131-210 and 22 VAC 40-131-150).				
51	3. The Department of Social Services shall evaluate the pilot program and determine if this				
52	model of prevention is effective. A report of the evaluation findings and recommendations				
53	shall be submitted to the Governor, the Chairmen of the House Appropriations and Senate				

ITEM 344.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Finance Committees, and the Commission on Youth by December 1, 2017.				
2	L.1. Out of this appropriation, \$2,925,954 the first year and \$2,925,954 the second year				
3	from the general fund and \$2,886,611 the first year and \$2,886,611 the second year from				
4	nongeneral funds shall be available for the expansion of foster care and adoption				
5	assistance as authorized in the federal Foster Connections to Success and Increasing				
6	Adoptions Act of 2008 (P.L. 110-351; P.L. 11-148).				
7	2. In order to implement the Fostering Futures program, the Department of Social Services				
8	shall set out the requirements for program participation in accordance with 42 U.S.C. 675				
9	(8) (B) (iv) and shall provide the format of an agreement to be signed by the local				
10	department of social services and the youth. The definition of a child for the purpose of				
11	the Fostering Futures program shall be any natural person who has reached the age of 18				
12	years but has not reached the age of 21. The Department of Social Services shall develop				
13	guidance setting out the requirements for local implementation including a requirement for				
14	six-month reviews of each case and reasons for termination of participation by a youth.				
15	The guidance shall also include a definition of a supervised independent living				
16	arrangement which does not include group homes or residential facilities. Implementation				
17	of this program includes the extension of adoption assistance to age 21 for youth who				
18	were adopted at age 16 or older and who meet the program participation requirements set				
19	out in guidance by the Department of Social Services.				
20	3. The Department of Social Services shall issue guidance for the program's eligibility				
21	requirements and shall be available, on a voluntary basis, to an individual upon reaching				
22	the age of 18 who:				
23	(i) was in the custody of a local department of social services either:				
24	(a) prior to reaching 18 years of age, remained in foster care upon turning 18 years of age;				
25	or				
26	(b) immediately prior to commitment to the Department of Juvenile Justice and is				
27	transitioning from such commitment to self-sufficiency.				
28	(ii) and who is:				
29	(a) completing secondary education or an equivalent credential; or				
30	(b) enrolled in an institution that provides post-secondary or vocational education; or				
31	(c) employed for at least 80 hours per month; or				
32	(d) participating in a program or activity designed to promote employment or remove				
33	barriers to employment; or				
34	(e) incapable of doing any of the activities described in subdivisions (a) through (d) due to				
35	a medical condition, which incapability is supported by regularly updated information in				
36	the program participant's case plan.				
37	4. Implementation of extended foster care services shall be available for those eligible				
38	youth reaching age 18 on or after July 1, 2016.				
39	M.1. Out of this appropriation, \$7,517,668 the first year and \$7,517,668 the second year				
40	from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from				
41	nongeneral funds shall be available for the reinvestment of adoption general fund savings				
42	as authorized in title IV, parts B and E of the federal Social Security Act (P.L. 110-351).				
43	2. Of the amounts in paragraph M.1. above, \$3,078,595 the first year and \$3,078,595 the				
44	second year from the general fund shall be used to develop a case management module for				
45	a comprehensive child welfare information system (CCWIS). In the development of the				
46	CCWIS, the department shall not create any future obligation that will require the				
47	appropriation of general fund in excess of that provided in this Act. Should additional				
48	appropriation, in excess of the amounts identified in this paragraph, be needed to complete				
49	development of this or any other module for the CCWIS, the department shall notify the				
50	Chairmen of the House Appropriations and Senate Finance Committees, and Director,				
51	Department of Planning and Budget.				

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1	3. Beginning September 1, 2018, the department shall also provide semi-annual progress				
2	reports that includes current project summary, implementation status, accounting of project				
3	expenditures and future milestones. All reports shall be submitted to the Chairmen of the				
4	House Appropriations and Senate Finance Committees, and Director, Department of Planning				
5	and Budget.				
6	N. Out of this appropriation, \$1,009,563 the second year from nongeneral funds shall be used				
7	to fund ten positions that support the child protective services hotline.				
8	O. Out of this appropriation, \$50,000 the second year from the general fund and \$50,000 the				
9	second year from nongeneral funds shall be used to fund one position that supports Virginia				
10	Fosters.				
11	P. Out of this appropriation, \$851,000 the second year from the general fund is provided for				
12	training, consultation and technical support, and licensing costs associated with establishing				
13	evidence-based programming as identified in the federal Family First Prevention Services Act				
14	(FFPSA) Evidence-Based Programs Clearinghouse.				
15	Q. The Department of Social Services shall immediately review all cases of children in				
16	congregate care without a clinical need to be there and assist local departments in finding				
17	appropriate family-based settings. The department shall certify completion of the reviews by				
18	June 30, 2020, and by letter notify the General Assembly as such.				
19	345. Financial Assistance for Supplemental Assistance				
20	Services (49100).....			\$78,757,450	\$78,757,450
21					\$83,257,450
22	General Relief (49101).....	\$500,000	\$500,000		
23	Resettlement Assistance (49102).....	\$9,022,000	\$9,022,000		
24	Emergency and Energy Assistance (49103).....	\$69,235,450	\$69,235,450		
25					\$73,735,450
26	Fund Sources: General.....	\$500,000	\$500,000		
27	Federal Trust.....	\$78,257,450	\$78,257,450		
28					\$82,757,450
29	Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35,				
30	as amended; P.L. 104-193, as amended, Federal Code.				
31	346. Financial Assistance to Community Human Services				
32	Organizations (49200).....			\$48,700,789	\$53,657,967
33	Community Action Agencies (49201).....	\$18,638,048	\$19,763,048		
34	Volunteer Services (49202).....	\$3,866,340	\$3,866,340		
35	Other Payments to Human Services Organizations				
36	(49203).....	\$26,196,401	\$30,028,579		
37	Fund Sources: General.....	\$674,500	\$674,500		
38	Federal Trust.....	\$48,026,289	\$52,983,467		
39	Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35,				
40	as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.				
41	A.1. All increased state or federal funds distributed to Community Action Agencies shall be				
42	distributed as follows: The funds shall be distributed to all local Community Action Agencies				
43	according to the Department of Social Services funding formula (75 percent based on low-				
44	income population, 20 percent based on number of jurisdictions served, and five percent				
45	based on square mileage served), adjusted to ensure that no agency receives less than 1.5				
46	percent of any increase.				
47	2. Out of this appropriation, \$185,725 the first year and \$185,725 the second year from the				
48	Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract				
49	with the Virginia Community Action Partnership to provide outreach, education and tax				
50	preparation services via the Virginia Earned Income Tax Coalition and other community non-				
51	profit organizations to citizens who may be eligible for the federal Earned Income Tax Credit.				
52	The contract shall require the Virginia Community Action Partnership to report on its efforts				
53	to expand the number of Virginians who are able to claim the federal EITC, including the				

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1	number of individuals identified who could benefit from the credit, the number of			
2	individuals counseled on the availability of federal EITC, and the number of individuals			
3	assisted with tax preparation to claim the federal EITC. The annual report from the			
4	Virginia Community Action Partnership shall also detail actual expenditures for the			
5	program including the sub-contractors that were utilized. This report shall be provided to			
6	the Governor and the Chairmen of the House Appropriations and Senate Finance			
7	Committees by December 1 each year.			
8	3. Out of this appropriation, \$6,250,000 the first year and \$6,250,000 the second year from			
9	the Temporary Assistance for Needy Families (TANF) block grant shall be provided to			
10	contract with local Community Action Agencies to provide an array of services designed			
11	to meet the needs of low-income individuals and families, including the elderly and			
12	migrant workers. Services may include, but are not limited to, child care, community and			
13	economic development, education, employment, health and nutrition, housing, and			
14	transportation.			
15	4. Out of this appropriation, \$1,125,000 the second year from the Temporary Assistance to			
16	Needy Families (TANF) block grant shall be provided for competitive grants to			
17	Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for			
18	evaluation of the pilot project. Applicants selected for the pilot project shall provide a			
19	match of no less than 20 percent of the grant, including in-kind services. The Department			
20	of Social Services shall report to the General Assembly annually on the progress of the			
21	pilot project and shall complete a final report on the project no later than six years after the			
22	commencement of the project.			
23	B. The department shall continue to fund from this Item all organizations recognized by			
24	the Commonwealth as community action agencies as defined in §2.2-5400 et seq.			
25	C. Out of this appropriation, \$9,035,501 the first year and \$9,035,501 \$8,617,679 the			
26	second year from the Temporary Assistance for Needy Families (TANF) block grant shall			
27	be provided to contract with programs that follow the evidence-based Healthy Families			
28	America home visiting model that promotes positive parenting, improves child health and			
29	development, and reduces child abuse and neglect. The Department of Social Services			
30	shall use a portion of the funds from this item to contract with the statewide office of			
31	Prevent Child Abuse Virginia for providing the coordination, technical support, quality			
32	assurance, training and evaluation of the Virginia Healthy Families programs.			
33	E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from			
34	nongeneral funds shall be provided for the Child Abuse Prevention Play (the play)			
35	administered by Virginia Repertory Theatre. The contract shall include production and			
36	live performances of the play that teach child safety awareness to prevent child abuse.			
37	F. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the			
38	general fund shall be provided to contract with the Virginia Alzheimer's Association			
39	Chapters to provide dementia-specific training to long-term care workers in licensed			
40	nursing facilities, assisted living facilities and adult day care centers who deal with			
41	Alzheimer's disease and related disorders.			
42	G. Out of this appropriation, \$500,000 the first year and \$1,000,000 the second year from			
43	the Temporary Assistance for Needy Families (TANF) block grant shall be provided to			
44	contract with Northern Virginia Family Services (NVFS) to provide supportive services			
45	that address the basic needs of families in crisis, including the provision of food, financial			
46	assistance to prevent homelessness, access to health services, and adult workforce			
47	development programs. The contract shall require NVFS to provide an intake process that			
48	identifies the needs and appropriate services for those in crisis. Outcomes will be			
49	measured utilizing surveys provided to those who receive services and NVFS will report			
50	quarterly on survey results.			
51	H. Out of this appropriation, \$405,500 the first year and \$405,500 the second year from			
52	the general fund and \$1,136,500 the first year and \$1,136,500 the second year from the			
53	Temporary Assistance for Needy Families (TANF) block grant shall be provided to			
54	contract with child advocacy centers (CAC) to provide a comprehensive, multidisciplinary			
55	team response to allegations of child abuse in a dedicated, child-friendly setting. The			
56	contracts shall require CACs to provide forensic interviews, victim support and advocacy			

ITEM 346.		Item Details(\$)		Appropriations(\$)	
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1	services, medical evaluations, and mental health services to victims of child abuse and neglect				
2	with the expected outcome of reducing child abuse and neglect. The department shall allocate				
3	four percent to Children's Advocacy Centers of Virginia (CACVA), the recognized chapter of				
4	the National Children's Alliance for Virginia's Child Advocacy Centers, for the purpose of				
5	assisting and supporting the development, continuation, and sustainability of community-				
6	coordinated, child-focused services delivered by children's advocacy centers (CACs). Of the				
7	remaining 96 percent, (i) 65 percent shall be distributed to a baseline allocation determined by				
8	the accreditation status of the CAC: (a) developing and associate centers 100 percent of base;				
9	(b) accredited centers 150 percent of base; and (c) accredited centers with satellite facilities				
10	175 percent of base; and (ii) 35 percent shall be allocated according to established criteria to				
11	include: (a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent				
12	determined by child population; and (c) 50 percent determined by the number of counties and				
13	independent cities serviced.				
14	I.1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from				
15	the Temporary Assistance for Needy Families (TANF) block grant shall be provided to				
16	contract with the Virginia Early Childhood Foundation (VECF) to support the health and				
17	school readiness of Virginia's young children prior to school entry. These funds shall be				
18	matched with local public and private resources with a goal of leveraging a dollar for each				
19	state dollar provided.				
20	2. Of the amounts in paragraph I.1. above, \$1,250,000 the first year and \$1,250,000 the				
21	second year from the Temporary Assistance for Needy Families (TANF) block grant shall be				
22	used to provide information and assistance to parents and families and to facilitate				
23	partnerships with both public and private providers of early childhood services. VECF will				
24	track and report statewide and local progress on a biennial basis. The Foundation shall				
25	account for the expenditure of these funds by providing the Governor, Secretary of Health and				
26	Human Resources, and the Chairmen of the House Appropriations and Senate Finance				
27	Committees with a certified audit and full report on Foundation initiatives and results not later				
28	than October 1 of each year for the preceding fiscal year ending June 30.				
29	3. On or before October 1 of each year, the foundation shall submit to the Governor and the				
30	Chairmen of the House Appropriations and Senate Finance Committees a report on the actual				
31	amount, by fiscal year, of private and local government funds received by the foundation.				
32	J. Out of this appropriation \$1,000,000 the first year and \$1,500,000 the second year from the				
33	Temporary Assistance to Needy Families (TANF) block grant shall be provided to the				
34	Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and				
35	mentoring programs.				
36	K.1. Out of this appropriation, \$7,500,000 the first year and \$7,500,000 the second year from				
37	the Temporary Assistance to Needy Families (TANF) block grant the shall be provided for				
38	competitive grants for community employment and training programs designed to move low-				
39	income individuals out of poverty through programs designed to assist TANF recipients in				
40	obtaining and retaining competitive employment with the prospect of a career path and wage				
41	growth and other supportive services designed to break the cycle of poverty and permanently				
42	move individuals out of poverty. Of this amount, \$2.0 million shall be provided for				
43	competitive grants provided through Employment Services Organizations (ESOs).				
44	2.a. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from				
45	the Temporary Assistance to Needy Families (TANF) block grant the shall be provided for a				
46	second round of grants for community employment and training programs designed to move				
47	low-income individuals out of poverty by obtaining and retaining competitive employment				
48	with the prospect of a career path and wage growth. The local match requirement shall be				
49	reduced to 10 percent, including in-kind services, for grant recipients located in Virginia				
50	counties or cities with high fiscal stress as defined by the Commission on Local Government				
51	fiscal stress index.				
52	b. Out of the amounts in 2.a., at least \$300,000 each year from the TANF block grant shall be				
53	provided through a contract with the City of Richmond, Office of Community Wealth for				
54	services provided through the Center for Workforce Innovation.				
55	3. The Department of Social Services shall award grants to qualifying programs through a				
56	memorandum of understanding which articulates performance measures and outcomes				

ITEM 346.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	including the number of individuals participating in services, number of individuals hired			
2	into employment, the number of unique employers hiring individuals through			
3	organizational programs and activities, the average starting wage of individuals hired,			
4	reductions in the rate of poverty, as well as process measures such as how the program			
5	targets improvement in poverty over a 3-5 year period and fits in with long term			
6	community goals for reducing poverty. Grants shall require local matching funds of at			
7	least a 25 percent, including in-kind services.			
8	4. Community employment and training programs and ESOs shall report on annual			
9	program performance and outcome measures contained in the memorandum of			
10	understanding with the Department of Social Services. The department shall report on the			
11	implementation of the programs and any performance and outcome data collected through			
12	the memorandum of understanding by June 1 of each year.			
13	L. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from			
14	the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide			
15	comprehensive residential, education and counseling services to at-risk youth of the			
16	Commonwealth of Virginia who have been sexually exploited, including victims of sex			
17	trafficking. The contract shall require YFT to provide individual assessments/individual			
18	service planning; individual and group counseling; room and board; coordination of			
19	medical and mental health services and referrals; independent living services for youth			
20	transitioning out of foster care; active supervision; education; and family reunification			
21	services. Youth for Tomorrow shall submit monthly progress reports on activities			
22	conducted and progress achieved on outputs, outcomes and other functions/activities			
23	during the reporting period. On October 1 of each year, YFT shall provide an annual			
24	report to the Governor and the Chairmen of the House Appropriations and Senate Finance			
25	Committees that details program services, outputs and outcomes.			
26	M. Out of this appropriation, \$75,000 each year from the federal Temporary Assistance to			
27	Needy Families block grant shall be provided to contract with Visions of Truth			
28	Community Development Corporation in Portsmouth, Virginia. The funding will support			
29	the Students Taking Responsibility in Valuing Education (STRIVE) suspension/dropout			
30	prevention program.			
31	N. Out of this appropriation, \$250,000 the first year and \$600,000 the second year from			
32	the the federal Temporary Assistance to Needy Families block grant shall be provided to			
33	contract with Early Impact Virginia to continue its work in support of Virginia's voluntary			
34	home visiting programs. These funds may be used to hire three full-time staff, including a			
35	director and an evaluator, and to continue Early Impact Virginia's training partnerships.			
36	Early Impact Virginia shall have the authority and responsibility to determine,			
37	systematically track, and report annually on the key activities and outcomes of Virginia's			
38	home visiting programs; conduct systematic and statewide needs assessments for			
39	Virginia's home visiting programs at least once every three years; and to support			
40	continuous quality improvement, training, and coordination across Virginia's home			
41	visiting programs on an ongoing basis. Early Impact Virginia shall report on its findings to			
42	the Chairmen of the House Appropriations and Senate Finance Committees by July 1,			
43	2019 and annually thereafter.			
44	O. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from			
45	the Temporary Assistance to Needy Families (TANF) block grant shall be provided to			
46	contract with the Laurel Center in Winchester to provide program services to survivors of			
47	domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and			
48	Warren County at the Center's residential facility for survivors.			
49	P. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the			
50	general fund shall be provided for the Department of Social Services to contract with			
51	Adoption Share, Inc. for the purpose of a pilot program to operate the Family-Match			
52	application, which is an online matching tool for state case workers to use in matching			
53	foster care children with the best families.			
54	Q. Out of this appropriation, \$200,000 the first year and \$100,000 the second year from			
55	the Temporary Assistance to Needy Families (TANF) block grant shall be provided to			
56	FACETS to provide homeless assistance services in Northern Virginia.			

ITEM 346.		Item Details(\$)		Appropriations(\$)	
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1	R. Out of this appropriation, \$3,000,000 the second year from the TANF block grant shall be				
2	provided for one-time funding to contract with the Virginia Federation of Food Banks to				
3	provide child nutrition programs.				
4	347. Not set out.				
5	348. Administrative and Support Services (49900).....			\$113,072,876	\$115,794,025
6					\$122,317,070
7	General Management and Direction (49901).....	\$4,515,894	\$3,529,872		
8			\$5,022,773		
9	Information Technology Services (49902).....	\$84,987,828	\$88,694,999		
10			\$91,337,685		
11	Accounting and Budgeting Services (49903).....	\$9,732,964	\$9,732,964		
12	Human Resources Services (49914).....	\$5,318,017	\$5,318,017		
13			\$5,491,067		
14	Planning and Evaluation Services (49916).....	\$2,972,427	\$2,972,427		
15			\$3,969,605		
16	Procurement and Distribution Services (49918).....	\$3,104,631	\$3,104,631		
17			\$3,775,563		
18	Public Information Services (49919).....	\$2,211,522	\$2,211,522		
19			\$2,611,522		
20	Financial and Operational Audits (49929).....	\$229,593	\$229,593		
21			\$375,891		
22	Fund Sources: General.....	\$43,881,794	\$43,881,794		
23			\$45,727,138		
24	Special.....	\$175,000	\$175,000		
25	Dedicated Special Revenue.....	\$1,265,778	\$1,050,000		
26	Federal Trust.....	\$67,750,304	\$70,687,231		
27			\$75,364,932		
28	Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-				
29	156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal Code; Titles				
30	IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.				
31	A. The Department of Social Services shall require localities to report all expenditures on				
32	designated social services, regardless of reimbursement from state and federal sources. The				
33	Department of Social Services is authorized to include eligible costs in its claim for				
34	Temporary Assistance for Needy Families Maintenance of Effort requirements.				
35	B. It is the intent of the General Assembly that the Commissioner, Department of Social				
36	Services shall work with localities that seek to voluntarily merge and consolidate their				
37	respective local departments of social services. No funds appropriated under this act shall be				
38	used to require a locality to merge or consolidate local departments of social services.				
39	C.1. Out of this appropriation, \$473,844 the first year and \$473,844 the second year from the				
40	general fund and \$781,791 the first year and \$781,791 the second year from nongeneral funds				
41	shall be provided to support the statewide 2-1-1 Information and Referral System which				
42	provides resource and referral information on many of the specialized health and human				
43	resource services available in the Commonwealth, including child day care availability and				
44	providers in localities throughout the state, and publish consumer-oriented materials for those				
45	interested in learning the location of child day care providers.				
46	2. The Department of Social Services shall request that all state and local child-serving				
47	agencies within the Commonwealth be included in the Virginia Statewide Information and				
48	Referral System as well as any agency or entity that receives state general fund dollars and				
49	provides services to families and youth. The Secretary of Health and Human Resources, the				
50	Secretary of Education and Workforce, and the Secretary of Public Safety and Homeland				
51	Security shall assist in this effort by requesting all affected agencies within their secretariats				
52	to submit information to the statewide Information and Referral System and ensure that such				
53	information is accurate and updated annually. Agencies shall also notify the Virginia				
54	Information and Referral System of any changes in services that may occur throughout the				
55	year.				
56	3. The Department of Social Services shall communicate with child-serving agencies within				

ITEM 348.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	the Commonwealth about the availability of the statewide Information and Referral					
2	System. This information shall also be communicated via the Department of Social					
3	Services' broadcast system on their agency-wide Intranet so that all local and regional					
4	offices can be better informed about the Statewide Information and Referral System.					
5	Information on the Statewide Information and Referral System shall also be included					
6	within the department's electronic mailings to all local and regional offices at least					
7	biannually.					
8	D.1. Within 30 days of awarding or amending any contract related to the Virginia Case					
9	Management System (VaCMS), the Department of Social Services (DSS) shall provide					
10	the Chairmen of the House Appropriations and Senate Finance Committees, and Director,					
11	Department of Planning and Budget with a copy of the contract, including any fiscal					
12	implications.					
13	2. Prior to the award of any contract that will potentially obligate the Commonwealth to					
14	future unappropriated spending, the department shall receive prior written concurrence					
15	from Director, Department of Planning and Budget. Any approved increases in funding					
16	requests shall be reported by DSS to the Chairmen of House Appropriations and Senate					
17	Finance Committees within 30 days.					
18	E.1. The Department of Social Services shall provide to the Chairmen of the House					
19	Appropriations and Senate Finance Committees a report on the implementation of the					
20	Asset Verification Service that is part of the Eligibility Modernization Project on or before					
21	September 1, 2016. It is the intent of the General Assembly to encourage financial					
22	institutions with branches in Virginia to work collaboratively with the department and its					
23	vendor in order to maximize participation in the Asset Verification Service program.					
24	2. The Department shall also develop a plan and submit it to the Chairmen of the House					
25	Appropriations and Senate Finance Committees to incorporate searchable national real					
26	estate records as part of the Asset Verification Service program as soon as the data are					
27	available.					
28	349. Not set out.					
29	350. Not set out.					
30	Total for Department of Social Services.....			\$2,107,914,409	\$2,144,249,980	
31					\$2,151,615,691	
32	General Fund Positions.....	624.00	638.00			
33	Nongeneral Fund Positions.....	1,198.50	1,213.50			
34	Position Level.....	1,822.50	1,851.50			
35	Fund Sources: General.....	\$429,427,587	\$433,983,740			
36			\$431,177,854			
37	Special.....	\$696,126,343	\$697,411,024			
38	Dedicated Special Revenue.....	\$8,360,029	\$10,294,920			
39	Federal Trust.....	\$974,000,450	\$1,002,560,296			
40			\$1,012,731,893			
41	§ 1-24. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)					
42	351. Not set out.					
43	352. Financial Assistance for Individual and Family					
44	Services (49000).....			\$401,475	\$401,475	
45					\$896,475	
46	Financial Assistance to Localities for Individual					
47	and Family Services (49001).....	\$401,475	\$401,475			
48			\$896,475			
49	Fund Sources: Federal Trust.....	\$401,475	\$401,475			
50			\$896,475			
51	Authority: Title 51.5, Chapter 7, Code of Virginia.					

ITEM 352.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Total for Virginia Board for People with Disabilities..			\$1,973,892	\$1,980,327
2					\$2,475,327
3	General Fund Positions.....	0.60	1.60		
4	Nongeneral Fund Positions.....	8.40	8.40		
5	Position Level.....	9.00	10.00		
6	Fund Sources: General.....	\$248,542	\$254,977		
7	Federal Trust.....	\$1,725,350	\$1,725,350		
8			\$2,220,350		
9	§ 1-25. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)				
10	353.	Not set out.			
11	354.	Not set out.			
12	355.	Rehabilitation Assistance Services (45400).....		\$13,397,938	\$14,082,547
13					\$14,105,656
14	Low Vision Services (45401).....	\$441,285	\$441,285		
15			\$464,394		
16	Vocational Rehabilitation Services (45404).....	\$8,339,166	\$8,339,166		
17	Community Based Independent Living Services				
18	(45407).....	\$4,095,980	\$4,490,589		
19	Vending Stands, Cafeterias, and Snack Bars (45410)..	\$521,507	\$811,507		
20	Fund Sources: General.....	\$1,981,012	\$2,375,621		
21	Special.....	\$504,731	\$794,731		
22	Trust and Agency.....	\$150,000	\$150,000		
23			\$173,109		
24	Federal Trust.....	\$10,762,195	\$10,762,195		
25	Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112,				
26	Federal Code.				
27	A. It is the intent of the General Assembly that visually handicapped persons who have				
28	completed vocational training as food service managers through programs operated by the				
29	Department be considered for food service management position openings within the				
30	Commonwealth as they arise.				
31	B. 1. The annual federal vocational rehabilitation grant award that will be received by the				
32	Department for the Blind and Vision Impaired (DBVI) is estimated at \$11,442,719 for federal				
33	fiscal year 2018; \$11,442,719 for federal fiscal year 2019; and \$11,442,719 for federal fiscal				
34	year 2020. In addition to the base annual award amount, DBVI may request up to \$1,500,000				
35	of additional federal allotment dollars in each of these years. Assuming these amounts, the				
36	annual 21.3 percent state matching requirement would equate to \$3,632,832 for federal fiscal				
37	year 2018; \$3,632,832 for federal fiscal year 2019; and \$3,632,832 for federal fiscal year				
38	2020.				
39	2. Based on the projection of federal award funding in paragraph A.2., DBVI shall not request				
40	federal vocational rehabilitation grant dollars in excess of \$12,942,719 for federal fiscal year				
41	2018; \$12,942,719 for federal fiscal year 2019; and \$12,942,719 for federal fiscal year 2020,				
42	without prior written concurrence from the Director, Department of Planning and Budget.				
43	Any approved increases in grant award requests shall be reported by DARS to the Chairmen				
44	of the House Appropriations and Senate Finance Committees within 30 days.				
45	356.	Not set out.			
46	357.	Not set out.			
47	358.	Administrative and Support Services (49900).....		\$3,074,912	\$3,474,912
48					\$3,904,912

ITEM 358.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	General Management and Direction (49901).....	\$2,277,309	\$2,677,309		
2			\$2,846,477		
3	Physical Plant Services (49915).....	\$797,603	\$797,603		
4			\$1,058,435		
5	Fund Sources: General.....	\$762,724	\$762,724		
6	Special.....	\$749,678	\$749,678		
7			\$1,169,678		
8	Enterprise.....	\$1,100,000	\$1,500,000		
9	Trust and Agency.....	\$40,000	\$40,000		
10			\$50,000		
11	Federal Trust.....	\$422,510	\$422,510		
12	Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-				
13	35, Federal Code.				
14	Up to \$1,244,790 the first year and up to \$1,244,790 the second year is available for the				
15	Department for the Blind and Vision Impaired (DBVI) to contract with the Department for				
16	Aging and Rehabilitative Services (DARS) for the provision of shared administrative				
17	services. The scope of the services and specific costs shall be outlined in a memorandum				
18	of understanding (MOU) between DBVI and DARS subject to the approval of the				
19	respective agency heads. Any revision to the MOU shall be reported by DARS to the				
20	Director, Department of Planning and Budget within 30 days.				
21	Total for Department for the Blind and Vision				
22	Impaired.....			\$72,367,576	\$73,052,185
23					\$73,505,294
24	General Fund Positions.....	62.60	62.60		
25	Nongeneral Fund Positions.....	92.40	92.40		
26	Position Level.....	155.00	155.00		
27	Fund Sources: General.....	\$6,138,137	\$6,532,746		
28	Special.....	\$1,254,409	\$1,544,409		
29			\$1,964,409		
30	Enterprise.....	\$51,868,817	\$51,868,817		
31	Trust and Agency.....	\$245,000	\$245,000		
32			\$278,109		
33	Federal Trust.....	\$12,861,213	\$12,861,213		
34	359. Not set out.				
35	360. Not set out.				
36	Grand Total for Department for the Blind and				
37	Vision Impaired.....			\$75,378,140	\$76,112,749
38					\$76,565,858
39	General Fund Positions.....	62.60	62.60		
40	Nongeneral Fund Positions.....	118.40	118.40		
41	Position Level.....	181.00	181.00		
42	Fund Sources: General.....	\$6,480,081	\$6,874,690		
43	Special.....	\$1,298,409	\$1,588,409		
44			\$2,008,409		
45	Enterprise.....	\$51,868,817	\$51,918,817		
46	Trust and Agency.....	\$265,000	\$265,000		
47			\$298,109		
48	Federal Trust.....	\$15,465,833	\$15,465,833		
49	TOTAL FOR OFFICE OF HEALTH AND				
50	HUMAN RESOURCES.....			\$17,314,135,280	\$20,529,702,088
51					\$19,968,485,483
52	General Fund Positions.....	8,586.90	9,132.15		
53			9,041.15		

ITEM 360.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Nongeneral Fund Positions.....	6,417.12	6,447.12		
2	Position Level.....	15,004.02	15,579.27		
3			15,488.27		
4	Fund Sources: General.....	\$6,810,384,164	\$7,073,904,882		
5			\$6,804,621,746		
6	Special.....	\$1,096,719,321	\$1,070,839,039		
7			\$1,085,712,210		
8	Enterprise.....	\$51,868,817	\$51,918,817		
9	Trust and Agency.....	\$1,390,987	\$1,390,987		
10			\$1,424,096		
11	Dedicated Special Revenue.....	\$861,325,686	\$1,256,555,500		
12			\$1,308,495,334		
13	Federal Trust.....	\$8,492,446,305	\$11,075,092,863		
14			\$10,716,313,280		

ITEM 361.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF NATURAL RESOURCES				
2	361.	Not set out.			
3	§ 1-26. DEPARTMENT OF CONSERVATION AND RECREATION (199)				
4	362.	Not set out.			
5	363.	Leisure and Recreation Services (50400).....		\$58,395,919	\$62,268,291
6					\$62,418,291
7		Preservation of Open Space Lands (50401).....	\$6,723,417	\$11,044,317	
8		Design and Construction of Outdoor Recreational			
9		Facilities (50403).....	\$886,797	\$886,797	
10				\$1,036,797	
11		State Park Management and Operations (50404).....	\$46,305,543	\$45,919,515	
12		Natural Outdoor Recreational and Open Space			
13		Resource Research, Planning, and Technical			
14		Assistance (50406).....	\$4,480,162	\$4,417,662	
15		Fund Sources: General.....	\$24,379,426	\$28,366,542	
16				\$28,516,542	
17		Special.....	\$26,444,308	\$26,834,895	
18		Dedicated Special Revenue.....	\$2,322,455	\$1,817,124	
19		Federal Trust.....	\$5,249,730	\$5,249,730	
20	Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title				
21	19.2, Chapters 1, 5, and 7, Code of Virginia.				
22	.1. Included in the amounts for Preservation of Open Space Lands is \$4,500,000 the				
23	second year from the general fund to be deposited into the Virginia Land Conservation				
24	Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations				
25	remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands				
26	Preservation Trust fund has been satisfied are to be used for grants for fee simple				
27	acquisitions with public access or acquisitions of easements with public access. This				
28	appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of				
29	Virginia.				
30	2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first				
31	year and \$1,500,000 the second year from nongeneral funds to be deposited into the				
32	Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation				
33	Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.				
34	B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first				
35	year and \$1,752,750 the second year from the general fund for the operating expenses of				
36	the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia). Pursuant to §				
37	58.1-817, the \$1 recordation fee shall be imposed on each instrument or document				
38	recorded in the proper book for filing of land records in those jurisdictions in which open-				
39	space easements are held by the Virginia Outdoors Foundation.				
40	C.1. Out of the amounts appropriated for Natural Outdoor Recreational and Open Space				
41	Resource Research, Planning, and Technical Assistance, up to \$275,000 the first year and				
42	\$275,000 the second year from the general fund shall be paid for the operation and				
43	maintenance of Breaks Interstate Park. In addition to these amounts provided for				
44	operations and maintenance, an additional \$112,500 the first year from the general fund is				
45	appropriated to undertake emergency repairs at the Breaks Interstate Park dam.				
46	2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and				
47	compliance nature of its accounts and transactions to the Auditor of Public Accounts, the				
48	Director, Department of Conservation and Recreation, and the Director, Department of				
49	Planning and Budget.				
50	3. The Breaks Interstate Park Commission shall, following the modernization of the				
51	Breaks Interstate Park electrical system, enter into negotiations to transfer control of the				

ITEM 363.		Item Details(\$)		Appropriations(\$)	
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1	electrical system serving the park to a local regional electric utility.				
2	D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the				
3	State Park Conservation Resources Fund may be used for a program of in-state travel				
4	advertising. Such travel advertising shall feature Virginia State Parks and the localities or				
5	regions in which the parks are located. To the extent possible the department shall enter into				
6	cooperative advertising agreements with the Virginia Tourism Authority and local entities to				
7	maximize the effectiveness of expenditures for advertising. The department is further				
8	authorized to enter into a cooperative advertising agreement with the Virginia Association of				
9	Broadcasters.				
10	E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative				
11	Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and				
12	\$450,000 for maintenance of the completed facility for operation as a satellite facility to				
13	Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the				
14	facility, property, and cash are transferred to the Division of State Parks that positions and				
15	ongoing funding for the operation of the satellite facility shall be provided.				
16	F. The department is hereby authorized to enter into an agreement with the non-profit				
17	organization that currently owns Natural Bridge to open and operate the facility as a Virginia				
18	State Park.				
19	G.1. Notwithstanding any other provision of the Code of Virginia, as a condition of the				
20	expenditure of all amounts included in this Item, the department shall not initiate or accept by				
21	gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or				
22	Natural Area Preserve without a specific appropriation for such purpose by the General				
23	Assembly. However, the department is authorized to acquire land as expressly set out in Items				
24	C-27 and C-27.10 of this act, as well as in-holdings or lands contiguous to an existing State				
25	Park or Natural Area Preserve as expressly set out in Items C-25 and C-26 of this act and as				
26	provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in				
27	Items C-25 and C-26 will not cause the department to incur additional operating expenses. It				
28	is not the intent of these provisions to prohibit any acquisitions resulting from mitigation				
29	settlements or to prohibit any additional operating expenses resulting from such acquisitions.				
30	2. The Board of Conservation and Recreation is directed to develop a prioritization process				
31	and report which evaluates the relative priority of improvements for all properties that have				
32	not yet been fully developed as State Parks or Natural Area Preserves to ensure that the				
33	development of land-banked properties and properties not fully developed State Parks is				
34	undertaken with consideration of: i.) priority on development in areas with limited access to				
35	state and regional outdoor recreation facilities; ii.) the relative operational costs and staffing				
36	needs for any new areas compared to operating and staffing needs at existing state parks and				
37	natural areas; iii.) focus on in-holdings and parcels contiguous to existing state parks and				
38	natural area preserves; and iv.) any other such criteria as may deemed appropriate. The Board				
39	shall complete its evaluation and submit its prioritized listing to the Chairmen of the House				
40	Appropriations and Senate Finance Committees no later than November 1, 2018.				
41	H. Included in the amounts for State Park Management and Operations is \$965,310 the first				
42	year and \$590,944 the second year and six positions from the general fund for the initial start-				
43	up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is				
44	the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A,				
45	that the Department shall provide public access and proceed to regular revenue generating				
46	operations at the Park.				
47	I. Included in the amount for this item is \$167,548 and one position the first year and				
48	\$198,752 and two positions the second year from the general fund to support the limited				
49	operation of Seven Bends State Park.				
50	J. Included in the amounts for this item is \$50,000 from the general fund in the first				
51	year and \$50,000 \$100,000 from the general fund the second year for the Department of				
52	Conservation and Recreation to develop a plan to expand bike facilities at First Landing State				
53	Park. Funding from this Item in the second year shall be used by the Department of				
54	Conservation and Recreation to contract with the City of Virginia Beach to support the				
55	development of appropriate ADA-compliant bike facilities that are located outside of the				
56	protected natural areas of First Landing State Park.				

ITEM 363.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	K. Included in the amount for this item is \$50,000 the second year from the general fund				
2	for the Mendota Trail Project for the engineering and construction of a prototype for a				
3	covered container bridge.				
4	L. Included in the amounts for this item is \$350,000 the first year and \$70,000 the second				
5	year from the nongeneral fund amounts appropriated in Item 453 A. for recreational				
6	access which shall be used to fabricate and install Supplemental Guide Signs for Virginia				
7	State Parks.				
8	M. Included in the amount for this item \$100,000 the second year from the general fund is				
9	provided as a one-time payment to the City of Richmond to increase accessibility of public				
10	parks and connectivity of the ADA-accessible elements in the James River Park System.				
11	364. Not set out.				
12	Total for Department of Conservation and				
13	Recreation.....			\$134,555,600	\$189,858,606
14					\$190,008,606
15	General Fund Positions.....	416.50	420.50		
16	Nongeneral Fund Positions.....	42.50	44.50		
17	Position Level.....	459.00	465.00		
18	Fund Sources: General.....	\$79,394,004	\$134,811,754		
19			\$134,961,754		
20	Special.....	\$27,655,169	\$28,045,756		
21	Dedicated Special Revenue.....	\$14,573,657	\$14,068,326		
22	Federal Trust.....	\$12,932,770	\$12,932,770		
23	365. Not set out.				
24	366. Not set out.				
25	367. Not set out.				
26	368. Not set out.				
27	369. Not set out.				
28	§ 1-27. DEPARTMENT OF GAME AND INLAND FISHERIES (403)				
29	370. Wildlife and Freshwater Fisheries Management				
30	(51100).....			\$46,374,951	\$47,304,951
31					\$46,791,503
32	Wildlife Information and Education (51102).....	\$4,015,764	\$4,015,764		
33			\$4,620,278		
34	Enforcement of Recreational Hunting and Fishing				
35	Laws and Regulations (51103).....	\$15,322,891	\$15,322,891		
36			\$16,464,226		
37	Wildlife Management and Habitat Improvement				
38	(51106).....	\$27,036,296	\$27,966,296		
39			\$25,706,999		
40	Fund Sources: Dedicated Special Revenue.....	\$34,202,269	\$35,132,269		
41			\$33,668,821		
42	Federal Trust.....	\$12,172,682	\$12,172,682		
43			\$13,122,682		
44	Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.				
45	Out of the amounts appropriated for this Item, \$20,000 the first year and \$20,000 the				
46	second year from nongeneral funds is provided for the Smith Mountain Lake Water				
47	Quality Monitoring Program.				

ITEM 371.		Item Details(\$)		Appropriations(\$)		
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	371.	Boating Safety and Regulation (62500).....			\$7,587,279	\$7,587,279
2						\$6,358,019
3		Boat Registration and Titling (62501).....	\$2,844,547	\$2,844,547		
4				\$1,876,017		
5		Boating Safety Information and Education (62502)....	\$362,359	\$362,359		
6				\$685,908		
7		Enforcement of Boating Safety Laws and				
8		Regulations (62503).....	\$4,380,373	\$4,380,373		
9				\$3,796,094		
10		Fund Sources: Dedicated Special Revenue.....	\$6,143,234	\$6,143,234		
11				\$4,688,974		
12		Federal Trust.....	\$1,444,045	\$1,444,045		
13				\$1,669,045		
14		Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.				
15	372.	Administrative and Support Services (59900).....			\$9,869,535	\$9,869,535
16						\$11,612,243
17		General Management and Direction (59901).....	\$8,093,933	\$8,093,933		
18				\$7,253,679		
19		Information Technology Services (59902).....	\$1,775,602	\$1,775,602		
20				\$4,358,564		
21		Fund Sources: Dedicated Special Revenue.....	\$9,648,686	\$9,648,686		
22				\$11,191,394		
23		Federal Trust.....	\$220,849	\$220,849		
24				\$420,849		
25		Authority: Title 29.1, Chapter 1, Code of Virginia.				
26		A. The department shall recover the cost of reproduction, plus a reasonable fee per record,				
27		from persons or organizations requesting copies of computerized lists of licenses issued by the				
28		department.				
29		B. The department shall not further consolidate its regional offices, field offices, or close any				
30		of these offices in presently-served localities or enter into any lease for any new regional				
31		office without notification of the Chairman of the House Committee on Agriculture,				
32		Chesapeake, and Natural Resources and the Chairman of the Senate Committee on				
33		Agriculture, Conservation, and Natural Resources. The department shall not undertake any				
34		future reorganization of any division, reporting structures, regional or field offices, or any				
35		function it may perform without notifying the Chairmen of the House Committee on				
36		Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations,				
37		the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate				
38		Committee on Finance.				
39		C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control				
40		and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues				
41		related to maintaining the health, safety, and welfare of Lake Anna.				
42	373.	A. Pursuant to §§ 29.1-101, 58.1-638, and 58.1-1410, Code of Virginia, deposits to the Game				
43		Protection Fund include an estimated \$15,500,000 the first year and \$15,500,000 the second				
44		year from revenue originating from the general fund.				
45		B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall				
46		transfer such funds as designated by the Board of Game and Inland Fisheries from the Game				
47		Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an				
48		amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by §				
49		3-1.01, subparagraph M, of this act.				
50		C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, \$881,753				
51		the first year and \$881,753 the second year from the Game Protection Fund shall be used for				
52		the enforcement of boating laws, boating safety education, and for improving boating access.				
53		Total for Department of Game and Inland Fisheries....			\$63,831,765	\$64,761,765
54		Nongeneral Fund Positions.....	496.00	496.00		

ITEM 373.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Position Level.....	496.00	496.00		
2	Fund Sources: Dedicated Special Revenue.....	\$49,994,189	\$50,924,189		
3			\$49,549,189		
4	Federal Trust.....	\$13,837,576	\$13,837,576		
5			\$15,212,576		
6	374. Not set out.				
7	375. Not set out.				
8	§ 1-28. MARINE RESOURCES COMMISSION (402)				
9	376. Not set out.				
10	377. Coastal Lands Surveying and Mapping (51000).....			\$2,929,820	\$2,757,820
11					\$2,846,883
12	Coastal Lands and Bottomlands Management				
13	(51001).....	\$2,262,431	\$2,090,431		
14			\$2,179,494		
15	Marine Resources Surveying and Mapping				
16	(51002).....	\$667,389	\$667,389		
17	Fund Sources: General.....	\$1,858,641	\$1,686,641		
18			\$1,775,704		
19	Dedicated Special Revenue.....	\$889,179	\$889,179		
20	Federal Trust.....	\$182,000	\$182,000		
21	Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code				
22	of Virginia.				
23	A. Out of this appropriation, \$245,687 the first year and \$233,637 \$322,700 the second				
24	year from the general fund is designated for Virginia's share of an Army Corps of				
25	Engineers project to construct a seawall to preserve the harbor on Tangier Island.				
26	B. Out of this appropriation, \$160,000 the first year from the general fund is designated				
27	for completion of the public boat ramp project RF16-11/RF16-11a1, including all				
28	necessary and reasonable improvements as may be required for public access.				
29	378. Not set out.				
30	379. Not set out.				
31	Total for Marine Resources Commission.....			\$26,776,948	\$27,904,948
32					\$27,994,011
33	General Fund Positions.....	135.50	135.50		
34	Nongeneral Fund Positions.....	28.00	28.00		
35	Position Level.....	163.50	163.50		
36	Fund Sources: General.....	\$14,237,535	\$15,365,535		
37			\$15,454,598		
38	Special.....	\$7,324,652	\$7,324,652		
39	Commonwealth Transportation.....	\$313,768	\$313,768		
40	Dedicated Special Revenue.....	\$1,470,193	\$1,470,193		
41	Federal Trust.....	\$3,430,800	\$3,430,800		
42	380. Not set out.				
43	TOTAL FOR OFFICE OF NATURAL				
44	RESOURCES.....			\$437,740,909	\$475,564,731
45					\$475,803,794
46	General Fund Positions.....	1,030.50	1,039.50		

ITEM 380.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Nongeneral Fund Positions.....	1,159.50	1,161.50		
2	Position Level.....	2,190.00	2,201.00		
3	Fund Sources: General.....	\$162,357,711	\$199,426,277		
4			<i>\$199,665,340</i>		
5	Special.....	\$45,500,430	\$45,841,017		
6	Commonwealth Transportation.....	\$429,410	\$429,410		
7	Enterprise.....	\$13,037,574	\$13,037,574		
8	Trust and Agency.....	\$37,858,398	\$37,858,398		
9	Dedicated Special Revenue.....	\$95,357,806	\$95,782,475		
10			<i>\$94,407,475</i>		
11	Federal Trust.....	\$83,199,580	\$83,189,580		
12			<i>\$84,564,580</i>		

ITEM 381.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY			
2	381.	Not set out.		
3	382.	Not set out.		
4	383.	Not set out.		
5	§ 1-29. VIRGINIA ALCOHOLIC BEVERAGE CONTROL AUTHORITY (999)			
6	384.	Not set out.		
7	385.	Alcoholic Beverage Merchandising (80100).....	\$716,914,931	\$756,574,679
8				\$769,162,865
9		Administrative Services (80101).....	\$69,111,416	\$69,149,514
10				\$81,737,700
11		Alcoholic Beverage Control Retail Store		
12		Operations (80102).....	\$110,444,533	\$115,252,665
13		Alcoholic Beverage Purchasing, Warehousing and		
14		Distribution (80103).....	\$537,358,982	\$572,172,500
15		Fund Sources: Enterprise.....	\$716,914,931	\$756,574,679
16				\$769,162,865
17		Authority: § 4.1-100 through § 4.1-133, Code of Virginia.		
18		A. The Secretary of Finance shall chair an advisory committee to review the progress of		
19		the Alcoholic Beverage Control Authority in planning, financing, procuring, and		
20		implementing the information technology systems necessary to sustain the department's		
21		business enterprise. Members of this committee shall include the Secretary of Public		
22		Safety and Homeland Security; the Director, Department of Planning and Budget; the		
23		Director, Department of Accounts; the Chief Information Officer of the Commonwealth;		
24		the Auditor of Public Accounts; and the Staff Directors of the House Appropriations and		
25		Senate Finance Committees and/or their designees.		
26		B. Funds appropriated for services related to state lottery operations shall be used solely		
27		for lottery ticket purchases and prize payouts.		
28		C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed		
29		to have the greatest potential for total increased sales in order to maximize profitability.		
30		D. Notwithstanding § 4.1-120, Code of Virginia, the Alcoholic Beverage Control Board		
31		may open certain government stores, as determined by the Board, for the sale of alcoholic		
32		beverages on New Year's Day and on Sundays after 10:00 a.m.		
33		E. Consistent with the provisions of Chapters 730 and 38, 2015 Acts of Assembly,		
34		members of the Board shall receive annually such salary, compensation, and		
35		reimbursement of expenses for the performance of their official duties as set forth in the		
36		general appropriation act for members of the House of Delegates when the General		
37		Assembly is not in session, except that the chairmen of the Board shall receive annually		
38		such salary, compensation, and reimbursement of expenses for the performance of his		
39		official duties as set forth in the general appropriation act for a member of the Senate of		
40		Virginia when the General Assembly is not in session.		
41		Total for Virginia Alcoholic Beverage Control		
42		Authority.....	\$737,002,906	\$776,662,654
43				\$789,250,840
44		Nongeneral Fund Positions.....	1,320.00	1,364.00
45		Position Level.....	1,320.00	1,364.00
46		Fund Sources: Enterprise.....	\$736,302,906	\$775,962,654
47				\$788,550,840

ITEM 385.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Federal Trust.....	\$700,000	\$700,000		
2	§ 1-30. DEPARTMENT OF CORRECTIONS (799)				
3	386. Not set out.				
4	387. Not set out.				
5	387.10 Not set out.				
6	388. Not set out.				
7	389. Not set out.				
8	390. Operation of Secure Correctional Facilities (39800)....			\$1,014,511,459	\$1,013,081,717
9					\$1,025,661,673
10	Supervision and Management of Inmates (39802).....	\$499,024,754	\$504,244,019		
11			\$505,238,350		
12	Rehabilitation and Treatment Services - Prisons				
13	(39803).....	\$44,026,754	\$44,172,440		
14	Prison Management (39805).....	\$73,063,102	\$73,063,102		
15	Food Services - Prisons (39807).....	\$43,926,300	\$43,926,300		
16	Medical and Clinical Services - Prisons (39810).....	\$221,312,692	\$214,517,999		
17			\$226,103,624		
18	Agribusiness (39811).....	\$10,481,833	\$10,481,833		
19	Correctional Enterprises (39812).....	\$50,303,706	\$50,303,706		
20	Physical Plant Services - Prisons (39815).....	\$72,372,318	\$72,372,318		
21	Fund Sources: General.....	\$956,711,582	\$958,940,834		
22			\$971,520,790		
23	Special.....	\$53,219,843	\$53,219,843		
24	Dedicated Special Revenue.....	\$3,658,994	\$0		
25	Federal Trust.....	\$921,040	\$921,040		
26	Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.				
27	A. Included in this appropriation is \$1,195,000 in the first year and \$1,195,000 the second				
28	year from nongeneral funds for the purposes listed below. The source of the funds is				
29	commissions generated by prison commissary operations:				
30	1. \$170,000 the first year and \$170,000 the second year for Assisting Families of Inmates,				
31	Inc., to provide transportation for family members to visit offenders in prison and other				
32	ancillary services to family members;				
33	2. \$950,000 the first year and \$950,000 the second year for distribution to organizations that				
34	work to enhance faith-based services to inmates; and				
35	3. \$75,000 the first year and \$75,000 the second year for the "FETCH" program.				
36	B.1. The Department of Corrections is authorized to contract with other governmental entities				
37	to house male and female prisoners from those jurisdictions in facilities operated by the				
38	department.				
39	2. The State Comptroller shall continue to maintain the Contract Prisoners Special Revenue				
40	Fund on the books of the Commonwealth to reflect the activities of contracts between the				
41	Commonwealth of Virginia and other governmental entities for the housing of prisoners in				
42	facilities operated by the Virginia Department of Corrections.				
43	3. The Department of Corrections shall determine whether it may be possible to contract to				
44	house additional federal inmates or inmates from other states in space available within state				
45	correctional facilities. The department may, subject to the approval of the Governor, enter into				
46	such contracts, to the extent that sufficient bedspace may become available in state facilities				
47	for this purpose.				

ITEM 390.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	C. The Department of Corrections may enter into agreements with local and regional jails				
2	to house state-responsible offenders in such facilities and to effect transfers of convicted				
3	state felons between and among such jails. Such agreements shall be governed by the				
4	provisions of Item 67 of this act.				
5	D. To the extent that the Department of Corrections privatizes food services, the				
6	department shall also seek to maximize agribusiness operations.				
7	E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of				
8	Corrections is authorized to sell on the open market and through the Virginia Farmers'				
9	Market Network any dairy, animal, or farm products of which the Commonwealth imports				
10	more than it exports.				
11	F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia,				
12	concerning articles and services produced or manufactured by persons confined in state				
13	correctional facilities, shall be construed such that the term "manufactured" articles shall				
14	include "remanufactured" articles.				
15	G. Out of this appropriation, \$921,040 the first year and \$921,040 the second year from				
16	nongeneral funds is included for inmate medical costs. The sources of the nongeneral				
17	funds are an award from the State Criminal Alien Assistance Program, administered by				
18	the U.S. Department of Justice.				
19	H.1. The Department of Corrections, in coordination with the Virginia Supreme Court,				
20	shall continue to operate a behavioral correction program. Offenders eligible for such a				
21	program shall be those offenders: (i) who have never been convicted of a violent felony as				
22	defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a				
23	felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the				
24	sentencing guidelines developed by the Virginia Criminal Sentencing Commission would				
25	recommend a sentence of four years or more in facilities operated by the Department of				
26	Corrections; and (iii) whom the court determines require treatment for drug or alcohol				
27	substance abuse. For any such offender, the court may impose the appropriate sentence				
28	with the stipulation that the Department of Corrections place the offender in an intensive				
29	therapeutic community-style substance abuse treatment program as soon as possible after				
30	receiving the offender. Upon certification by the Department of Corrections that the				
31	offender has successfully completed such a program of a duration of 24 months or longer,				
32	the court may suspend the remainder of the sentence imposed by the court and order the				
33	offender released to supervised probation for a period specified by the court.				
34	2. If an offender assigned to the program voluntarily withdraws from the program, is				
35	removed from the program by the Department of Corrections for intractable behavior, fails				
36	to participate in program activities, or fails to comply with the terms and conditions of the				
37	program, the Department of Corrections shall notify the court, outlining specific reasons				
38	for the removal and shall reassign the defendant to another incarceration assignment as				
39	appropriate. Under such terms, the offender shall serve out the balance of the sentence				
40	imposed by the court, as provided by law.				
41	3. The Department of Corrections shall collect the data and develop the framework and				
42	processes that will enable it to conduct an in-depth evaluation of the program three years				
43	after it has been in operation. The department shall submit a report periodically on the				
44	program to the Chief Justice as he may require and shall submit a report on the				
45	implementation of the program and its usage to the Secretary of Public Safety and				
46	Homeland Security and the Chairmen of the House Appropriations and Senate Finance				
47	Committees by June 30 of each year.				
48	I. Included in the appropriation for this Item is \$250,000 the first year and \$250,000 the				
49	second year from nongeneral funds for a culinary arts program in which inmates are				
50	trained to operate food service activities serving agency staff and the general public. The				
51	source of the funds shall be revenues generated by the program. Any revenues so				
52	generated by the program shall not be subject to § 4-2.02 of this act and shall be used by				
53	the agency for the costs of operating the program. The State Comptroller shall continue to				
54	maintain the Inmate Culinary Arts Training Program Fund on the books of the				
55	Commonwealth to reflect the revenue and expenditures of this program.				

ITEM 390.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	J. The Department of Corrections shall continue to coordinate with the Department of				
2	Medical Assistance Services and the Department of Social Services to enroll eligible inmates				
3	in Medicaid. To the extent possible, the Department of Corrections shall work to identify				
4	potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization				
5	occurs. Procedures shall also include provisions for medical providers to bill the Department				
6	of Medical Assistance Services, rather than the Department of Corrections, for eligible inmate				
7	inpatient medical expenses. Due to the multiple payor sources associated with inpatient and				
8	outpatient health care services, the Department of Corrections and the Department of Medical				
9	Assistance Services shall consult with the applicable provider community to ensure that				
10	administrative burdens are minimized and payment for health care services is rendered in a				
11	prompt manner.				
12	K. Federal funds received by the Department of Corrections from the federal Residential				
13	Substance Abuse Treatment Program shall be exempt from payment of statewide and agency				
14	indirect cost recoveries into the general fund.				
15	L. Included in the appropriation for this item is funding for the first year and the second year				
16	from the general fund for six medical contract monitors. The persons filling these positions				
17	shall have the responsibility of closely monitoring the adequacy and quality of inmate medical				
18	services in those correctional facilities for which the department has contracted with a private				
19	vendor to provide inmate medical services.				
20	M. The Department of Corrections shall continue to operate a separate program for inmates				
21	under 18 years old who have been tried and convicted as adults and committed to the				
22	Department of Corrections. This separation of these offenders from the general prison				
23	population is required by the requirements of the federal Prison Rape Elimination Act.				
24	N. Included in the appropriation for this item is \$3,525,783 in the second year from the				
25	general fund for the Department of Corrections to use for initiatives to improve recruitment				
26	and retention of correctional personnel. Of this amount, \$1,051,567 is provided for targeted				
27	salary actions for correctional officers at Augusta Correctional Center.				
28	O. In the introduced budget for the biennium beginning on July 1, 2020, the Department of				
29	Planning and Budget shall create a new program within the Department of Corrections for the				
30	appropriations related to inmate healthcare. Appropriation under the service area for "Medical				
31	and Clinical Services - Prisons (39810)," shall be transferred to the new Item created pursuant				
32	to this paragraph. The program shall allocate the funding into appropriate service areas to				
33	identify: healthcare contracts; offsite care; medical transportation; medications; and other				
34	appropriate allocations.				
35	P. Included within the appropriation for this item is \$70,000 the second year from the general				
36	fund for the Sex Offender Residential Treatment Program.				
37	Q. The Department of Corrections and the VCU Health System and UVA Health System shall				
38	collaborate on a plan to ensure that inmates with long-term or high-cost prescription drug				
39	needs receive treatment from a federal 340-B covered entity. The Department shall begin				
40	development of the plan as soon as is practicable and report to the House Appropriations and				
41	Senate Finance Committees by January 1, 2020.				
42	R. The Department of Corrections shall convene a workgroup to develop a plan for a pilot				
43	partnership for a university health system to provide comprehensive health care for the				
44	inmates in at least one state correctional facility. The workgroup shall be co-chaired by the				
45	director of the Department of Corrections, the chief executive officer of the VCU Health				
46	System, and the executive vice president for health affairs at the University of Virginia. The				
47	workgroup shall jointly submit an interim update to the House Appropriations and Senate				
48	Finance Committees no later than November 1, 2019; and jointly submit a final plan for the				
49	pilot partnership no later than January 1, 2020. The plan shall include (i) the facility or				
50	facilities included in the pilot, (ii) staffing needs for providing health care services, (iii) the				
51	amount and structure of payment to the university, and (iv) how the effectiveness of the pilot				
52	project will be evaluated.				
53	391. Not set out.				

ITEM 391.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Total for Department of Corrections.....			\$1,269,716,607	\$1,276,972,490
2					\$1,289,552,446
3	General Fund Positions.....	12,269.00	12,308.00		
4	Nongeneral Fund Positions.....	233.50	233.50		
5	Position Level.....	12,502.50	12,541.50		
6	Fund Sources: General.....	\$1,202,416,730	\$1,210,583,896		
7					\$1,223,163,852
8	Special.....	\$59,192,063	\$61,939,774		
9	Dedicated Special Revenue.....	\$6,276,496	\$2,617,502		
10	Federal Trust.....	\$1,831,318	\$1,831,318		
11	392. Not set out.				
12	393. Not set out.				
13	394. Not set out.				
14	395. Not set out.				
15	396. Not set out.				
16	397. Not set out.				
17	398. Not set out.				
18	399. Not set out.				
19	400. Not set out.				
20	401. Not set out.				
21	402. Not set out.				
22	403. Not set out.				
23	404. Not set out.				
24	405. Not set out.				
25	406. Not set out.				
26	407. Not set out.				
27	408. Not set out.				
28	409. Not set out.				
29	410. Not set out.				
30	411. Not set out.				
31	412. Not set out.				
32	413. Not set out.				
33	414. Not set out.				

ITEM 414.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	415.	Not set out.			
2	416.	Not set out.			
3	417.	Not set out.			
4	418.	Not set out.			
5	419.	Not set out.			
6	420.	Not set out.			
7	421.	Not set out.			
8	422.	Not set out.			
9	423.	Not set out.			
10	TOTAL FOR OFFICE OF PUBLIC SAFETY AND				
11	HOMELAND SECURITY.....				
12				\$3,148,507,864	\$3,213,984,519
					\$3,239,152,661
13	General Fund Positions.....	17,574.32	17,638.32		
14	Nongeneral Fund Positions.....	2,509.18	2,562.18		
15	Position Level.....	20,083.50	20,200.50		
16	Fund Sources: General.....	\$2,022,308,156	\$2,049,150,389		
17			\$2,061,730,345		
18	Special.....	\$155,424,111	\$158,150,072		
19	Commonwealth Transportation.....	\$10,296,096	\$10,296,096		
20	Enterprise.....	\$736,302,906	\$775,962,654		
21			\$788,550,840		
22	Trust and Agency.....	\$4,818,130	\$4,818,130		
23	Dedicated Special Revenue.....	\$36,472,895	\$32,813,901		
24	Federal Trust.....	\$182,885,570	\$182,793,277		

ITEM 424.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF TECHNOLOGY			
2	424.	Omitted.		
3	425.	Omitted.		
4	426.	Omitted.		
5	427.	Omitted.		
6	428.	Omitted.		
7	429.	Omitted.		
8	430.	Omitted.		
9	431.	Omitted.		
10	432.	Omitted.		
11	TOTAL FOR OFFICE OF TECHNOLOGY.....		\$0	\$0

ITEM 433.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF TRANSPORTATION			
2	433.	Not set out.		
3	434.	Not set out.		
4	435.	Not set out.		
5	436.	Not set out.		
6	437.	Not set out.		
7	438.	Not set out.		
8	§ 1-31. DEPARTMENT OF MOTOR VEHICLES (154)			
9	439.	Ground Transportation Regulation (60100).....		\$214,215,235
10		Customer Service Centers Operations (60101).....	\$148,942,473	\$153,389,781
11		Ground Transportation Regulation and Enforcement		
12		(60103).....	\$44,194,258	\$44,327,968
13		Motor Carrier Regulation Services (60105).....	\$21,078,504	\$14,114,839
14		Fund Sources: Commonwealth Transportation.....	\$206,768,635	\$204,385,988
15		Trust and Agency.....	\$5,446,600	\$5,446,600
16		Federal Trust.....	\$2,000,000	\$2,000,000
17		Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-		
18		272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States		
19		Code.		
20		A. The Commissioner, Department of Motor Vehicles, is authorized to establish, where		
21		feasible and cost efficient, contracts with private/public partnerships with commercial		
22		operations, to provide for simplification and streamlining of service to citizens through		
23		electronic means. Provided, however, that such commercial operations shall not be entitled to		
24		compensation as established under § 46.2-205, Code of Virginia, but rather at rates limited to		
25		those established by the commissioner.		
26		B. The Department of Motor Vehicles shall work to increase the use of alternative service		
27		delivery methods, which may include offering discounts on certain transactions conducted		
28		online, as determined by the department. As part of its effort to shift customers to internet		
29		usage where applicable, the department shall not charge its customers for the use of credit		
30		cards for internet or other types of transactions; however, this restriction shall not apply with		
31		respect to any credit or debit card transactions the department conducts on behalf of another		
32		agency, provided (i) the other agency is authorized to charge customers for the use of credit or		
33		debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer		
34		are charged to the department.		
35		C. In order to provide citizens of the Commonwealth greater access to the Department of		
36		Motor Vehicles, the agency is authorized to enter into an agreement with any local		
37		constitutional officer or combination of officers to act as a license agent for the department,		
38		with the consent of the chief administrative officer of the constitutional officer's county or		
39		city, and to negotiate a separate compensation schedule for such office other than the schedule		
40		set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any		
41		compensation due to a constitutional officer serving as a license agent shall be remitted by the		
42		department to the officer's county or city on a monthly basis, and not less than 80 percent of		
43		the sums so remitted shall be appropriated by such county or city to the office of the		
44		constitutional officer to compensate such officer for the additional work involved with		
45		processing transactions for the department. Funds appropriated to the constitutional office for		
46		such work shall not be used to supplant existing local funding for such office, nor to reduce		
47		the local share of the Compensation Board-approved budget for such office below the level		

ITEM 439.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	established pursuant to general law.			
2	D. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross			
3	collections for the first \$500,000 and 5.0 percent of all gross collections in excess of			
4	\$500,000 made by the entity during each fiscal year on such state taxes and fees in place			
5	as a matter of law. The commissioner shall supply the agents with all necessary agency			
6	forms to provide services to the public, and shall cause to be paid all freight and postage,			
7	but shall not be responsible for any extra clerk hire or other business-related expenses or			
8	business equipment expenses occasioned by their duties.			
9	E. Out of the amounts identified in this Item, an amount estimated at \$350,801 the first			
10	year and \$350,801 the second year from the Commonwealth Transportation Fund shall be			
11	paid to the Washington Metropolitan Area Transit Commission.			
12	F.1. Notwithstanding any other provision of law, the department shall assess a minimum			
13	fee of \$15 for all titles. The revenue generated from this fee shall be set aside to meet the			
14	expenses of the department.			
15	2. Notwithstanding any other provision of law, the department shall assess a \$10 late fee			
16	on all registration renewal transactions that occur after the expiration date. The late fee			
17	shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In			
18	assessing the late renewal fee the department shall provide a ten day grace period for			
19	transactions conducted by mail to allow for administrative processing. This grace period			
20	shall not apply to registration renewals for vehicles registered under the International			
21	Registration Plan. The revenue generated from this fee shall be set aside to meet the			
22	expenses of the department.			
23	3. Notwithstanding any other provision of law, the department shall establish a \$20			
24	minimum fee for original driver's licenses and replacements. The revenue generated from			
25	this fee shall be set aside to meet the expenses of the department.			
26	G. The Department of Motor Vehicles is hereby granted approval to renew or extend			
27	existing capital leases due to expire during the current biennium for existing customer			
28	service centers.			
29	H. The Department of Motor Vehicles is hereby appropriated revenues from the additional			
30	sales tax on fuel in certain transportation districts to recover the direct cost of			
31	administration incurred by the department in implementing and collecting this tax as			
32	provided by § 58.1-2295, Code of Virginia.			
33	I. The Commissioner of the Department of Motor Vehicles, in consultation with the			
34	Commissioner of Highways, shall take such steps as may be necessary to expand access to			
35	the E-ZPass program through its customer service channels using such locations and			
36	methods as are practicable.			
37	J. The Department of Motor Vehicles is hereby granted approval to distribute the			
38	transactional charges of the Cardinal accounting system to state agencies, when the			
39	transactions involve funds passed through the department to the benefiting agency. This			
40	paragraph shall not pertain to Direct Aid to Public Education.			
41	K. The Department of Motor Vehicles is hereby granted approval to distribute a portion of			
42	its indirect cost allocation charge to another state agency when the charge is related to			
43	revenue collected and transferred by the department to the state agency. Such transfers			
44	shall be based on the agency's proportionate share of the department's total transactions in			
45	the immediately preceding fiscal year. The Department shall annually submit to the			
46	Department of Planning and Budget a summary of the transfer amounts and the			
47	transaction volumes used to allocate the internal cost amounts.			
48	L. Notwithstanding § 46.2-688, Code of Virginia, the Department of Motor Vehicles shall			
49	not be required to refund a proration of the total cost of a motor vehicle registration when			
50	less than six months remain in the registration period. Any resulting savings shall be			
51	retained and used to meet the expenses of the Department.			
52	M. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall			
53	not be required to include organ donation brochures with every driver's license renewal			

ITEM 439.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	notice or application mailed to licensed drivers.				
2	N. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to				
3	subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior				
4	resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-				
5	819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such				
6	refusal, the toll operator has offered the individual a settlement of no more than \$2,200.				
7	O.1. Pursuant to § 3-2.03 of this act, a line of credit up to \$10,500,000 is provided to the				
8	Department of Motor Vehicles as a temporary cash flow advance. The Department shall				
9	transfer such related funds to its special fund. Funds received from the line of credit shall be				
10	used to support operational costs related to the implementation and issuance of REAL ID				
11	compliant credentials. The Department is authorized to impose a \$10 surcharge on all first				
12	issuances of REAL ID compliant credentials that are acceptable for federal purposes. The				
13	surcharge shall be used to reimburse the line of credit. The request for the line of credit shall				
14	be prepared in the formats as approved by the Secretary of Finance and Secretary of				
15	Transportation.				
16	2. At least 10 days prior to any draw downs from this line of credit, the Secretaries of Finance				
17	and Transportation shall report to the Chairmen of the House Appropriations and Senate				
18	Finance Committees the following: (i) the amount of any proposed draw down, (ii) the				
19	incremental and cumulative costs associated with system modifications and equipment, (iii)				
20	the incremental and cumulative number of full-time equivalent positions and part-time				
21	positions filled to support the implementation of the federal REAL ID Act, and (iv) the				
22	intended usage of any new draw downs. Subsequent to October 1, 2018, the department shall				
23	report on a quarterly basis to the Chairmen of the House Appropriations and Senate Finance				
24	Committees on the number of REAL ID compliant credentials that have been issued and any				
25	changes in average wait times at DMV offices that have resulted from the increased workload.				
26	The first report shall be submitted by January 1, 2019 for the period October 1, 2018 through				
27	December 31, 2018, and additional reports shall be submitted every three months thereafter.				
28	P. The Commissioner of the Department of Motor Vehicles, in consultation with applicable				
29	stakeholder groups, shall report on the feasibility and advisability of outsourcing driver				
30	license road tests for adults. Such report shall be submitted to the Chairmen of the House and				
31	Senate Transportation Committees no later than November 15, 2018.				
32	440. Not set out.				
33	441. Not set out.				
34	Total for Department of Motor Vehicles.....			\$296,111,488	\$293,572,006
35	Nongeneral Fund Positions.....	2,080.00	2,080.00		
36			2,180.00		
37	Position Level.....	2,080.00	2,080.00		
38			2,180.00		
39	Fund Sources: Commonwealth Transportation.....	\$284,695,564	\$282,156,082		
40	Trust and Agency.....	\$5,446,600	\$5,446,600		
41	Federal Trust.....	\$5,969,324	\$5,969,324		
42	442. Not set out.				
43	443. Not set out.				
44	Grand Total for Department of Motor Vehicles.....			\$479,758,017	\$479,418,535
45	Nongeneral Fund Positions.....	2,080.00	2,080.00		
46			2,180.00		
47	Position Level.....	2,080.00	2,080.00		
48			2,180.00		
49	Fund Sources: Commonwealth Transportation.....	\$285,087,064	\$282,547,582		
50	Trust and Agency.....	\$10,946,600	\$10,946,600		

ITEM 443.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Dedicated Special Revenue.....	\$151,500,000	\$153,700,000		
2	Federal Trust.....	\$32,224,353	\$32,224,353		
3	444. Not set out.				
4	445. Not set out.				
5	446. Not set out.				
6	447. Not set out.				
7	§ 1-32. DEPARTMENT OF TRANSPORTATION (501)				
8	448. Environmental Monitoring and Evaluation (51400).			\$24,211,863	\$20,494,379
9					\$23,494,379
10	Environmental Monitoring and Compliance for				
11	Highway Projects (51408).....	\$6,722,931	\$6,876,404		
12	Environmental Monitoring Program Management				
13	and Direction (51409).....	\$3,293,882	\$3,356,739		
14	Municipal Separate Storm Sewer System (MS4)				
15	Compliance Activities (51410).....	\$14,195,050	\$10,261,236		
16			\$13,261,236		
17	Fund Sources: Commonwealth Transportation.....	\$24,211,863	\$20,494,379		
18			\$23,494,379		
19	449. Ground Transportation Planning and Research				
20	(60200).....			\$75,153,449	\$76,658,340
21					\$77,685,632
22	Ground Transportation System Planning (60201)....	\$61,573,678	\$62,853,660		
23			\$63,887,284		
24	Ground Transportation System Research (60202)....	\$9,500,838	\$9,606,334		
25	Ground Transportation Program Management and				
26	Direction (60204).....	\$4,078,933	\$4,198,346		
27			\$4,192,014		
28	Fund Sources: Commonwealth Transportation.....	\$75,153,449	\$76,658,340		
29			\$77,685,632		
30	Authority: Title 33.2, Code of Virginia.				
31	A. Included in the amount for ground transportation system planning and research is no				
32	less than \$6,500,000 the first year and no less than \$6,500,000 the second year from the				
33	highway share of the Transportation Trust Fund for the planning and evaluation of options				
34	to address transportation needs.				
35	B. In addition, the Commonwealth Transportation Board may approve the expenditures of				
36	up to \$500,000 the first year and \$500,000 the second year from the highway share of the				
37	Transportation Trust Fund for the completion of advance activities, prior to the initiation				
38	of an individual project's design along existing highway corridors, to determine short-term				
39	and long-term improvements to the corridor. Such activities shall consider safety, access				
40	management, alternative modes, operations, and infrastructure improvements. Such funds				
41	shall be used for, but are not limited to, the completion of activities prior to the initiation				
42	of an individual project's design or to benefit identification of needs throughout the state				
43	or the prioritization of those needs. For federally eligible activities, the activity or item				
44	shall be included in the Commonwealth Transportation Board's annual update of the Six-				
45	Year Improvement program so that (i) appropriate federal funds may be allocated and				
46	reimbursed for the activities and (ii) all requirements of the federal Statewide				
47	Transportation Improvement Program can be achieved.				
48	C. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of				
49	Assembly, the Commonwealth Transportation Board shall not reallocate any funds from				
50	projects on roadways controlled by any county that has withdrawn or elects to withdraw				
51	from the secondary system of state highways, nor from any roadway controlled by a city				

ITEM 449.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	or town as part of the state's urban roadway system, based on a determination of			
2	nonconformity with the Commonwealth Transportation Board's Statewide Transportation			
3	Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within			
4	their boundaries, the provisions of § 33.2-214, Code of Virginia, shall apply only to highways			
5	controlled by the Department of Transportation.			
6	D. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply			
7	to use of funds provided in this Item from the federal apportionments in the State Planning			
8	and Research Program.			
9	450.	Highway Construction Programs (60300).....		\$2,907,209,244
10				\$2,447,228,540
11		Highway Construction Program Management		\$3,206,571,260
12		(60315).....	\$42,834,638	\$42,367,081
13				\$43,617,081
14		State of Good Repair Program (60320).....	\$85,614,863	\$43,176,315
15		High Priority Projects Program (60321).....	\$144,334,403	\$113,834,068
16				\$147,164,284
17		Construction District Grant Programs (60322).....	\$156,831,439	\$109,161,887
18				\$142,492,103
19		Specialized State and Federal Programs (60323).....	\$1,985,035,681	\$1,608,632,265
20				\$2,300,064,553
21		Legacy Construction Formula Programs (60324).....	\$492,558,220	\$530,056,924
22		Fund Sources: Commonwealth Transportation.....	\$2,687,816,000	\$2,110,013,955
23				\$2,861,856,675
24		Trust and Agency.....	\$219,393,244	\$337,214,585
25				\$344,714,585
26	Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of			
27	1989, Special Session II.			
28	A. From the appropriation for specialized state and federal programs funds shall be distributed			
29	as follows:			
30	1. \$108,071,298 the first year and \$119,318,608 the second year in federal state and matching			
31	funds shall be allocated for regional Surface Transportation Block Grant Funds and			
32	distributed to applicable metropolitan planning organizations pursuant to 23 USC 133;			
33	2. \$53,122,502 the first year and \$53,122,502 the second year in federal and state matching			
34	funds shall be allocated for the Highway Safety Improvement Program pursuant to 23 USC			
35	148;			
36	3. \$78,058,001 the first year and \$81,142,944 the second year in federal and state matching			
37	funds shall be allocated for the Congestion Mitigation Air Quality program pursuant to 23			
38	USC 149;			
39	4. \$100,000,000 the first year and \$100,000,000 the second year shall be allocated for the			
40	Revenue Sharing Program pursuant to § 33.2-357, Code of Virginia;			
41	5. \$20,265,939 the first year and \$20,087,475 the second year in federal funds shall be			
42	allocated for the Surface Transportation Block Grant Program Set-Aside to 23 USC 133(h).			
43	6. \$424,441,132 the first year and \$265,367,043 the second year in appropriation represents			
44	the estimated project participation costs from localities and regional entities.			
45	7. \$150,908,817 the second year in this appropriation represents the bond proceeds to be used			
46	for the Route 58 Corridor Development Program.			
47	8. \$2,736,051 the first year and \$4,183,261 the second year in state funds shall be allocated to			
48	the Virginia Transportation Infrastructure Bank pursuant to § 33.2-1500 et seq, Code of			
49	Virginia.			
50	9. \$1,368,025 the first year and \$2,091,630 the second year in state funds shall be allocated to			
51	the Transportation Partnership Opportunity Fund pursuant to § 33.2-1529.1, Code of Virginia.			

ITEM 450.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	B. Notwithstanding § 33.2-358, Code of Virginia, the proceeds from the lease or sale of			
2	surplus and residue property purchased under this program in excess of related costs shall			
3	be applied to the State of Good Repair Program pursuant to § 33.2-369, Code of Virginia.			
4	Proceeds must be used on Federal Title 23 eligible projects.			
5	C. The Director of the Department of Planning and Budget is authorized to increase the			
6	appropriation as needed to utilize amounts available from prior year balances in the			
7	dedicated funds and adjust items to the most recent Commonwealth Transportation Board			
8	budget.			
9	D. Funds appropriated for legacy formula construction programs shall be used for the			
10	purposes enumerated in subsection C of § 33.2-358, Code of Virginia, or as previously			
11	appropriated.			
12	E. Included in the amounts for specialized state and federal programs is the			
13	reappropriation of \$145,700,000 the first year and \$135,100,000 the second year from			
14	bond proceeds or dedicated special revenues for anticipated expenditure of amounts			
15	collected in prior years. The amounts will be provided from balances in the Capital			
16	Projects Revenue Bond Fund, Federal Transportation Grant Anticipation Revenue Bond			
17	Fund, Northern Virginia Transportation District Fund, State Route 28 Highway			
18	Improvement District Fund, U.S. Route 58 Corridor Development Fund and the Priority			
19	Transportation Fund. These amounts were originally appropriated when received or			
20	forecasted and are not related to FY 2017 and FY 2018 estimated revenues.			
21	F. The Director of the Department of Planning and Budget is authorized to increase the			
22	appropriation as needed to utilize amounts available from prior year balances in the			
23	Concession Payments Account to support project activities.			
24	H.The Commonwealth Transportation Board shall, no later than December 1, 2018,			
25	review and report to the Chairmen of the House and Senate Committees on			
26	Transportation, the Joint Transportation Accountability Commission, the House			
27	Committee on Appropriations and the Senate Committees on Finance, on the overall			
28	condition and funding needs of large and unique bridge and tunnel structures in the			
29	Commonwealth. As part of the review, the Board shall make recommendations addressing			
30	funding of such projects within the State of Good Repair program. In developing these			
31	recommendations the Board shall assess the impact of establishing a set aside from the			
32	State of Good Repair funding pot, limited use of the provisions of § 33.2-369 B., Code of			
33	Virginia, which allows for the waiving of district minimum caps in a single year, or such			
34	other options as they might identify.			
35	451. Highway System Maintenance and Operations			
36	(60400).....		\$1,978,877,656	\$1,992,859,424
37				\$2,097,571,677
38	Interstate Maintenance (60401).....	\$439,078,579	\$442,264,643	
39			\$517,030,047	
40	Primary Maintenance (60402).....	\$591,903,773	\$595,965,645	
41			\$675,195,555	
42	Secondary Maintenance (60403).....	\$604,321,956	\$608,513,522	
43			\$623,054,003	
44	Transportation Operations Services (60404).....	\$266,309,352	\$268,459,641	
45			\$221,566,905	
46	Highway Maintenance Operations, Program			
47	Management and Direction (60405).....	\$77,263,996	\$77,655,973	
48			\$60,725,167	
49	Fund Sources: Commonwealth Transportation.....	\$1,978,877,656	\$1,992,859,424	
50			\$2,097,571,677	
51	A. The department is authorized to enter into agreements with state and local law			
52	enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV)			
53	restrictions throughout the Commonwealth and metropolitan planning regions.			
54	B. Should federal law be changed to permit privatization of rest area operations, the			
55	department is hereby authorized to accept or solicit proposals for their development and/or			
56	operation.			

ITEM 451.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	C. The Director, Department of Planning and Budget, is authorized to increase the				
2	appropriation in this Item as needed to utilize amounts available from prior year balances in				
3	the dedicated funds.				
4	D. The Commissioner's annual report pursuant to § 33.2-232, Code of Virginia, shall include				
5	an assessment of whether the department has met its secondary road pavement targets, by				
6	district and on a statewide basis.				
7	E. Out of the amounts provided in this Item, the department shall increase the share of				
8	funding dedicated to the Safety Service Patrol Services by \$5,000,000 from nongeneral fund				
9	revenues in the second year to expand services across the Commonwealth's Interstate System,				
10	with priority given to the Interstate 81 Corridor.				
11	452. Commonwealth Toll Facilities (60600).....			\$80,876,667	\$91,272,130
12					\$85,455,257
13	Toll Facility Debt Service (60602).....	\$3,194,200	\$3,190,600		
14	Toll Facility Maintenance And Operation (60603).....	\$41,532,467	\$51,631,530		
15			\$45,814,657		
16	Toll Facilities Revolving Fund (60604).....	\$36,150,000	\$36,450,000		
17	Fund Sources: Commonwealth Transportation.....	\$74,876,667	\$85,272,131		
18			\$78,646,437		
19	Trust and Agency.....	\$6,000,000	\$5,999,999		
20			\$6,808,820		
21	Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.				
22	A. Included in this Item are funds for the installation and implementation of a statewide				
23	Electronic Toll Customer Service/Violation Enforcement System.				
24	B. It is the intent of the General Assembly that the toll revenues, and any bond proceeds or				
25	concession payments backed by such toll revenues, derived from the express lanes on				
26	Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange				
27	of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the				
28	Hampton Roads Transportation Accountability Commission established pursuant Chapter 26				
29	of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between				
30	the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with				
31	Interstate 564.				
32	453. Financial Assistance to Localities for Ground				
33	Transportation (60700).....			\$1,079,779,699	\$1,074,659,612
34					\$1,095,669,240
35	Financial Assistance for City Road Maintenance				
36	(60701).....	\$386,532,142	\$385,407,026		
37			\$387,661,833		
38	Financial Assistance for County Road Maintenance				
39	(60702).....	\$69,295,633	\$69,468,919		
40			\$69,360,034		
41	Financial Assistance for Planning, Access Roads,				
42	and Special Projects (60704).....	\$15,551,924	\$15,383,667		
43			\$15,747,373		
44	Distribution of Northern Virginia Transportation				
45	Authority Fund Revenues (60706).....	\$280,400,000	\$272,600,000		
46			\$283,400,000		
47	Distribution of Hampton Roads Transportation Fund				
48	Revenues (60707).....	\$191,100,000	\$194,000,000		
49			\$201,700,000		
50	Distribution of Washington Metropolitan Area				
51	Transit Authority Capital Fund Revenues (60708).....	\$127,400,000	\$128,200,000		
52	Distribution of Certain Taxes to Certain Localities in				
53	Planning District 8 (60709).....	\$9,500,000	\$9,600,000		
54	Fund Sources: Commonwealth Transportation.....	\$471,379,699	\$470,259,612		
55			\$472,769,240		
56	Dedicated Special Revenue.....	\$608,400,000	\$604,400,000		
57			\$622,900,000		

ITEM 453.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Authority: Title 33.2, Chapter 1, Code of Virginia.			
2	A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special			
3	Projects, \$7,000,000 the first year and \$7,000,000 the second year from the			
4	Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-			
5	1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for			
6	Recreational Access Roads shall be \$1,500,000 the first year and \$1,500,000 the second			
7	year. It is the intent of the General Assembly that up to \$250,000 of the funds allocated			
8	by the Commonwealth Transportation Board for Recreational Access Roads in this Item			
9	shall be prioritized for handicapped accessibility improvements at Virginia State Parks,			
10	including improvements to handicapped access points and parking facility enhancements			
11	as may be requested by the Department of Conservation and Recreation.			
12	B. Distribution of Northern Virginia Transportation Authority Fund Revenues represents			
13	direct payments, of the revenue collected and deposited into the Fund, to the Northern			
14	Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of			
15	Assembly. Notwithstanding any other provision of law, moneys deposited into the			
16	Hampton Roads Transportation Fund shall be transferred to the Hampton Roads			
17	Transportation Accountability Commission for use in accordance with § 33.2-2611, Code			
18	of Virginia.			
19	C. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not			
20	apply to use of funds provided in this Item from federal apportionments in the			
21	Metropolitan Planning Program.			
22	D. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may			
23	provide the Department of Transportation interest-free treasury loans in an amount not to			
24	exceed \$1,700,000 per year which may be extended for a period longer than twelve			
25	months. The loan amounts would be provided to the City of Portsmouth to offset losses in			
26	personal property tax collections generated by the City due to the transfer of personal			
27	property from the Virginia International Gateway to the Commonwealth. The specific			
28	terms and structure of any loan shall be approved by the Secretary of Finance, after			
29	consultation with the Chairmen of the House Appropriations and Senate Finance			
30	Committees, or their designees. A treasury loan for this purpose shall be considered as			
31	bridge financing until the planned expansion of the Virginia International Gateway			
32	Facility commences and additional equipment is purchased which will generate personal			
33	property taxes that the City of Portsmouth shall use to repay the loan. To the extent the			
34	loan is not repaid as required by the specific terms of the loan, the Department of			
35	Transportation is directed to withhold the payment amount due from funds provided to the			
36	City of Portsmouth pursuant to § 33.2-319, Code of Virginia, to repay the loan.			
37	E. Distribution of Washington Metropolitan Area Transit Authority Capital Fund			
38	Revenues represents direct payments, of the revenue collected and deposited into the			
39	Fund, to the Washington Metropolitan Area Transit Authority for uses pursuant to Chapter			
40	34 of Title 33.2, Code of Virginia.			
41	F. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation			
42	Board, when establishing annual rates of payments to Counties that have elected to			
43	withdraw from the secondary highway system, shall adjust such rate annually with i)			
44	procedures established for adjusting payments to cities, and ii) lane mileage adjustments.			
45	It is the express intent of the General Assembly, that under no circumstance shall the			
46	addition of lane miles to one jurisdiction result in the direct or indirect reduction in the			
47	calculation of payment to any other jurisdiction receiving payment from funds			
48	appropriated for Financial Assistance for County Road Maintenance (60702).			
49	454. Non-Toll Supported Transportation Debt Service			
50	(61200).....			\$369,469,786
51				\$384,933,110
52	Highway Transportation Improvement District			\$381,401,095
53	Debt Service (61201).....	\$8,639,519	\$8,639,519	
54	Designated Highway Corridor Debt Service			
55	(61202).....	\$55,935,686	\$64,321,062	
56			\$56,821,062	

ITEM 454.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Commonwealth Transportation Capital Projects				
2	Bond Act Debt Service (61204).....	\$187,706,263	\$188,168,113		
3			\$192,136,098		
4	Federal Transportation Grant Anticipation Revenue				
5	Notes Debt Service (61205).....	\$117,188,318	\$123,804,416		
6	Fund Sources: General.....	\$40,000,000	\$40,000,000		
7	Commonwealth Transportation.....	\$117,188,318	\$123,804,416		
8	Trust and Agency.....	\$204,649,770	\$213,496,996		
9			\$209,964,981		
10	Federal Trust.....	\$7,631,698	\$7,631,698		
11	Authority: Titles 15.2, 33.2, and 58.1 of the Code of Virginia; Chapters 827 and 914, Acts of				
12	Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended				
13	by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of				
14	2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of Assembly of 2007; and				
15	Chapters 830 and 868, Acts of Assembly of 2011				
16	A.1. The amount shown for Highway Transportation Improvement District Construction shall				
17	be derived from payments made to the Transportation Trust Fund pursuant to the Contract				
18	between the State Route 28 Highway Transportation Improvement District and the				
19	Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended				
20	and Restated District Contract by and among the Commonwealth Transportation Board, the				
21	Fairfax County Economic Development Authority and the State Route 28 Highway				
22	Transportation Improvement District Commission (the "District Commission") dated August				
23	30, 2002, and May 1, 2012 (the "District Contract").				
24	2. There is hereby appropriated for payment immediately upon receipt to a third party				
25	approved by the Commonwealth Transportation Board, or a bond trustee selected by such				
26	third party, a sum sufficient equal to the special tax revenues collected by the Counties of				
27	Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District				
28	and paid to the Commonwealth Transportation Board by or on behalf of the District				
29	Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and				
30	the District Contract between the Commonwealth Transportation Board and the District				
31	Commission.				
32	3. The contract payments may be supplemented from the Construction District Grant Program				
33	pursuant to § 33.2-371 allocated to the highway construction district in which the project				
34	financed is located, or any other lawfully available revenues of the Transportation Trust Fund,				
35	as may be necessary to meet debt service obligations. The payment of debt service shall be for				
36	the bonds (the Series 2012 Bonds) issued under the "Commonwealth of Virginia				
37	Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of				
38	Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990).				
39	Funds required to pay the total debt service on the Series 2012 Bonds shall be made available				
40	in the amounts indicated in paragraph E of this Item.				
41	B.1. Out of the amounts for Designated Highway Corridor Construction, \$40,000,000 the first				
42	year and \$40,000,000 the second year from the general fund shall be paid to the U.S. Route 58				
43	Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to §				
44	33.2-2300, Code of Virginia. This payment shall be in lieu of the deposit of state recordation				
45	taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would				
46	otherwise be deposited to the Fund shall be retained by the general fund. Additional				
47	appropriations required for the U.S. Route 58 Corridor Development Fund, an amount				
48	estimated at \$9,000,000 the first year and \$20,000,000 the second year shall be transferred				
49	from the highway share of the Transportation Trust Fund.				
50	2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond				
51	Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly and Chapter 296 of				
52	the 2013 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available				
53	from the Fund for debt service for the bonds previously issued and additional bonds issued				
54	pursuant to said act.				
55	C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia				
56	Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 33.2-2400,				

ITEM 454.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Code of Virginia, and for so long as the Fund is required to support the issuance of bonds,				
2	the Fund shall include at least the following elements:				
3	a. Amounts transferred from Item 264 of this act to this Item.				
4	b. Any public right-of-way use fees allocated by the Department of Transportation				
5	pursuant to § 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax,				
6	Loudoun, and Prince William, the amounts estimated at \$5,315,304 the first year and				
7	\$5,315,304 the second year.				
8	c. Any amounts which may be deposited into the Fund pursuant to a contract between the				
9	Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in				
10	the Northern Virginia Transportation District Program, the amounts estimated to be				
11	\$816,000 the first year and \$816,000 the second year.				
12	2. The Fund shall support the issuance of bonds at a total authorized level of \$500,200,000				
13	for the purposes provided in the “Northern Virginia Transportation District,				
14	Commonwealth of Virginia Revenue Bond Act of 1993,” Chapter 391, Acts of Assembly				
15	of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters				
16	740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly,				
17	Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of				
18	Assembly.				
19	3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia				
20	Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by				
21	Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts				
22	of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002				
23	Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in				
24	paragraph E of this Item shall be available from the Fund for debt service for the bonds				
25	previously issued and additional bonds issued pursuant to said act.				
26	4. Should the actual distribution of recordation taxes to the localities set forth in § 33.2-				
27	2400, Code of Virginia, exceed the amount required for debt service on the bonds issued				
28	pursuant to the above act, such excess amount shall be transferred to the Northern Virginia				
29	Transportation District Fund in furtherance of the program described in § 33.2-2401, Code				
30	of Virginia.				
31	5. Should the actual distribution of recordation taxes to said localities be less than the				
32	amount required to pay debt service on the bonds, the Commonwealth Transportation				
33	Board is authorized to meet such deficiency, to the extent required, from funds identified				
34	in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.				
35	D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake				
36	account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall				
37	include funds transferred from Item 264 of this act to this Item, and an amount estimated				
38	at \$1,000,000 the first year and \$1,000,000 the second year received from the City of				
39	Chesapeake pursuant to a contract or other alternative mechanism for the purpose				
40	provided in the “Oak Grove Connector, City of Chesapeake Commonwealth of Virginia				
41	Transportation Program Revenue Bond Act of 1994,” Chapters 233 and 662, Acts of				
42	Assembly of 1994 (hereafter referred to as the “Oak Grove Connector Act”).				
43	2. The amounts shown in paragraph E of this Item shall be available from the City of				
44	Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant				
45	to the Oak Grove Connector Act.				
46	3. Should the actual distribution of recordation taxes and such local revenues from the				
47	City of Chesapeake as may be received pursuant to a contract or other alternative				
48	mechanism to the City of Chesapeake account of the Set-aside Fund be less than the				
49	amount required to pay debt service on the bonds, the Commonwealth Transportation				
50	Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of				
51	the Oak Grove Connector Act.				
52	E. Pursuant to various Payment Agreements between the Treasury Board and the				
53	Commonwealth Transportation Board, funds required to pay the debt service due on the				
54	following Commonwealth Transportation Board bonds shall be transferred to the Treasury				

ITEM 454.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Board as follows:				
2			FY 2019		FY 2020
3	Transportation Contract Revenue Refund		\$8,639,519		\$8,639,519
4	Bonds, Series 2012 (Refunding Route 28)				
5	Commonwealth of Virginia				
6	Transportation Revenue Bonds: U.S.				
7	Route 58 Corridor Development Program:				
8	Series 2014B (Refunding)		\$24,142,000		\$24,139,500
9	Series 2016C (Refunding)		\$2,592,750		\$2,592,750
10	Series 2017C (Refunding)		\$14,290,500		
11	Northern Virginia Transportation District				
12	Program:				
13	Series 2009A-2		\$5,378,653		\$5,336,803
14	Series 2012A (Refunding)		\$9,790,538		\$2,559,038
15	Series 2014A (Refunding)		\$9,640,250		\$9,645,000
16	Series 2016B (Refunding)		\$2,358,750		\$463,500
17	Series 2017B (Refunding)		\$4,408,000		\$4,368,000
18	Transportation Program Revenue Bonds:				
19	Series 2016A (Oak Grove Connector,		\$1,992,750		\$1,990,750
20	City of Chesapeake)				
21	Capital Projects Revenue Bonds:				
22	Series 2010 A-2		\$35,882,155		\$35,660,925
23	Series 2011		\$21,097,750		\$21,096,500
24	Series 2012		\$29,163,800		\$29,161,550
25	Series 2014		\$18,226,700		\$18,224,700
26	Series 2016		\$16,797,000		\$16,799,250
27	Series 2017		\$16,524,688		\$16,525,938
28	Series 2017A		\$30,408,400		\$30,408,400
29	Series 2018		\$9,201,301		\$9,197,600
30	F. Out of the amounts provided for in this Item, an estimated \$115,469,133 the first year and				
31	\$123,804,416 the second year from federal reimbursements shall be provided for debt service				
32	payments on the Federal Transportation Grant Anticipation Revenue Notes.				
33	G. Out of the amounts provided for this Item, an estimated \$177,301,793 the first year and				
34	\$188,168,113 the second year from the Priority Transportation Fund shall be provided for				
35	debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds.				
36	Any additional amounts needed to offset the debt service payment requirements attributable to				
37	the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation				
38	Trust Fund.				
39	H. The Commonwealth Transportation Board is hereby authorized, by and with the consent of				
40	the Governor, to issue, pursuant to the applicable provisions of the Transportation				
41	Development and Revenue Bond Act (§ 33.2-1700 et seq., Code of Virginia) as amended				
42	from time to time, revenue obligations of the Commonwealth to be designated				
43	"Commonwealth of Virginia Transportation Capital Projects Revenue Bonds, Series XXXX"				
44	at one or more times in an aggregate principal amount not to exceed \$180,000,000, after all				

ITEM 454.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	costs. The net proceeds of the bonds shall be used exclusively for the purpose of providing				
2	funds for paying the costs incurred or to be incurred for construction or funding of				
3	transportation projects set forth in Item 449.10 of Chapter 847 of the Acts of Assembly of				
4	2007, including but not limited to environmental and engineering studies; rights-of-way				
5	acquisition; improvements to all modes of transportation; acquisition, construction and				
6	related improvements; and any financing costs and other financing expenses. Such costs				
7	may include the payment of interest on the bonds for a period during construction and not				
8	exceeding one year after completion of construction of the projects. Notwithstanding the				
9	provisions of Item 449.10 of Chapter 847 of the acts of Assembly 2007, any remaining				
10	funding may be used for the purposes set forth in subsection G of Item 453 of Chapter				
11	665, 2015 Acts of Assembly.				
12	455. Administrative and Support Services (69900).....			\$279,817,017	\$294,076,199
13					\$297,615,020
14	General Management and Direction (69901).....	\$147,188,104	\$150,993,064		
15			\$153,080,183		
16	Information Technology Services (69902).....	\$96,813,415	\$107,964,794		
17			\$110,952,111		
18	Facilities and Grounds Management Services				
19	(69915).....	\$17,169,363	\$17,653,302		
20			\$17,645,600		
21	Employee Training and Development (69924).....	\$18,646,135	\$17,465,039		
22			\$15,937,126		
23	Fund Sources: Commonwealth Transportation.....	\$279,817,017	\$294,076,199		
24			\$297,615,020		
25	Authority: Title 33.2, Code of Virginia.				
26	A. Notwithstanding any other provision of law, the highway share of the Transportation				
27	Trust Fund shall be used for highway maintenance and operation purposes prior to its				
28	availability for new development, acquisition, and construction.				
29	B. Administrative and Support Services shall include funding for management, direction,				
30	and administration to support the department's activities that cannot be directly attributable				
31	to individual programs and/or projects.				
32	C. Out of the amounts for General Management and Direction, allocations shall be				
33	provided to the Commonwealth Transportation Board to support its operations, the				
34	payment of financial advisory and legal services, and the management of the				
35	Transportation Trust Fund.				
36	D. Notwithstanding any other provision of law, the department may assess and collect the				
37	costs of providing services to other entities, public and private. The department shall take				
38	all actions necessary to ensure that all such costs are reasonable and appropriate,				
39	recovered, and understood as a condition to providing such service.				
40	E. Each year, as part of the six-year financial planning process, the commissioner shall				
41	implement a long-term business strategy that considers appropriate staffing levels for the				
42	department. In addition, the commissioner shall identify services, programs, or projects				
43	that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking				
44	such evaluations, the commissioner is authorized to use the appropriate resources, both				
45	public and private, to competitively procure those identified services, programs, or				
46	projects and shall identify total costs for such activities.				
47	F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be				
48	exempt from recovering statewide and agency indirect costs from the Federal Highway				
49	Administration until an indirect cost plan can be evaluated and developed by the agency				
50	and approved by the Federal Highway Administration.				
51	G. The Director, Department of Planning and Budget, is authorized to adjust				
52	appropriations and allotments for the Virginia Department of Transportation to reflect				
53	changes in the official revenue estimates for commonwealth transportation funds.				
54	H. Out of the amounts for General Management and Direction, allocations shall be				
55	provided to support the capital lease agreement with Fairfax County for the Northern				

ITEM 455.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Virginia District building. An amount estimated at \$7,800,000 the first year and \$7,800,000				
2	the second year from Commonwealth Transportation Funds shall be provided.				
3	I. Notwithstanding any other provisions of law, the Commonwealth Transportation				
4	Commissioner may enter into a contract with homeowner associations for grounds-keeping,				
5	mowing, and litter removal services.				
6	J. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction,				
7	erection, repair, upgrade, removal or demolition of any building, fixture or structure located or				
8	to be located on property of the Commonwealth of Virginia under the control of the Virginia				
9	Department of Transportation (VDOT) and within the secured area of a residency, area				
10	headquarters or district complex shall be subject to review or approval by the Art and				
11	Architectural Review Board as contemplated by that section. However, for changes to any				
12	building or fixture located on property owned or controlled by VDOT that has been				
13	designated or is under consideration for designation as a historic property, then VDOT shall				
14	submit such changes to the Art and Architectural Review Board for review and approval by				
15	the Board.				
16	K. The Virginia Department of Transportation is authorized to convey a 25-foot wide strip of				
17	land containing approximately 0.1923 acre located along the southeastern boundary of its				
18	original Callaway Area Headquarters parcel, Tax Map Parcel #0580004200, to Earl E.				
19	Bowman, Jr. and Elizabeth H. Bowman, husband and wife, in return for the termination of an				
20	existing easement in favor of the Bowmans across certain property of the Commonwealth, as				
21	shown in those certain deeds and plats recorded at Deed Book 1114, Page 1622 and Deed				
22	Book 1114, Page 1630 in the Clerk's Office of the Circuit Court of Franklin County, Virginia,				
23	and the conveyance from the Bowmans of a parcel of land containing approximately 0.3582				
24	acres located adjacent to and northwest of VDOT's original parcel, all as shown on a plat to be				
25	agreed to between the Parties. The appraised value of the land to be acquired by VDOT shall				
26	be equal to or greater than the value of the land to be transferred from VDOT. The exact				
27	property to be conveyed as consideration for this transaction is subject to change or				
28	adjustment provided that all parties agree, the requirements for value and form are met, and				
29	the appropriate approvals are obtained. The conveyances shall be made with the				
30	recommendation of the Department of General Services, the approval of the Governor and				
31	shall be in a form approved by the Attorney General. The appropriate officials of the				
32	Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other				
33	documents as may be necessary to accomplish the conveyance.				
34	L. 1. At such time as the Virginia Department of Transportation (VDOT) determines that the				
35	VDOT Residency office, on five acres, at 626 Waddell Street, in the City of Lexington is no				
36	longer required for VDOT's purposes, it shall offer to transfer the property to the City of				
37	Lexington prior to offering the property for transfer or sale to any other public or private				
38	agency or entity or individual, on such terms and conditions as provided below.				
39	2. The Virginia Department of Transportation and the City of Lexington shall each obtain a				
40	separate appraisal of the property, each performed by an appraiser licensed by the				
41	Commonwealth of Virginia as Certified General Real Property Appraisers, who must meet the				
42	competency provisions of the Uniform Standards of Professional Appraisal Practice.				
43	3. VDOT shall offer the property to the City of Lexington at a value which shall be				
44	determined by averaging the values from the two appraisals obtained in L.2. above. Any other				
45	conditions of the transfer shall be based on usual and customary terms for such				
46	intergovernmental transfers.				
47	4. If the Virginia Department of Transportation and the City of Lexington cannot agree on the				
48	terms of the transfer of the property, VDOT may transfer or sell the property to any other				
49	public or private agency or entity or individual on such terms as it determines are in the best				
50	interest of the Virginia Department of Transportation, however it will present those terms to				
51	the City of Lexington for its consideration prior to finalizing any transfer or sale to any other				
52	party.				
53	456. Not set out.				
54	Total for Department of Transportation.....			\$6,795,395,381	\$6,382,181,734
55					\$7,265,463,560

ITEM 456.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Nongeneral Fund Positions.....	7,735.00	7,735.00		
2	Position Level.....	7,735.00	7,735.00		
3	Fund Sources: General.....	\$40,000,000	\$40,000,000		
4	Commonwealth Transportation.....	\$5,709,320,669	\$5,173,438,456		
5			\$6,033,443,476		
6	Trust and Agency.....	\$430,043,014	\$556,711,580		
7			\$561,488,386		
8	Dedicated Special Revenue.....	\$608,400,000	\$604,400,000		
9			\$622,900,000		
10	Federal Trust.....	\$7,631,698	\$7,631,698		
11	457. Not set out.				
12	458. Not set out.				
13	459. Not set out.				
14	460. Not set out.				
15	461. Not set out.				
16	462. Not set out.				
17	TOTAL FOR OFFICE OF TRANSPORTATION...			\$8,139,527,863	\$7,730,887,266
18					\$8,614,169,092
19	Nongeneral Fund Positions.....	10,180.00	10,183.00		
20			10,283.00		
21	Position Level.....	10,180.00	10,183.00		
22			10,283.00		
23	Fund Sources: General.....	\$41,030,246	\$41,030,246		
24	Special.....	\$174,788,630	\$179,641,216		
25	Commonwealth Transportation.....	\$6,679,463,322	\$6,141,101,573		
26			\$7,001,106,593		
27	Trust and Agency.....	\$440,989,614	\$567,658,180		
28			\$572,434,986		
29	Dedicated Special Revenue.....	\$759,900,000	\$758,100,000		
30			\$776,600,000		
31	Federal Trust.....	\$43,356,051	\$43,356,051		

ITEM 463.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	OFFICE OF VETERANS AND DEFENSE AFFAIRS			
2	463.	Not set out.		
3	464.	Not set out.		
4	465.	Not set out.		
5	466.	Not set out.		
6	467.	Not set out.		
7	468.	Not set out.		
8	469.	Not set out.		
9	470.	Not set out.		
10	TOTAL FOR OFFICE OF VETERANS AND			
11	DEFENSE AFFAIRS.....		\$87,838,961	\$103,970,772
12	General Fund Positions.....	216.00	238.00	
13	Nongeneral Fund Positions.....	627.00	867.00	
14	Position Level.....	843.00	1,105.00	
15	Fund Sources: General.....	\$22,247,486	\$23,082,190	
16	Special.....	\$34,312,776	\$46,309,402	
17	Trust and Agency.....	\$0	\$2,500,000	
18	Dedicated Special Revenue.....	\$1,593,000	\$1,593,000	
19	Federal Trust.....	\$29,685,699	\$30,486,180	

ITEM 471.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	CENTRAL APPROPRIATIONS			
2	§ 1-33. CENTRAL APPROPRIATIONS (995)			
3	471.	Not set out.		
4	472.	Not set out.		
5	473.	Not set out.		
6	474.	Compensation and Benefit Adjustments (75700).....		\$44,908,273
7		Adjustments to Employee Compensation (75701)....	\$14,134,815	\$202,847,512
8		Adjustments to Employee Benefits (75702).....	\$30,773,458	(\$15,683,479)
9		Fund Sources: General.....	\$44,908,273	\$187,164,033
10	Authority: Discretionary Inclusion.			
11	A. Transfers to or from this Item may be made to decrease or supplement general fund			
12	appropriations to state agencies for:			
13	1. Adjustments to base rates of pay;			
14	2. Adjustments to rates of pay for budgeted overtime of salaried employees;			
15	3. Salary changes for positions with salaries listed elsewhere in this act;			
16	4. Salary changes for locally elected constitutional officers and their employees;			
17	5. Employer costs of employee benefit programs when required by salary-based pay			
18	adjustments;			
19	6. Salary changes for local employees supported by the Commonwealth, other than those			
20	funded through appropriations to the Department of Education; and			
21	7. Adjustments to the cost of employee benefits to include but not be limited to health			
22	insurance premiums and retirement and related contribution rates.			
23	B. Transfers from this Item may be made when appropriations to the state agencies			
24	concerned are insufficient for the purposes stated in paragraph A of this Item, as			
25	determined by the Department of Planning and Budget, and subject to guidelines			
26	prescribed by the department. Further, the Department of Planning and Budget may			
27	transfer appropriations within this Item from the second year of the biennium to the first			
28	year, when necessary to accomplish the purposes stated in paragraph A of this Item.			
29	C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by			
30	nongeneral fund sources, shall pay the proportionate share of changes in salaries and			
31	benefits as required by this Item, subject to the rules and regulations prescribed by the			
32	appointing or governing authority of such agencies. Nongeneral fund revenues and			
33	balances required for this purpose are hereby appropriated.			
34	D. Any supplemental salary payment to a state employee or class of state employees by a			
35	local governing body shall be governed by a written agreement between the agency head			
36	of the employee or class of employees receiving the supplement and the chief executive			
37	officer of the local governing body. Such agreement shall also be reviewed and approved			
38	by the Director of the State Department of Human Resource Management. At a minimum,			
39	the agreement shall specify the percent of state salary or fixed amount of the supplement,			
40	the resultant total salary of the employee or class of employees, the frequency and method			
41	of payment to the agency of the supplement, and whether or not such supplement shall be			
42	included in the employee's state benefit calculations. A copy of the agreement shall be			
43	made available annually to all employees receiving the supplement. The receipt of a local			
44	salary supplement shall not subject employees to any personnel or payroll rules and			
45	practices other than those promulgated by the State Department of Human Resource			

ITEM 474.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Management.				
2	E. The Governor is hereby authorized to transfer funds from agency appropriations to the				
3	accounts of participating state employees in such amounts as may be necessary to match the				
4	contributions of the qualified participating employees, consistent with the requirements of the				
5	Code of Virginia governing the deferred compensation cash match program. Such transfers				
6	shall be made consistent with the following:				
7	1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per				
8	pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the				
9	agencies of the Commonwealth to utilize funds contained within their existing appropriations				
10	to meet these requirements.				
11	2. The Governor may direct agencies supported in whole or in part with nongeneral funds to				
12	utilize existing agency appropriations to meet these requirements. Such nongeneral revenues				
13	and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b				
14	of this act. The use of such nongeneral funds shall be consistent with any existing conditions				
15	and restrictions otherwise placed upon such nongeneral funds.				
16	3. The procurement of services related to the implementation of this program shall be				
17	governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject				
18	to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.				
19	F. The Secretary of Administration, in conjunction with the Secretary of Finance, may				
20	establish a program that allows for the sharing of cost savings from improved productivity,				
21	efficiency, and performance with agencies and employees. Such gain sharing programs				
22	require a management philosophy of open communication encouraging employee				
23	participation; a system which seeks, evaluates and implements employee input on increasing				
24	productivity; and a formula for measuring productivity gains and sharing these gains between				
25	employees and the agency. The Department of Human Resource Management, in conjunction				
26	with the Department of Planning and Budget, shall develop specific gain sharing program				
27	guidelines for use by agencies. The Department of Human Resource Management shall				
28	provide to the Governor, the Chairmen of the House Appropriations and Senate Finance				
29	Committees an annual report no later than October 1 of each year detailing identified savings				
30	and their usage.				
31	G.1. Out of the appropriation for this Item, amounts estimated at \$33,650,659 the first year				
32	and \$33,272,027 the second year from the general fund shall be transferred to state agencies				
33	and institutions of higher education to support the general fund portion of costs associated				
34	with changes in the employer's share of premiums paid for the Commonwealth's health				
35	benefit plans.				
36	2. Notwithstanding any contrary provision of law, the health benefit plans for state employees				
37	resulting from the additional funding in this Item shall allow for a portion of employee				
38	medical premiums to be charged to employees.				
39	3. The Department of Human Resource Management shall explore options within the health				
40	insurance plan for state employees to promote value-based health choices aimed at creating				
41	greater employee satisfaction with lower overall health care costs. It is the General				
42	Assembly's intent that any savings associated with this employee health care initiative be				
43	retained and used towards funding state employee salary or fringe benefit cost increases.				
44	4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority				
45	of the Department of Human Resource Management to establish and enforce employer				
46	contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of				
47	Virginia.				
48	5. The Department of Human Resource Management is prohibited from establishing a retail				
49	maintenance network for maintenance drugs that includes penalties for non-use of the retail				
50	maintenance network.				
51	6. The Department of Human Resource Management shall not increase the annual out-of-				
52	pocket maximum included in the plans above the limits in effect for the plan year which				
53	became on July 1, 2014.				

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	7. The Department of Human Resource Management shall include language in all			
2	contracts, signed on or after July 1, 2018, with third party administrators of the state			
3	employee health plan requiring the third party administrators to: 1) maintain policies and			
4	procedures for transparency in their pharmacy benefit administration programs; 2)			
5	transparently provide information to state employees through an explanation of benefits			
6	regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the			
7	amount paid to the dispensing pharmacy for the claim; the amount charged to the third			
8	party administrator for the claim by the third party administrator's pharmacy benefit			
9	manager; and the amount charged by the third party administrator to the Commonwealth;			
10	and 3) provide a report to the Department of Human Resource Management of the			
11	aggregate difference in amounts between reimbursements made to pharmacies for claims			
12	covered by the state employee insurance plan, the amount charged to the third party			
13	administrator for the claim by the third party administrator's pharmacy benefit manager,			
14	and the amount charged by the third party administrator to the Commonwealth as well as			
15	an explanation for any difference. The department shall report to the Governor and the			
16	Chairmen of the House Appropriations and Senate Finance Committees on its			
17	implementation of this item by October 1, 2018.			
18	8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law,			
19	effective October 1, 2018, the Department of Human Resource Management shall provide			
20	coverage under the state employee health insurance program for the treatment of autism			
21	spectrum disorder through the age of eighteen.			
22	9. In addition to the amounts cited in paragraph G.1 of this item, \$992,222 the first year			
23	from the general fund shall be provided for the Department of Human Resource			
24	Management for the repayment of costs incurred pursuant to the proposal to establish an			
25	optional statewide local employee health insurance program.			
26	H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits			
27	of public school teachers, state employees, state police officers, state judges, and state law			
28	enforcement officers eligible for the Virginia Law Officers Retirement System shall be			
29	based on a valuation of retirement assets and liabilities that are consistent with the			
30	provisions of Chapters 701 and 823, Acts of Assembly of 2012.			
31	2. Retirement contribution rates, excluding the five percent employee portion, shall be as			
32	set out below and include both the regular contribution rate and for the public school			
33	teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year			
34	payback of the retirement contribution payments deferred for the 2010-12 biennium:			
35		FY 2019		FY 2020
36	Public school teachers	15.68%		15.68%
37	State employees	13.52%		13.52%
38	State Police Officers' Retirement	24.88%		24.88%
39	System			
40	Virginia Law Officers' Retirement	21.61%		21.61%
41	System			
42	Judicial Retirement System	34.39%		34.39%
43	3. Payments of all required contributions and insurance premiums to the Virginia			
44	Retirement System and its third-party administrators, as applicable, shall be made no later			
45	than the tenth day following the close of each month of the fiscal year.			
46	4. The Director of Department of Planning and Budget shall withhold and transfer to this			
47	Item, amounts estimated at \$6,539,646 the first year and \$6,823,946 the second year, from			
48	the general fund appropriations of state agencies and institutions of higher education,			
49	representing the net savings resulting from the changes in employer contributions for state			
50	employee retirement as provided for in this paragraph.			
51	5. The funding necessary to support the cost of reimbursements to Constitutional Officers			
52	for retirement contributions are appropriated elsewhere in this act under the Compensation			
53	Board.			
54	6. The funding necessary to support the cost of the employer retirement contribution rate			

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	for public school teachers is appropriated elsewhere in this act under Direct Aid to Public			
2	Education.			
3	I.1. Except as authorized in Paragraph I.2. of this Item, rates paid to the Virginia Retirement			
4	System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local			
5	public school divisions (only to the extent that the employer contribution rate is not otherwise			
6	specified in this act), and (v) other political subdivisions shall be based on the employer			
7	contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to §			
8	51.1-145(I), Code of Virginia.			
9	2. Rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities, (iii)			
10	towns, (iv) local public school divisions (only to the extent that the employer contribution rate			
11	is not otherwise specified in this act), and (v) other political subdivisions shall be based on the			
12	employer contribution rates certified by the Virginia Retirement System Board of Trustees			
13	pursuant to § 51.1-145(I), Code of Virginia, unless the participating employer notifies VRS			
14	that it has opted to base the employer contribution rate on the higher of: a) the contribution			
15	rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial			
16	valuation of assets and liabilities as approved by the Virginia Retirement System Board of			
17	Trustees for the 2012-14 biennium, eighty percent of the results of the June 30, 2013 actuarial			
18	valuation of assets and liabilities as approved by the Virginia Retirement System Board of			
19	Trustees for the 2014-16 biennium, ninety percent of the results of the June 30, 2015 actuarial			
20	valuation of assets and liabilities as approved by the Virginia Retirement System Board of			
21	Trustees for the 2016-18 biennium, and one-hundred percent of the results of the June 30,			
22	2017 actuarial valuation of assets and liabilities as approved by the Virginia Retirement			
23	System Board of Trustees for the 2018-20 biennium.			
24	3. Every participating employer that opts not to use the employer contribution rates certified			
25	by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of			
26	Virginia, must certify to the board of the Virginia Retirement System by resolution adopted			
27	by its local governing body that it: has reviewed and understands the information provided by			
28	the Virginia Retirement System outlining the potential future fiscal implications of electing or			
29	not electing to utilize the employer contribution rates certified by the Virginia Retirement			
30	System Board of Trustees, as provided for in paragraph I.1.			
31	4. Local public school divisions must receive the concurrence of the local governing body if			
32	electing to pay the alternate contribution rate set out in paragraph I.2. Such concurrence must			
33	be documented by a resolution of the governing body.			
34	5. The board of the Virginia Retirement System shall provide all employers participating in			
35	the Virginia Retirement System with a summary of the implications inherent in the use of the			
36	employer contribution rates certified by the Virginia Retirement System (VRS) Board of			
37	Trustees set out in paragraph I.1, and the alternate employer contribution rates set out in			
38	paragraph I.2.			
39	J. The Virginia Retirement System Board of Trustees shall account for the employer			
40	retirement contribution payments for the public school teacher plan deferred for the 2010-			
41	2012 biennium based on limiting employer retirement contributions to the Virginia			
42	Retirement System to the actuarial normal cost. In setting the employer retirement			
43	contribution rates for the public school teacher plan for subsequent biennia, the board shall			
44	calculate a separate, supplemental employer contribution rate that will amortize such deferred			
45	payments over a period of ten years using the board's assumed long-term rate of return. The			
46	Governor shall include funds to support payment of the approved state portion of such board-			
47	approved, supplemental employer contribution rates for the public school teacher plan in the			
48	budget submitted to the General Assembly.			
49	K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to			
50	include the public employee group life insurance program, the Virginia Sickness and			
51	Disability Program, the state employee retiree health insurance credit, and the public school			
52	teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities			
53	that assume an investment return of seven percent and an amortization period of 30 years.			
54	2. Contribution rates paid on behalf of public employees for other programs administered by			
55	the Virginia Retirement System shall be:			

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	FY 2019		FY 2020	
2	State employee retiree health insurance	1.17%	1.17%	
3	credit			
4	Public school teacher retiree health	1.20%	1.20%	
5	insurance credit			
6	State employee group life insurance	1.31%	1.31%	
7	program			
8	Employer share of the public school	0.52%	0.52%	
9	teacher group life insurance program			
10	Virginia Sickness and Disability	0.62%	0.62%	
11	Program			
12	3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.53			
13	percent of total payroll.			
14	4. The Director of Department of Planning and Budget shall withhold and transfer to this			
15	Item amounts estimated at \$676,148 the first year and \$705,521 the second year, from the			
16	general fund appropriations of state agencies and institutions of higher education,			
17	representing the net savings resulting from changes in employer contributions for state			
18	employee benefits as provided for in this paragraph.			
19	5. The funding necessary to support the cost of reimbursements to Constitutional Officers			
20	for public employee group life insurance contributions is appropriated elsewhere in this			
21	act under the Compensation Board.			
22	6. The funding necessary to support the cost of the employer public school teacher group			
23	life insurance and retiree health insurance credit rates is appropriated elsewhere in this act			
24	under Direct Aid to Public Education.			
25	L.1. The retiree health insurance credit contribution rates for the following groups of state			
26	supported local public employees shall be: 0.38 percent for constitutional officers and			
27	employees of constitutional officers 0.43 percent for employees of local social services			
28	boards, and 0.39 percent for General Registrars and employees of General Registrars.			
29	2. Out of the general fund appropriation for this Item is included \$317,863 the first year			
30	and \$317,863 the second year to support the general fund portion of the net costs resulting			
31	from changes in the retiree health insurance credit contribution rates for state supported			
32	local public employees through the Compensation Board, the Department of Social			
33	Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.			
34	M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating			
35	agency shall not be required to pay the Virginia Retirement System the costs of enhanced			
36	retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who			
37	are involuntarily separated from employment with the Commonwealth if the Director of			
38	the Department of Planning and Budget certifies that such action results from 1. budget			
39	reductions enacted in the Appropriation Act, 2. budget reductions executed in response to			
40	the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3.			
41	reorganization or reform actions taken by state agencies to increase efficiency of			
42	operations or improve service delivery provided such actions have been previously			
43	approved by the Governor, or 4. downsizing actions taken by state agencies as the result of			
44	the loss of federal or other grants, private donations, or other nongeneral fund revenue,			
45	and if the Director of the Department of Human Resource Management certifies that the			
46	action comports with personnel policy. Under these conditions, the entire cost of such			
47	benefits for involuntarily separated employees shall be factored into the employer			
48	contribution rates paid to the Virginia Retirement System.			
49	2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating			
50	agency shall not be required to pay the Virginia Retirement System the costs of enhanced			
51	retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who			
52	are involuntarily separated from employment with the Commonwealth if the Speaker of			
53	the House of Delegates and the Chairman of the Senate Committee on Rules have certified			
54	on or after July 1, 2016, that such action results from 1. budget reductions enacted in the			

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform			
2	actions taken by agencies in the legislative branch of state government to increase efficiency			
3	of operations or improve service delivery provided such actions have been approved by the			
4	Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3.			
5	downsizing actions taken by agencies in the legislative branch of state government as the			
6	result of the loss of federal or other grants, private donations, or other nongeneral fund			
7	revenue and if the applicable agency certifies that the actions comport with the provisions of			
8	and related policies associated with the Workforce Transition Act. Under these conditions, the			
9	entire cost of such benefits for involuntarily separated employees shall be factored into the			
10	employer contribution rates paid to the Virginia Retirement System.			
11	N. The purpose of this paragraph is to provide a transitional severance benefit, under the			
12	conditions specified, to eligible city, county, school division or other political subdivision			
13	employees who are involuntarily separated from employment with their employer.			
14	1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from			
15	employment with the employer, or being placed on leave without pay-layoff or equivalent			
16	status, due to budget reductions, employer reorganizations, workforce downsizings, or other			
17	causes not related to the job performance or misconduct of the employee, but shall not include			
18	voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an			
19	employee who is involuntarily separated from employment with his employer.			
20	b. The governing authority of a city, county, school division or other political subdivision			
21	electing to cover its employees under the provisions of this paragraph shall adopt a resolution,			
22	as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An			
23	election by a school division shall be evidenced by a resolution approved by the Board of			
24	such school division and its local governing authority.			
25	2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-			
26	124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer,			
27	commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or			
28	sheriff of any county or city, and (a) for whom reemployment with his employer is not			
29	possible because there is no available position for which the employee is qualified or the			
30	position offered to the employee requires relocation or a reduction in salary and (b) whose			
31	involuntary separation was due to causes other than job performance or misconduct, shall be			
32	eligible, under the conditions specified, for the transitional severance benefit conferred by this			
33	paragraph. The date of involuntary separation shall mean the date an employee was			
34	terminated from employment or placed on leave without pay-layoff or equivalent status.			
35	b. Eligibility shall commence on the date of involuntary separation.			
36	3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or			
37	less to the employer shall be entitled to receive a transitional severance benefit equivalent to			
38	four weeks of salary; (ii) three years through and including nine years of consecutive service			
39	to the employer shall be entitled to receive a transitional severance benefit equivalent to four			
40	weeks of salary plus one additional week of salary for every year of service over two years;			
41	(iii) ten years through and including fourteen years of consecutive service to the employer			
42	shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of			
43	salary plus two additional weeks of salary for every year of service over nine years; or (iv)			
44	fifteen years or more of consecutive service to the employer shall be entitled to receive a			
45	transitional severance benefit equivalent to two weeks of salary for every year of service, not			
46	to exceed thirty-six weeks of salary.			
47	b. Transitional severance benefits shall be computed by the terminating employer's payroll			
48	department. Partial years of service shall be rounded up to the next highest year of service.			
49	c. Transitional severance benefits shall be paid by the employer in the same manner as normal			
50	salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the			
51	date of involuntary separation. The right of any employee who receives a transitional			
52	severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq.			
53	shall not be denied, abridged, or modified in any way due to receipt of the transitional			
54	severance benefit; however, any employee who is entitled to unemployment compensation			
55	shall have his transitional severance benefit reduced by the amount of such unemployment			
56	compensation. Any offset to a terminated employee's transitional severance benefit due to			

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1				
2	reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.			
3	d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.			
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11				
12	e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.			
13				
14				
15	f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.			
16				
17	4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.			
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36	b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.			
37				
38				
39				
40	c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.			
41				
42				
43	d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.			
44				
45	e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.			
46				
47	f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.			
48				
49				
50				
51				
52	O.1. a. In order to address the potential for stranded liability in the Virginia Retirement System, notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional			
53				
54				

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the			
2	employer's retirement allowance account in an amount equal to that portion of the state			
3	employer contribution rate designated to pay down the total unfunded accrued liability, for			
4	any positions existing as of December 31, 2011 that are subsequently converted from non-			
5	Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-			
6	eligible positions on or after January 1, 2012 and that are filled by an employee who elects to			
7	participate in the ORPHE. In meeting this obligation, each institution shall provide to the			
8	Virginia Retirement System by April 1 of each year a list of all positions converted from non-			
9	ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether			
10	current employees in such positions have elected ORPHE participation.			
11	b. Such contributions shall not be required for any new position established by the institution			
12	after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan			
13	for Higher Education.			
14	2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the			
15	universities of higher education shall work to develop a methodology to identify and report			
16	separately personnel services expenditures for university personnel in positions that use to be			
17	classified positions but have been transitioned to university staff positions.			
18	3. The Virginia Retirement System and the universities of higher education shall submit a			
19	report to the Chairmen of the House Appropriations and Senate Finance Committees by			
20	November 15, 2018 on the approximate unfunded liability that maybe attributable to these			
21	positions and the level of additional contributions the system will realize from the surcharge.			
22	P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge,			
23	member of the State Corporation Commission, or member of the Virginia Workers'			
24	Compensation Commission who is retired under the Judicial Retirement System and who is			
25	temporarily recalled to service shall be reimbursed for actual expenses incurred during such			
26	service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of			
27	travel time.			
28	2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000			
29	in the second year is provided to support the costs resulting from the changes in the per diem			
30	amounts provided for in paragraph P.1. The Director, Department of Planning and Budget,			
31	shall disburse funding from this Item to all affected judicial and independent agencies upon			
32	request.			
33	Q. The Director, Department of Planning and Budget, shall transfer from this Item, general			
34	fund amounts estimated at \$1,206,557 the first year and \$1,267,368 the second year to state			
35	agencies and institutions of higher education to support the general fund portion of costs of			
36	Line of Duty Act premiums based on the latest enrollment update from the Virginia			
37	Retirement System.			
38	R. The Director, Department of Planning and Budget, shall transfer from this Item, general			
39	fund amounts estimated at \$1,821,951 the first year and \$2,291,203 the second year to state			
40	agencies and institutions of higher education to support the general fund portion of costs of			
41	workers' compensation premiums provided by the Department of Human Resource			
42	Management.			
43	S.1. The Governor is hereby authorized to allocate a sum of up to \$13,634,815 the first year			
44	and \$202,207,901 the second year from this appropriation to the extent necessary to offset any			
45	downward revisions of the general fund revenue estimate prepared for fiscal years 2019 and			
46	2020 after the enactment by the General Assembly of the 2018 Special Session I			
47	Appropriation Act. If the forecast of general fund revenues for fiscal years 2019 and 2020			
48	developed as the basis for the 2019 budget bill is no less than the revenues assumed in the			
49	2018 Appropriation Act then such appropriation shall be used only for employee			
50	compensation purposes as stated in paragraphs T., U., V., W., X., Y., Z., and AA. below.			
51	2. Furthermore, \$203,515,374 the second year from the general fund allocated to support the			
52	state share of a five percent salary adjustment for SOQ funded positions authorized in Item			
53	136 of this act shall be unallotted if the provisions of paragraph S.1. are not met and the			
54	actions authorized in paragraphs T., U., V., W., X., Y., Z., and AA. of this item are not			
55	effectuated.			

ITEM 474.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	3. Appropriation amounts stated in paragraphs T., U., V., W., X., Y., Z., and AA. below				
2	reflect the estimated general fund share of costs for such employee compensation actions.				
3	Transfers from this Item shall be made based on the general fund share of the actual costs				
4	to implement the actions authorized in paragraphs T., U., V., W., X., Y., Z., and AA., as				
5	as determined by the Director, Department of Planning and Budget. However, the total value				
6	of such transfers shall not exceed the amounts designated for these purposes in paragraph				
7	S.1. above.				
8	T.1. The base salary of the following employees shall be increased by 2.75 percent on				
9	June 10, 2019:				
10	a. Full-time and other classified employees of the Executive Department subject to the				
11	Virginia Personnel Act;				
12	b. Full-time employees of the Executive Department not subject to the Virginia Personnel				
13	Act, except officials elected by popular vote; except for faculty at institutions of higher				
14	education whose base salary shall be increased three percent.				
15	c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified				
16	in the agency head salary levels in § 4-6.01 c;				
17	d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney				
18	General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the				
19	Virginia Liaison Office, and the Secretary of the Commonwealth's Office;				
20	e. Heads of agencies in the Legislative Department;				
21	f. Full-time employees in the Legislative Department, other than officials elected by				
22	popular vote;				
23	g. Legislative Assistants as provided for in Item 1 of this act;				
24	h. Judges and Justices in the Judicial Department;				
25	i. Heads of agencies in the Judicial Department;				
26	j. Full-time employees in the Judicial Department;				
27	k. Commissioners of the State Corporation Commission and the Virginia Workers'				
28	Compensation Commission, the Chief Executive Officer of the Virginia College Savings				
29	Plan, the Executive Director of the Virginia Lottery, and the Director of the Virginia				
30	Retirement System; and				
31	l. Full-time employees of the State Corporation Commission, the Virginia College Savings				
32	Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia				
33	Retirement System.				
34	2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall				
35	receive the salary increases authorized in this paragraph only if they attained at least a				
36	rating of "Contributor" on their latest performance evaluation.				
37	b. Salary increases authorized in this paragraph for employees in the Judicial and				
38	Legislative Departments, employees of Independent agencies, and employees of the				
39	Executive Department not subject to the Virginia Personnel Act shall be consistent with				
40	the provisions of this paragraph, as determined by the appointing or governing authority.				
41	The appointing or governing authority shall certify to the Department of Human Resource				
42	Management that employees receiving the awards are performing at levels at least				
43	comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.				
44	3. The Department of Human Resource Management shall increase the minimum and				
45	maximum salary for each band within the Commonwealth's Classified Compensation Plan				
46	by five percent on June 10, 2019. No salary increase shall be granted to any employee as				
47	a result of this action. The department shall develop policies and procedures to be used in				
48	instances when employees fall below the entry level for a job classification due to poor				
49	performance. Movement through the revised pay band shall be based on employee				
50	performance.				

ITEM 474.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	4. Out of the amounts for Supplements to Employee Compensation is included \$96,976,795				
2	the second year from the general fund to support the general fund portion of costs associated				
3	with the salary increase provided in this paragraph.				
4	5. The following agency heads, at their discretion, may utilize agency funds or the funds				
5	provided pursuant to this paragraph to implement the provisions of new or existing				
6	performance-based pay plans:				
7	a. The heads of agencies in the Legislative and Judicial Departments;				
8	b. The Commissioners of the State Corporation Commission and the Virginia Workers'				
9	Compensation Commission;				
10	c. The Attorney General;				
11	d. The Director of the Virginia Retirement System;				
12	e. The Executive Director of the Virginia Lottery;				
13	f. The Director of the University of Virginia Medical Center;				
14	g. The Chief Executive Officer of the Virginia College Savings Plan;				
15	h. The Executive Director of the Virginia Port Authority; and				
16	i. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.				
17	6. The base rates of pay, and related employee benefits, for wage employees may be increased				
18	up to 2.75 percent no earlier than June 10, 2019. The cost of such increases for wage				
19	employees shall be borne by existing funds appropriated to each agency.				
20	U.1. The appropriations in this item include funds to increase the base salary of the following				
21	employees by three percent on July 1, 2019, provided that the governing authority of such				
22	employees use such funds to support salary increases for the following listed employees:				
23	a. Locally-elected constitutional officers;				
24	b. General Registrars and members of local electoral boards;				
25	c. Full-time employees of locally-elected constitutional officers and,				
26	d. Full-time employees of Community Services Boards, Centers for Independent Living,				
27	secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention				
28	and local court service units, local social services boards, local pretrial services act and				
29	comprehensive community corrections act employees, and local health departments where a				
30	memorandum of understanding exists with the Virginia Department of Health.				
31	2. Out of the appropriation for Supplements to Employee Compensation is included				
32	\$26,830,344 the second year from the general fund to support the costs associated with the				
33	salary increase provided in subparagraph U.1.				
34	3. In addition to any other salary increase provided in this paragraph, \$139,611 from the				
35	general fund in the second year is included to provide general registrars an additional three				
36	percent salary increase, effective July 1, 2019				
37	V.1. In addition to the salary increase authorized in paragraph T. of this item, the				
38	appropriation for this item includes \$42,834,355 from the general fund the second year to				
39	provide an additional 2.25 percent merit based salary adjustment for state employees with				
40	three or more years of continuous state service listed in paragraph T. of this item, except for				
41	faculty at institutions of higher education, appointed officials and employees designated as				
42	university staff at institutions of higher education, and judges and justices in the Judicial				
43	Department, and Officials whose salary is listed in § 4-6.01 of this act, effective June 10,				
44	2019. Agency directors shall have the authority to provide individual employees a merit				
45	increase in excess of 2.25 percent provided the total cost of all merit increases for each agency				
46	does not exceed the 2.25 percent average.				

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2. The following agency heads, at their discretion, may utilize agency funds or the funds			
2	provided pursuant to this paragraph to implement the provisions of new or existing			
3	performance-based pay plans:			
4	a. The heads of agencies in the Legislative and Judicial Departments;			
5	b. The Commissioners of the State Corporation Commission and the Virginia Workers'			
6	Compensation Commission;			
7	c. The Attorney General;			
8	d. The Director of the Virginia Retirement System;			
9	e. The Executive Director of the Virginia Lottery;			
10	f. The Director of the University of Virginia Medical Center;			
11	g. The Chief Executive Officer of the Virginia College Savings Plan;			
12	h. The Executive Director of the Virginia Port Authority; and			
13	i. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.			
14	<i>3. The Governor may utilize existing funds within agencies to provide an additional 2.25</i>			
15	<i>percent merit based salary adjustment for agency heads, cabinet members, or other</i>			
16	<i>officials listed in subparagraphs b. and c.6. of § 4-6.01 with three or more years of</i>			
17	<i>continuous state service.</i>			
18	<i>4. The State Council of Higher Education for Virginia may utilize existing funds to provide</i>			
19	<i>an additional 2.25 percent merit-based salary adjustment for its agency heard.</i>			
20	W. The appropriations in this item includes \$6,670,930 the first year and \$17,949,110 the			
21	second year from the general fund to support the cost of a \$2,016 salary increase for			
22	Correctional Officers and Correctional Officer Seniors within the Department of			
23	Corrections effective January 10, 2019.			
24	X. The appropriations in this item includes \$391,791 the first year and \$958,044 the			
25	second year from the general fund to support the cost of a \$1,846 salary increase for			
26	Correctional Officers and Correctional Officer Seniors within the Department of Juvenile			
27	Justice effective January 10, 2019.			
28	Y. Included in this appropriation is \$145,997 the first year and \$350,394 the second year			
29	from the general fund to support the cost of the following salary adjustment for all			
30	members of the Virginia Marine Police effective January 10, 2019:			
31	1.) The starting salary for officers of the Virginia Marine Police shall be set at \$41,814.			
32	2.) Consistent with current practice, officers of the Virginia Marine police shall receive a			
33	five percent salary adjustment after completing one year of service resulting in a salary of			
34	\$43,905.			
35	3.) The salary for all current members of the Virginia Marine Police with more than one			
36	year of service shall be the greater of \$43,905 or their current salary adjusted for a 6.5			
37	percent increase.			
38	Z. The appropriations in this item includes \$5,083,333 the first year and \$12,200,000 the			
39	second year from the general fund to support the cost of increasing the salaries for direct			
40	service associates, licensed practical nurses, and registered nurses employed in facilities of			
41	the Department of Behavioral Health & Developmental Services to within three percent of			
42	the market median effective January 10, 2019.			
43	AA. The appropriations in this item includes \$1,342,764 the first year and \$4,108,859 the			
44	second year from the general fund to support the cost of increasing the entry level pay for			
45	sworn deputy sheriffs in sheriffs' offices by \$871 effective February 1, 2019.			
46	BB. Out of the amounts included in this Item, an amount estimated at \$808,692 the second			
47	year from the general fund shall be transferred to the University of Virginia to cover the			

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	state share of the increases in employer premiums for state employees participating in the			
2	university's health care plan.			
3	CC. The Director of the Department of Planning and Budget shall withhold from general fund			
4	appropriations of state agencies and institutions of higher education, and transfer to this item,			
5	the amount of \$46,111,165 the second year representing the savings that will be realized from			
6	providing a premium holiday for members in the state employee health benefits program,			
7	including retirees and COBRA beneficiaries included in the state employee funding pool, for			
8	the two pay periods in October 2019.			
9	475.	Payments for Special or Unanticipated Expenditures		
10		(75800).....		\$35,637,316
11				\$58,063,713
12		Miscellaneous Contingency Reserve Account		\$79,195,673
13		(75801).....	\$1,300,000	
14			\$1,300,000	
15		Economic Development Assistance (75804).....	\$0	\$1,350,000
16		Undistributed Support for Designated State Agency		
17		Activities (75806).....	\$34,337,316	\$55,413,713
18				\$61,545,673
19		Fund Sources: General.....	\$35,637,316	\$58,063,713
20				\$79,195,673
21	Authority: Discretionary Inclusion.			
22	A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to			
23	an amount not to exceed \$5,000,000 from the unappropriated balance derived by subtracting			
24	the general fund appropriations from the projected general fund revenues in this act, to			
25	provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall			
26	be made only when (1) sufficient funds are not available within the agency's appropriation			
27	and (2) additional funds must be provided prior to the end of the next General Assembly			
28	Session.			
29	B.1. The Governor is authorized to allocate from the unappropriated general fund balance in			
30	this act such amounts as are necessary to provide for unbudgeted cost increases to state			
31	agencies incurred as a result of actions to enhance homeland security, combat terrorism, and			
32	to provide for costs associated with the payment of a salary supplement for state classified			
33	employees ordered to active duty as part of a reserve component of the Armed Forces of the			
34	United States or the Virginia National Guard. Any salary supplement provided to state			
35	classified employees ordered to active duty, shall apply only to employees who would			
36	otherwise earn less in salary and other cash allowances while on active duty as compared to			
37	their base salary as a state classified employee. Guidelines for such payments shall be			
38	developed by the Department of Human Resource Management in conjunction with the			
39	Departments of Accounts and Planning and Budget.			
40	2. The Governor shall submit a report within thirty days to the Chairmen of House			
41	Appropriations and Senate Finance Committees which itemizes any disbursements made from			
42	this Item for such costs.			
43	3. The governing authority of the agencies listed in this subparagraph may, at its discretion			
44	and from existing appropriations, provide such payments to their employees ordered to active			
45	duty as part of a reserve component of the Armed Forces of the United States or the Virginia			
46	National Guard, as are necessary to provide comparable pay supplements to its employees.			
47	a. Agencies in the Legislative and Judicial Departments;			
48	b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the			
49	Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;			
50	c. The Office of the Attorney General and the Department of Law; and			
51	d. State-supported institutions of higher education.			
52	C. The Governor is authorized to expend from the unappropriated general fund balance in this			
53	act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to			

ITEM 475.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	growers, producers, and owners for losses sustained as a result of an infectious disease			
2	outbreak or natural disaster in livestock and poultry populations in the Commonwealth.			
3	These indemnity payments will compensate growers, producers, and owners for a portion			
4	of the difference between the appraised value of each animal destroyed or slaughtered or			
5	animal product destroyed in order to control or eradicate an animal disease outbreak and			
6	the total of any salvage value plus any compensation paid by the federal government.			
7	D. Out of the appropriation for this item is included \$1,000,000 the first year and			
8	\$1,000,000 the second year from the general fund to be used by the Governor as he may			
9	determine to be needed for the following purposes:			
10	1. To address the six conditions listed in § 4-1.03 c 5 of this act.			
11	2. To provide for unbudgeted and unavoidable increases in costs to state agencies for			
12	essential commodities, services, and training which cannot be absorbed within agency			
13	appropriations including unbudgeted benefits associated with Workforce Transition Act			
14	requirements.			
15	3. To secure federal funds in the event that additional matching funds are needed for			
16	Virginia to participate in the federal Superfund program.			
17	4. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for			
18	the continued operation of the National Purple Heart Hall of Honor, provided that at least			
19	half of other states have made similar grants.			
20	5. In addition, if the amounts appropriated in this Item are insufficient to meet the			
21	unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year			
22	and \$1,000,000 the second year from the general fund amounts appropriated for the			
23	Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph			
24	D.1. through paragraph D.5. of this Item.			
25	6. In addition, to provide for payment of monetary rewards to persons who have disclosed			
26	information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower			
27	Protection Act.			
28	7. The Department of Planning and Budget shall submit a quarterly report of any			
29	disbursements made from, commitments made against, and requests made for such sums			
30	authorized for allocation pursuant to this paragraph to the Chairmen of the House			
31	Appropriations and Senate Finance Committees. This report shall identify each of the			
32	conditions specified in this paragraph for which the transfer is made.			
33	E.I. Included in this appropriation is \$300,000 the first year and \$300,000 the second year			
34	from the general fund to pay for private legal services and the general fund share of			
35	unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement.			
36	Transfers for private legal services shall be made by the Director, Department of Planning			
37	and Budget upon prior written authorization of the Governor or the Attorney General,			
38	pursuant to § 2.2-510, Code of Virginia or Item 56, Paragraph D of this act. Transfers for			
39	enforcement of the Master Settlement Agreement shall be made by the Director,			
40	Department of Planning and Budget at the request of the Attorney General, pursuant to			
41	Item 56, Paragraph B of this act.			
42	2. <i>The Governor may authorize additional amounts appropriated to this item for the</i>			
43	<i>reimbursement of legal costs and settlements.</i>			
44	F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any			
45	municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to			
46	pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of			
47	Virginia, shall be entitled to all sales tax revenues generated by transactions taking place			
48	in such public facility.			
49	G. The Director, Department of Planning and Budget, shall transfer from this Item,			
50	general fund amounts estimated at \$31,341,768 the first year and \$47,497,476 the second			
51	year to state agencies and institutions of higher education to support the general fund			
52	portion of costs resulting from the estimated usage of technology services provided by the			
53	Virginia Information Technologies Agency.			

ITEM 475.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	H.1. Out of this appropriation, \$790,791 the first year from the general fund shall be provided				
2	to the City of Richmond for expenses incurred for the development of the Slavery and				
3	Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail				
4	improvements. Any unexpended general fund balances as of June 30, 2019, that were				
5	appropriated for the purpose of supporting the City of Richmond in the development of the				
6	Slavery and Freedom Heritage Site in Richmond shall not revert to the general fund, but shall				
7	instead be reappropriated for its original purpose. Out of this appropriation and all amounts				
8	previously appropriated for this purpose, a cumulative total of up to \$1,000,000 shall be used				
9	for improvements to the Slave Trail, and up to \$1,000,000 for costs associated with				
10	Lumpkin's Pavilion. It is the intent of the General Assembly to fully meet its commitment to				
11	the project as reimbursement requests are made and funding to meet such requests shall be				
12	included by the Governor in any budget submission made pursuant to the provisions of §§				
13	2.2-1508 and 2.2-1509 , Code of Virginia.				
14	2. Prior to the receipt of state funds for the purpose set out in paragraph H.1., the Richmond				
15	City Council shall pass a resolution outlining its approval of and financial commitment to the				
16	proposed project and local matching funds in an amount totaling at least \$5,000,000 which				
17	shall be appropriated by the City of Richmond for the project prior to receipt of any state				
18	funds. Release of state funding for Lumpkin's Pavilion shall also require evidence that the				
19	City of Richmond has raised at least fifty percent of the remaining funding required for that				
20	portion of the project from private or other sources.				
21	3. At such time that the City of Richmond has completed construction of the respective				
22	improvements, the City of Richmond shall be eligible for reimbursement from the				
23	Commonwealth of an amount not to exceed \$9,000,000, or up to twenty five percent of the				
24	total costs of each project.				
25	4. State funding appropriated in paragraph H.1. and future appropriations considered in				
26	paragraph H.3., shall be allocated only as follows: no more than \$5,000,000 shall be allocated				
27	for the planning, design, and construction of the Pavilion at Lumpkin's Jail, no more than				
28	\$1,000,000 shall be allocated for improvements to the Richmond Slave Trail, and no more				
29	than \$5,000,000 shall be allocated for the planning, design and construction of a slavery				
30	museum.				
31	5. The City of Richmond shall provide documentation to the Department of General Services				
32	on the progress of this project and actual expenditures incurred for it in a form acceptable to				
33	the Secretaries of Finance and Administration.				
34	6. In addition to the matching requirements set out in paragraph H.2., the City of Richmond				
35	shall provide and dedicate appropriate contiguous real estate prior to the receipt of any state				
36	funding for the purposes outlined in paragraph H.1 above.				
37	7. The Department of General Services shall act as the fiscal agent for these funds. The				
38	director shall oversee the expenditure of state appropriations to ensure that payments to the				
39	City of Richmond are made consistent with the purposes set out in paragraphs H.1. and H.4.				
40	The Director, Department of Planning and Budget, is authorized to transfer these funds to the				
41	Department of General Services to implement this appropriation.				
42	8. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05				
43	of the act.				
44	I.1. The Director, Department of Planning and Budget, is authorized to transfer any remaining				
45	balances originally appropriated in Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly,				
46	the first year, to the Department of State Police for unanticipated costs associated with				
47	mitigating security threats, information technology (IT) security gaps, and the data stored on				
48	IT systems used by the Department. The costs eligible for reimbursement shall be for				
49	information technology and telecommunications goods and services that have been procured				
50	in accordance with the regulations, policies, procedures, standards, and guidelines of the				
51	Virginia Information Technologies Agency.				
52	2.a. Notwithstanding the provisions of § 2.2-2011 , Code of Virginia, the Department of State				
53	Police is authorized to procure, develop, operate, and manage the cyber security and				
54	management tools required to protect the information technology used by the Department that				
55	is defined as out-of-scope from the Virginia Information Technologies Agency pursuant to the				

ITEM 475.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Memorandum of Understanding (MOU) between the two agencies dated August 30, 2013.			
2	The Department of State Police shall be solely responsible for securing all aspects of			
3	information technology defined as out-of-scope in the current MOU.			
4	b. Costs expended by the Department of State Police for cyber security and management			
5	tools shall be reimbursed by the Director, Department of Planning and Budget from			
6	unexpended funds provided in paragraph I.1. of this Item, after such expenses have been			
7	approved by the Chief Information Officer and determined to be in compliance with the			
8	regulations, policies, procedures, standards, and guidelines of the Virginia Information			
9	Technologies Agency.			
10	3.a. The Superintendent of State Police shall develop and report to the Chairmen of the			
11	House Committee on Appropriations and Senate Committee on Finance a detailed			
12	transition plan addressing the steps required for the Department of State Police to assume			
13	responsibility for the development, operation, and management of all of its information			
14	technology infrastructure and services. The Department of State Police is authorized to			
15	procure consulting services to assist in the development of the detailed transition plan. The			
16	Virginia Information Technologies Agency shall assist in the development and drafting of			
17	the detailed transition plan.			
18	b. The report shall, at a minimum, include a detailed transition plan that: (i) identifies and			
19	evaluates anticipated transition timelines, tasks, activities, and responsible parties; (ii)			
20	identifies any one-time and ongoing costs of transitioning responsibility for information			
21	technology services from the Virginia Information Technologies Agency to the			
22	Department of State Police, including the estimated costs to obtain existing information			
23	technology assets or transition services from Northrop Grumman; (iii) identifies the			
24	ongoing costs of staffing, services, and contracts related to enterprise security and			
25	management tools, legacy system replacements or upgrades, construction or lease of			
26	facilities including data centers, labor costs and workload analyses, and training costs; (iv)			
27	identifies any other such factors deemed necessary for discussion as identified by the			
28	Superintendent of State Police or Chief Information Officer of the Commonwealth; (v)			
29	identifies necessary changes required to transition and modernize current statutes related			
30	to basic State Police communication systems consistent with the Criminal Justice			
31	Information Services Security Policy Version 5.5, or its successor; and (vi) provides a			
32	jointly developed and agreed upon MOU between the Department of State Police and the			
33	Virginia Information Technologies Agency that certifies the information.			
34	c. Costs expended by the Department of State Police for the development of the detailed			
35	transition plan shall be reimbursed by the Director, Department of Planning and Budget			
36	from unexpended funds provided in paragraph I.1 of this item, after such expenses have			
37	been approved by the Chief Information Officer and determined to be in compliance with			
38	the regulations, policies, procedures, standards, and guidelines of the Virginia Information			
39	Technologies Agency.			
40	d. The report and accompanying Memorandum shall be provided to the Chairmen of the			
41	House Committee on Appropriations and Senate Committee on Finance as required by			
42	Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly. The Chief Information Officer			
43	of the Commonwealth shall review the report and provide an analysis of the detailed			
44	transition plan no later than 30 days after submission of the report to the Chairmen of the			
45	House Committee on Appropriations and Senate Committee on Finance.			
46	4. Any remaining balances as originally appropriated in Item 476 I.5., Chapter 836, 2017			
47	Virginia Acts of Assembly, from the general fund are authorized to be transferred to			
48	reimburse the Department of State Police for costs associated with mitigating information			
49	technology security threats and gaps required to protect and manage out-of-scope			
50	information technology that is not addressed in paragraph 3.b. All such costs shall be			
51	eligible for reimbursement if they have been procured in accordance with the regulations,			
52	policies, procedures, standards, and guidelines of the Virginia Information Technologies			
53	Agency. The Director, Department of Planning and Budget is authorized to release this			
54	funding following certification by the Chief Information Officer that these costs address			
55	cyber security threats and gaps, including upgrades to legacy applications to remediate			
56	audit findings by the Auditor of Public Accounts or Commonwealth Security and Risk			
57	Management.			

ITEM 475.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	J. The Director, Department of Planning and Budget, shall withhold and transfer to this Item,			
2	an amount estimated at \$365,568 the first year and shall transfer from this Item an amount			
3	estimated at \$19,782 the second year from the general fund for the general fund share of			
4	rental costs for space maintained and operated by the Department of General Services.			
5	K. Out of this appropriation, \$203,893 the first year and \$203,893 the second year from the			
6	general fund shall be provided to state agencies to support the costs of information technology			
7	security audits and information security officer services. With such funding, agencies are			
8	encouraged to work with the Virginia Information Technologies Agency's information			
9	technology shared security center created pursuant to Item 84.70 of this act.			
10	L. The Director, Department of Planning and Budget, shall transfer from this Item, general			
11	fund amounts estimated at \$1,043,931 the first year and \$3,208,467 the second year to state			
12	agencies and institutions of higher education to support the general fund portion of costs			
13	resulting from changes in agency charges for the Cardinal Financial System operated by the			
14	Department of Accounts.			
15	M. The Director, Department of Planning and Budget, shall transfer from this Item, general			
16	fund amounts estimated at \$237,053 the first year and \$247,487 the second year to state			
17	agencies and institutions of higher education to support the general fund portion of costs			
18	resulting from changes in agency charges for the Performance Budgeting system.			
19	O. The Director, Department of Planning and Budget, shall withhold and transfer to this Item,			
20	an amounts estimated at \$25,552 the first year and shall transfer from this Item an amount			
21	estimated at \$21,608 \$325,333 the second year from the general fund to from executive			
22	branch agencies to support the costs of the Personnel Management Information System.			
23	P. Out of the appropriation for this Item is included \$1,111,000 the first year and \$1,215,000			
24	the second year from the general fund for a joint internship and management training program			
25	to assist in improving leadership, management, and succession planning capabilities of all			
26	branches of state government. The Secretary of Finance shall contract with Virginia Tech for			
27	the continuation of the program. The program shall collaborate with Virginia public colleges			
28	and universities on an internship, management training and succession planning program by			
29	which students in their final year of undergraduate school work, or those attending graduate			
30	programs may be considered for opportunities for state employment on a temporary basis,			
31	whereby they may earn academic credit for hours worked while participating in the program.			
32	Any balances remaining from the appropriation identified in this paragraph shall not revert to			
33	the general fund at the end of the fiscal year, but shall be brought forward and made available			
34	to support the Virginia Management Fellows program in the subsequent fiscal year.			
35	Q. 1. The Virginia Information Technologies Agency shall study and submit its			
36	recommendations for the development, ongoing support, and system of governance for a			
37	personnel information system to replace the current version of the Personnel Management			
38	Information System (PMIS) to the Governor no later than September 1, 2018. The			
39	Department of Human Resource Management, Department of Accounts, and any other agency			
40	designated by the Virginia Information Technologies Agency, shall provide all required			
41	information necessary for the Virginia Information Technologies Agency to develop the			
42	required recommendations.			
43	2. Notwithstanding § 2.2-1201, Code of Virginia, the Governor shall select a state agency to			
44	develop and maintain a personnel information system to replace the current version of PMIS.			
45	In determining which agency shall develop and maintain the new personnel information			
46	system, consideration shall be given to maximizing the efficiencies of enterprise systems and			
47	the benefits of establishing a single source of personnel information to achieve greater			
48	security of sensitive personally identifiable information. Further, the Governor shall establish			
49	a permanent system of governance over the new personnel information system which shall			
50	designate specifically which agencies have responsibility for authority and control of the data			
51	in the new personnel information system as well as responsibility for systems support and			
52	maintenance.			
53	3. A working capital advance is authorized in Item 259 for the Department of Accounts to			
54	support the initial costs of replacing the current version of PMIS. Initial costs include any			
55	costs necessary for the planning, development, and configuration of the new personnel			
56	information system. Initial costs do not include statewide roll-out costs necessary to ensure			

ITEM 475.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	agencies are prepared for the implementation of the new payroll system and the			
2	decommissioning of PMIS such as applications configuration, agency training, change			
3	management costs, or costs incurred by line agencies to develop required interfaces from			
4	agency based systems.			
5	R. Out of this appropriation, \$1,350,000 the second year from the general fund is provided			
6	to support the advancement of computer science education and implementation of the			
7	Commonwealth's new computer science standards across the public education continuum.			
8	These funds are intended to provide high quality professional development to current and			
9	future teachers; create, curate, and disseminate high quality computer science curriculum,			
10	instructional resources, and assessments; support summer and after-school computer			
11	science related programming for students; and facilitate meaningful career exposure and			
12	work-based learning opportunities in computer science fields for high school students.			
13	Funds shall be disbursed through a competitive grant process and shall prioritize at-risk			
14	students and schools. In consultation with the Secretary of Finance and the Secretary of			
15	Commerce and Trade, the Secretary of Education shall develop a process to award these			
16	funds in accordance with the provisions of this language, with the Governor providing			
17	final approval for distribution of the funds.			
18	S.1. The Director, Department of Corrections, shall procure and implement an electronic			
19	health records system for use in the Department's secure correctional facilities using the			
20	platform provided through Contract Number VA-121107-SMU managed by the Virginia			
21	Information Technologies Agency on behalf of the Commonwealth of Virginia. The			
22	system shall be established on a domain separate from any other procured through the			
23	Contract.			
24	2. Included in the amounts provided for this item is \$3,000,000 the second year from the			
25	general fund for a contingency fund should the costs of complying with Paragraph S.1 of			
26	this item exceed the amounts provided for such purpose in Item 391. The Director,			
27	Department of Planning and Budget, is authorized to transfer appropriation from this			
28	contingency fund to the Department of Corrections; after verification of the total costs of			
29	an electronic health records system which justifies the need for additional funding from			
30	this item."			
31	<i>2. The Director, Department of Planning and Budget shall transfer \$3,000,000 from the</i>			
32	<i>general fund out of this appropriation to Program 39900 in the Department of</i>			
33	<i>Corrections for the procurement of electronic health records by June 30, 2020. Any</i>			
34	<i>unexpended balance in this appropriation in the Department of Corrections as of June 30,</i>			
35	<i>2020 shall be reappropriated for this purpose in the next fiscal year.</i>			
36	<i>T. Out of this appropriation, \$5,898,901 the second year from the general fund is provided</i>			
37	<i>to cover the costs associated with the 2020 presidential primary. Out of this amount, up to</i>			
38	<i>\$5,751,593 may be used by the Department of Elections to reimburse localities for their</i>			
39	<i>presidential primary expenditures and up to \$147,308 may be used to cover costs incurred</i>			
40	<i>directly by the Department of Elections.</i>			
41	<i>U. Out of this appropriation is included \$650,000 the second year from the general fund</i>			
42	<i>for a procurement disparity study in state government. The Department of Planning and</i>			
43	<i>Budget is authorized to transfer amounts from the appropriation in this item to applicable</i>			
44	<i>state agencies as required to execute the purposes of this paragraph.</i>			
45	<i>V. On or before June 30, 2020, the Committee on Joint Rules shall authorize a reversion</i>			
46	<i>to the general fund of \$1,500,000 in unexpended year end balances from the Joint</i>			
47	<i>Legislative Audit and Review Commission.</i>			
48	<i>W. On or before June 30, 2020, the Committee on Joint Rules shall authorize a reversion</i>			
49	<i>to the general fund of \$2,828,901, representing savings generated by legislative agencies</i>			
50	<i>in the second year. The total savings amount includes estimated savings within the</i>			
51	<i>following legislative agencies:</i>			
52	<i>Legislative Agency</i>			<i>Estimated Savings</i>
53	<i>Division of Legislative Services (107)</i>			<i>\$823,390</i>
54	<i>Joint Commission on Technology and Science (847)</i>			<i>\$116,050</i>

ITEM 475.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	State Water Commission (971)				\$15,255
2	Virginia Coal and Energy Commission (118)				\$43,232
3	Commission on Unemployment Compensation (860)				\$27,454
4	Small Business Commission (862)				\$22,894
5	Commission on Electric Utility Regulation (863)				\$14,084
6	Joint Commission on Administrative Rules (865)				\$25,136
7	Virginia Conflicts of Interest and Ethics Advisory Council (876)				\$188,175
9	Joint Commission on Transportation Accountability (875)				\$53,233
10	World War I and World War II Commemoration Commission (872)				\$1,500,000
12	<i>X. On or before June 30, 2020, the Director, Department of Planning and Budget, shall</i>				
13	<i>revert to the general fund the amounts provided in Item 374, Paragraph M of Chapter 854,</i>				
14	<i>2019 Acts of Assembly.</i>				
15	475.10	Not set out.			
16	475.20	Not set out.			
17	476.	Not set out.			
18	Total for Central Appropriations.....			\$210,630,327	\$395,912,484
19					\$417,044,444
20	Fund Sources: General.....	\$87,776,606	\$273,058,763		
21			\$294,190,723		
22	Higher Education Operating.....	\$3,525,816	\$3,525,816		
23	Trust and Agency.....	\$119,327,905	\$119,327,905		
24	TOTAL FOR CENTRAL APPROPRIATIONS.....			\$210,630,327	\$395,912,484
25					\$417,044,444
26	Fund Sources: General.....	\$87,776,606	\$273,058,763		
27			\$294,190,723		
28	Higher Education Operating.....	\$3,525,816	\$3,525,816		
29	Trust and Agency.....	\$119,327,905	\$119,327,905		
30	TOTAL FOR EXECUTIVE DEPARTMENT.....			\$56,616,010,051	\$60,699,199,549
31					\$61,418,743,587
32	General Fund Positions.....	48,692.64	49,423.41		
33			49,334.41		
34	Nongeneral Fund Positions.....	65,157.40	65,989.73		
35			66,089.73		
36	Position Level.....	113,850.04	115,413.14		
37			115,424.14		
38	Fund Sources: General.....	\$20,849,290,584	\$22,142,953,430		
39			\$22,224,807,758		
40	Special.....	\$1,655,421,782	\$1,648,650,778		
41			\$1,663,773,949		
42	Higher Education Operating.....	\$9,013,852,830	\$9,174,875,597		
43			\$9,214,546,983		
44	Commonwealth Transportation.....	\$6,696,424,944	\$6,158,063,195		
45			\$7,018,068,215		
46	Enterprise.....	\$1,381,158,924	\$1,421,754,287		
47			\$1,434,342,473		
48	Internal Service.....	\$2,099,646,770	\$2,071,214,416		
49			\$2,070,676,464		
50	Trust and Agency.....	\$2,154,440,521	\$2,307,852,502		
51			\$2,307,457,491		
52	Debt Service.....	\$344,923,009	\$344,923,009		

ITEM 476.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Dedicated Special Revenue.....	\$2,325,280,817	\$2,742,023,054	
2			\$2,812,087,888	
3	Federal Trust.....	\$10,095,569,870	\$12,686,889,281	
4			\$12,328,059,357	

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	INDEPENDENT AGENCIES			
2	§ 1-34. STATE CORPORATION COMMISSION (171)			
3	477.	Not set out.		
4	478.	Not set out.		
5	479.	Not set out.		
6	480.	Not set out.		
7	481.	Plan Management (40800).....	\$101,278	\$101,278
8				\$451,278
9		Federal Health Benefit Exchange Plan Management		
10		(40801).....	\$101,278	\$101,278
11		State Health Benefit Exchange Plan Management		
12		(40802).....	\$0	\$350,000
13		Fund Sources: General.....	\$101,278	\$101,278
14		Special.....	\$0	\$350,000
15		Authority: §§ 38.2-316.1 and 38.2-326, Code of Virginia; § 42.18041 c, United States Code.		
16		A. There is hereby appropriated to the State Corporation Commission \$101,278 the first year		
17		and \$101,278 the second year from the general fund to pay for the plan management functions		
18		authorized in Chapter 670 of the Acts of Assembly of 2013.		
19		<i>B.1. The State Corporation Commission may use a portion of any unused funds appropriated</i>		
20		<i>for plan management functions in the second year to fund the initial start-up costs of the State</i>		
21		<i>Health Benefit Exchange.</i>		
22		<i>2. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may</i>		
23		<i>authorize either a working capital advance or an interest-free treasury loan in an amount not</i>		
24		<i>to exceed \$40,000,000 for the State Corporation Commission to fund start-up costs and other</i>		
25		<i>costs associated with the implementation of a State Health Benefit Exchange. The Secretary of</i>		
26		<i>Finance may extend the repayment plan for any such working capital advance or interest-free</i>		
27		<i>treasury loan for a period longer than twelve months.</i>		
28		<i>3. The State Corporation Commission may use a portion of the user fees collected from health</i>		
29		<i>insurance carriers participating in the State Health Benefit Exchange to repay the working</i>		
30		<i>capital advance or interest-free treasury loan authorized in B.2.</i>		
31		Total for State Corporation Commission.....	\$107,420,395	\$109,731,228
32				\$110,081,228
33		Nongeneral Fund Positions.....	675.00	676.00
34		Position Level.....	675.00	676.00
35		Fund Sources: General.....	\$101,278	\$101,278
36		Special.....	\$98,103,676	\$100,341,498
37				\$100,691,498
38		Trust and Agency.....	\$5,856,941	\$5,856,941
39		Dedicated Special Revenue.....	\$1,308,500	\$1,381,511
40		Federal Trust.....	\$2,050,000	\$2,050,000
41	§ 1-35. VIRGINIA LOTTERY (172)			
42	482.	State Lottery Operations (81100).....	\$112,279,472	\$102,661,539
43		Regulation and Law Enforcement (81105).....	\$3,135,511	\$3,264,712
44		Gaming Operations (81106).....	\$96,817,454	\$86,880,145
45		Administrative Services (81107).....	\$12,326,507	\$12,516,682

ITEM 482.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: Enterprise.....	\$112,279,472	\$102,661,539		
2	Authority: Title 58.1, Chapter 40, Code of Virginia.				
3	A. Out of the amounts for Virginia Lottery Operations shall be paid:				
4	1. Reimbursement for compensation and reasonable expenses of the members of the				
5	Virginia Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code				
6	of Virginia.				
7	2. The total costs for the operation and administration of the state lottery, pursuant to §				
8	58.1-4022, Code of Virginia.				
9	3. The costs of informing the public of the purposes of the Lottery Proceeds Fund,				
10	established pursuant to Article X, Section 7-A, Constitution of Virginia.				
11	<i>B.1. The Lottery is authorized to use its line of credit to start the Request for Proposal</i>				
12	<i>process and other relevant activities related to iLottery, Sports Betting, and/or Casino</i>				
13	<i>Gaming prior to the end of the current biennium.</i>				
14	<i>2. The Lottery Board, as the regulator and oversight entity for Casino Gaming in the</i>				
15	<i>Commonwealth, shall develop guidelines to review preferred casino operator submissions</i>				
16	<i>by eligible host cities.</i>				
17	483. Not set out.				
18	Total for Virginia Lottery.....			\$462,279,472	\$452,661,539
19	Nongeneral Fund Positions.....	308.00	308.00		
20	Position Level.....	308.00	308.00		
21	Fund Sources: Enterprise.....	\$462,279,472	\$452,661,539		
22	484. Not set out.				
23	485. Not set out.				
24	§ 1-36. VIRGINIA RETIREMENT SYSTEM (158)				
25	486. Not set out.				
26	487. Not set out.				
27	488. Administrative and Support Services (79900).....			\$43,274,684	\$38,928,014
28					\$39,627,014
29	General Management and Direction (79901).....	\$21,964,712	\$16,406,220		
30			\$17,105,220		
31	Information Technology Services (79902).....	\$21,309,972	\$22,521,794		
32	Fund Sources: Trust and Agency.....	\$43,274,684	\$38,928,014		
33			\$39,627,014		
34	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
35	A. Out of the amounts appropriated to this Item, the director is authorized to expend an				
36	amount not to exceed \$25,000 the first year and \$25,000 the second year for expenses				
37	commonly borne by business enterprises. Such expenses shall be recorded separately by				
38	the agency.				
39	B. Out of the amounts appropriated to this item, an amount not to exceed \$300,000 the				
40	first year and \$300,000 the second year is designated to provide retirement-related				
41	services in support of the Commission on Employee Retirement Security and Pension				
42	Reform created pursuant to the passage of Chapter 683, 2016 Acts of Assembly.				

ITEM 489.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	489.	Not set out.			
2					
3					
	Total for Virginia Retirement System.....			\$95,843,664	\$94,022,369
					\$94,721,369
4	Nongeneral Fund Positions.....	364.00	368.00		
5	Position Level.....	364.00	368.00		
6	Fund Sources: General.....	\$185,137	\$80,000		
7	Trust and Agency.....	\$95,658,527	\$93,942,369		
8			\$94,641,369		
9	490.	Not set out.			
10	491.	Not set out.			
11	TOTAL FOR INDEPENDENT AGENCIES.....			\$995,147,806	\$987,054,942
12					\$988,103,942
13	Nongeneral Fund Positions.....	1,759.00	1,764.00		
14	Position Level.....	1,759.00	1,764.00		
15	Fund Sources: General.....	\$286,415	\$181,278		
16	Special.....	\$98,103,676	\$100,341,498		
17			\$100,691,498		
18	Enterprise.....	\$742,796,509	\$732,782,468		
19	Trust and Agency.....	\$101,515,468	\$99,799,310		
20			\$100,498,310		
21	Dedicated Special Revenue.....	\$48,895,738	\$49,888,388		
22	Federal Trust.....	\$3,550,000	\$4,062,000		

ITEM 492.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	STATE GRANTS TO NONSTATE ENTITIES			
2	492.	Not set out.		
3	TOTAL FOR STATE GRANTS TO NONSTATE			
4	ENTITIES.....		\$0	\$0
5	TOTAL FOR PART 1: OPERATING EXPENSES.		\$58,242,201,726	\$62,328,520,846
6				\$63,054,462,312
7	General Fund Positions.....	52,557.85	53,311.62	
8			53,222.62	
9	Nongeneral Fund Positions.....	67,054.90	67,892.23	
10			67,992.23	
11	Position Level.....	119,612.75	121,203.85	
12			121,214.85	
13	Fund Sources: General.....	\$21,443,001,673	\$22,747,795,510	
14			\$22,834,784,838	
15	Special.....	\$1,766,672,283	\$1,762,125,459	
16			\$1,777,812,058	
17	Higher Education Operating.....	\$9,013,852,830	\$9,174,875,597	
18			\$9,214,546,983	
19	Commonwealth Transportation.....	\$6,696,424,944	\$6,158,063,195	
20			\$7,018,068,215	
21	Enterprise.....	\$2,123,955,433	\$2,154,536,755	
22			\$2,167,124,941	
23	Internal Service.....	\$2,099,646,770	\$2,071,214,416	
24			\$2,070,676,464	
25	Trust and Agency.....	\$2,256,074,934	\$2,407,770,757	
26			\$2,408,074,746	
27	Debt Service.....	\$344,923,009	\$344,923,009	
28	Dedicated Special Revenue.....	\$2,397,092,327	\$2,814,827,214	
29			\$2,884,892,048	
30	Federal Trust.....	\$10,100,557,523	\$12,692,388,934	
31			\$12,333,559,010	

Item Details(\$)		Appropriations(\$)	
First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020

1 PART 2: CAPITAL PROJECT EXPENSES

2 § 2-0. GENERAL CONDITIONS

3 A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated
4 to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to
5 paragraph G of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the
6 expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the
7 unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

8 2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the
9 first year in accordance with § 4-1.03 a 5 of this act.

10 B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

11 C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of
12 equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

13 D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

14 1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied
15 approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of
16 capital project proposals must come from the affected agency's existing resources.

17 2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for
18 planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are
19 reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in
20 the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design
21 choices.

22 E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property,
23 plant, and equipment as defined in § 4-4.01c of this act to the extent that funds included in the appropriation to the agency for this
24 purpose in Part 1 of this act are insufficient.

25 2. Agencies and institutions of higher education can expend up to \$2,000,000 for a single repair or project, and up to \$4,000,000 for a
26 roof replacement project, through the maintenance reserve appropriation. Such expenditures shall be subject to rules and regulations
27 prescribed by the Governor. To the extent an agency or institution of higher education has identified a potential project that exceeds this
28 threshold, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets
29 the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

30 3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations.
31 Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

32 F. Conditions Applicable to Bond Projects

33 1. The capital projects listed in §§ 2-5231 and 2-5332 for the indicated agencies and institutions of higher education are hereby
34 authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in
35 a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized
36 interest for any project listed in §§ 2-5231 and 2-5332 is hereby authorized.

37 2. The issuance of bonds for any project listed in § 2-5231 is to be separately authorized pursuant to Article X, Section 9 (c),
38 Constitution of Virginia.

39 3. The issuance of bonds for any project listed in §§ 2-5231 or 2-5332 shall be authorized pursuant to § 23.1-1106, Code of Virginia.

40 4. In the event that the cost of any capital project listed in §§ 2-5231 and 2-5332 shall exceed the amount appropriated therefore, the
41 Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in
42 appropriation authority of not more than ten percent of the amount designated in §§ 2-5231 and 2-5332 for such project, from any
43 available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such
44 capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all
45 interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-5231 and 2-5332 for such
46 capital project.

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- 1 5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax
2 purposes.
- 3 6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of
4 such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of
5 funds.
- 6 7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in § 2-5231 of this act with the
7 issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the
8 contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the
9 authorization of § 2-5332 of this act.
- 10 8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of
11 the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund,
12 and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on
13 the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in
14 reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in
15 Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.
- 16 G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations
17 unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:
- 18 1. Construction is in progress.
- 19 2. Equipment purchases have been authorized by the Governor but not received.
- 20 3. Plans and specifications have been authorized by the Governor but not completed.
- 21 4. Obligations were outstanding at the end of the previous biennium.
- 22 H. Alternative Financing
- 23 1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an
24 alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a
25 report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to
26 entering into such alternative financing agreement. This report shall provide:
- 27 a. a description of the purpose to be achieved by the proposal;
- 28 b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or
29 client populations pledged or encumbered by the alternative financing;
- 30 c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;
- 31 d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or
32 institution; and
- 33 e. a recommendation and planned course of action based on this analysis.
- 34 I. Conditions Applicable to Alternative Financing
- 35 The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism,
36 such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked:
- 37 1. James Madison University
- 38 a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the
39 Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational
40 related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury
41 Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.
- 42 b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to
43 design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities.
44 The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in
45 accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written
46 agreement with the public or private entity to lease all or a portion of the facilities.

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1 c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for
2 the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility
3 inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or
4 facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the
5 facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the
6 University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or
7 the Commonwealth of Virginia.

8 d. James Madison University is further authorized to convey fee simple title in and to one or more parcels of land to James Madison
9 University Foundation (JMUF), which will develop and use the land for the purpose of developing and establishing residential housing
10 for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land
11 use in accordance with the University's Master Plan.

12 2. Longwood University

13 a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or
14 agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of
15 student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing
16 agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

17 b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing,
18 convocation center, parking, and operational and recreational facilities by including the facilities in the University's facility inventory
19 and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or
20 facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the
21 facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the
22 University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the
23 University or the Commonwealth of Virginia.

24 c. The General Assembly further authorizes Longwood University to enter into a written agreement with a public or private entity to
25 plan, design, develop, construct, finance, manage and operate a facility or facilities to provide additional student housing and/or
26 operational-related facilities. Longwood University is also authorized to enter into a written agreement with the public or private entity
27 to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for
28 planning, construction and other costs of any of the projects. Revenue bonds issued by or for the benefit of LUREF will provide
29 construction and/or permanent financing.

30 d. Longwood University is further authorized to convey fee simple title in and to one or more parcels of land to LUREF, which will
31 develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office,
32 retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's
33 Master Plan.

34 3. Christopher Newport University

35 a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend
36 or amend written agreements with the Christopher Newport University Educational Foundation (CNUEF) or the Christopher Newport
37 University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.

38 b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUEF or
39 CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii)
40 include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including
41 collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the
42 activities at such facilities consistent with law, provided that the University shall not be required to take any action that would
43 constitute a breach of the University's obligation under any documents or instruments constituting or securing bonds or other
44 indebtedness of the University or the Commonwealth of Virginia.

45 4. Radford University

46 a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to
47 explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related
48 facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board
49 Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

50 b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design,
51 construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The
52 facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in

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- 1 accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written
- 2 agreement with the public or private entity to lease all or a portion of the facilities.

- 3 c. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for
- 4 the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility
- 5 inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the
- 6 facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise
- 7 supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute
- 8 a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness
- 9 of the University or the Commonwealth of Virginia.

- 10 5. University of Mary Washington

- 11 a. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written
- 12 agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or
- 13 operational-related or other facilities through alternative financing agreements including public-private partnerships and leasehold
- 14 financing arrangements.

- 15 b. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student
- 16 housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing
- 17 inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied
- 18 University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain
- 19 police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with
- 20 law, provided that the University's obligation under any documents or other instruments constituting or securing bonds or other
- 21 indebtedness of the University or the Commonwealth of Virginia.

- 22 c. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or
- 23 private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related
- 24 facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary
- 25 Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the
- 26 facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other
- 27 costs of any of the projects. Revenue bonds issued by or for UMWF will provide construction and/or permanent financing.

- 28 d. The University of Mary Washington is further authorized to convey fee simple title in and to one or more parcels of land to the
- 29 University of Mary Washington Foundation (UMWF) which will develop and use the land for the purpose of developing and
- 30 establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including
- 31 office, retail and commercial, student services, or other auxiliary activities.

- 32 6. Norfolk State University

- 33 a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or
- 34 agreements with a Foundation of the University for the development of one or more student housing projects on or adjacent to campus,
- 35 subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

- 36 b. Norfolk State University is further authorized to enter into written agreements with a Foundation of the University to support such
- 37 student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student
- 38 housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students
- 39 occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict
- 40 construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and
- 41 (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any
- 42 action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing
- 43 bonds or other indebtedness of the University or the Commonwealth of Virginia.

- 44 7. Northern Virginia Community College - Alexandria Campus

- 45 The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either
- 46 with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased
- 47 to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also
- 48 authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities
- 49 and management of the operation and maintenance of the same.

- 50 8. Virginia State University

- 51 a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written
- 52 agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation

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1 (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management
2 of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing
3 agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

4 b. Virginia State University is further authorized to enter into a written agreement with the VSUREF, VSUF, and other entities owned
5 or controlled by the university for the support of such a mixed-use economic development corridor comprising student housing,
6 parking, and dining facilities by including these projects in the university's facility inventory and managing their operation and
7 maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university
8 facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that
9 the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents
10 or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.

11 9. College of William and Mary

12 a. Subject to the provisions of this act, the General Assembly authorizes the College of William and Mary, with the approval of the
13 Governor, to explore and evaluate alternative financing scenarios to provide additional parking, student or faculty/staff housing,
14 recreational, athletic and/or operational related facilities. The project shall be consistent with the guidelines of the Department of
15 General Services and comply with Treasury Board guidelines issued pursuant to § 23.1-1106 C.1. (d), Code of Virginia.

16 b. The General Assembly authorizes the College of William and Mary to enter into written agreements with public or private entities to
17 design, construct, and finance a facility or facilities to provide additional parking, student or faculty/staff housing, recreational, athletic,
18 and/or operational related facilities. The facility or facilities may be on property owned by the Commonwealth. All project proposals
19 and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. The College of William and Mary is also
20 authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facility.

21 c. The General Assembly further authorizes the College of William and Mary to enter into written agreements with the public or private
22 entities for the support and operation of such parking, student or faculty/staff housing, recreational, athletic, and /or operational related
23 facilities by including the facilities in the College's facility inventory and managing their operation and maintenance including the
24 assignment of parking authorizations, students, faculty or staff, and operations to the facility in preference to other university facilities,
25 limiting construction of competing projects, and by otherwise supporting the facilities consistent with law, provided that the Collage
26 shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other
27 instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

28 d. The College of William and Mary is further authorized to convey fee simple title in and to one or more parcels of land to the William
29 and Mary Real Estate Foundation (WMREF) which will develop and use the land for the purpose of developing and establishing
30 residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and
31 commercial, student services, or other auxiliary activities.

32 10. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with
33 any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

34 a. A member of the agency or institution's governing body;

35 b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to
36 have, a direct influence on the approval of the alternative financing arrangement; or

37 c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have,
38 a direct influence on the approval of the alternative financing arrangement.

39 J. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction
40 funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project
41 remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic
42 perspective.

43 K. Any capital project that has received a supplemental appropriation due to cost overruns must be completed within the revised budget
44 provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the
45 project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional
46 overruns from nongeneral funds.

47 L. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when
48 conducting capital project reviews, design and construction decisions, and project scope changes.

49 M. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of
50 Richmond without the approval of the General Assembly.

51 N. All agencies of the Commonwealth and institutions of higher education shall provide information and/or use systems and processes

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- 1 in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay
 2 Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects,
 3 including those funded from general and nongeneral fund sources.
- 4 O. The Department of General Services, with the cooperation and support of the Workers' Compensation Commission, is hereby
 5 directed to manage acquisition or, construction, or leasing under a capital lease of a new headquarters facility for the commission out
 6 of such funds appropriated for such purposes by Item C-38.10, Chapter 1, 2014 Special Session I. Upon completion of the new
 7 facility, the department shall transfer the existing headquarters facility located at 1000 DMV Drive in Richmond, Virginia to the
 8 Science Museum of Virginia.
- 9 P. The Director, Department of Planning and Budget, in consultation with the Six-Year Capital Outlay Plan Advisory Committee, is
 10 authorized to transfer bond appropriations and bond proceeds between and among the capital pool projects listed in the table below, in
 11 order to address any shortfall in appropriation in one or more of such projects:

Pool Project No.	Pool Project Title	Authorization
17775	Public Education Institutions Capital Account	Enactment Clause 2, § 4, Chapter 1, 2008 Special Session I Acts of Assembly
17776	State Agency Capital Account	Enactment Clause 2, § 2, Chapter 1, 2008 Special Session I Acts of Assembly
17861	Supplements for Previously Authorized Higher Education Capital Projects	Item C-85, Chapter 874, 2010 Acts of Assembly; amended by Item C-85, Chapter 890, 2011 Acts of Assembly
17862	Energy Conservation	Item C-86, Chapter 890, 2011 Acts of Assembly
17967	Capital Outlay Project Pool	Item C-38.10, Chapter 3, 2012 Special Session I Acts of Assembly; amended by: Item C-38.10, Chapter 806, 2013 Acts of Assembly; by Item C-38.10, Chapter 1, 2014 Special Session I Acts of Assembly; Item C-43, Chapter 2, 2014 Special Session I Acts of Assembly; Item C-43, Chapter 665, 2015 Acts of Assembly; and Item 48.10, Chapter 836, 2017 Acts of Assembly; <i>and Item C-44.10, Chapter 854, 2019 Acts of Assembly.</i>
18049	Comprehensive Capital Outlay Program	Item C-39.40, Chapter 806, 2013 Acts of Assembly; amended by: Item C-39.40, Chapter 1, 2014 Special Session I Acts of Assembly; Item C-46.10, Chapter 2, 2014 Special Session I Acts of Assembly, Item 46.10, Chapter 665, 2015 Acts of Assembly, and Item C-46, Chapter 2, 2018 Acts of Assembly, Special Session I.
18196	Capital Outlay Renovation Pool	Item C-46.15, Chapter 665, 2015 Acts of Assembly; <i>amended by: Item C-46.10, Chapter 854, 2019 Acts of Assembly.</i>
18300	2016 VPBA Capital Construction Pool	§ 1, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I.
18301	2016 VCBA Capital Construction Pool	§ 2, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.
18371	2018 Capital Construction Pool	Item C-45, Chapter 2, 2018 Acts of Assembly, Special Session I; <i>amended by: Item C-45, Chapter 854, 2019 Acts of Assembly.</i>
18382	<i>Supplemental funding: Capitol Complex Infrastructure and Security</i>	<i>Item C-51.50, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by:</i>

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1					
2					<i>Item C-51.50, Chapter 854, 2019 Acts of Assembly.</i>
3	18408		2019 Capital Construction Pool		<i>Item C-48.10, Chapter 854, 2019 Acts of Assembly.</i>
4					

5 **EXECUTIVE DEPARTMENT**

6 **OFFICE OF ADMINISTRATION**

7 **§ 2-1. DEPARTMENT OF GENERAL SERVICES (194)**

8	C-1.	Not set out.			
9	C-1.10	Not set out.			
10	C-2.	Omitted.			
11				\$15,600,000	\$0
12					
12		Fund Sources: Bond Proceeds.....	\$15,600,000	\$0	
13		TOTAL FOR OFFICE OF ADMINISTRATION.....		\$15,600,000	\$0
14		Fund Sources: Bond Proceeds.....	\$15,600,000	\$0	

15 **OFFICE OF AGRICULTURE AND FORESTRY**

16	C-2.10	Not set out.			
17					
18		TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....		\$0	\$4,270,000
19		Fund Sources: Special.....	\$0	\$4,270,000	

20 **OFFICE OF EDUCATION**

21	C-3.	Not set out.			
22	C-3.10	Not set out.			
23	C-4.	Not set out.			
24	C-5.	Not set out.			

25 **§ 2-2. GEORGE MASON UNIVERSITY (247)**

26	C-6.	Not set out.			
27	C-6.10	Not set out.			
28	C-6.20	<i>New Construction: School of Conflict Analysis Facilities (18497).....</i>		\$0	\$8,000,000
29					
30		<i>Fund Sources: Higher Education Operating.....</i>	\$0	\$4,000,000	
31		<i>Bond Proceeds.....</i>	\$0	\$4,000,000	

32 *A. The Virginia College Building Authority, pursuant to § 23.1-1200 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed \$4,000,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to*

33

34

ITEM C-6.20.		Item Details(\$)		Appropriations(\$)	
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1	<i>and during the acquisition or construction and for one year after completion thereof, and</i>				
2	<i>other financing expenses, to finance the capital costs of the project for which the</i>				
3	<i>appropriation in this item is provided.</i>				
4	<i>B. Debt service on bonds issued under the authorization in this Item shall be</i>				
5	<i>provided from appropriations to the Treasury Board.</i>				
6	Total for George Mason University.....			\$5,381,000	\$7,500,000
7					\$15,500,000
8	Fund Sources: Higher Education Operating.....	\$0	\$7,500,000		
9			\$11,500,000		
10	Bond Proceeds.....	\$5,381,000	\$0		
11			\$4,000,000		

§ 2-3. JAMES MADISON UNIVERSITY (216)

13	C-7.	Not set out.			
14	C-8.	Omitted.			
15	C-8.10	Not set out.			
16	Total for James Madison University.....			\$3,000,000	\$310,000
17	Fund Sources: Higher Education Operating.....	\$3,000,000	\$310,000		
18	C-8.50	Not set out.			
19	C-8.60	Not set out.			
20	C-9.	Not set out.			
21	C-10.	Not set out.			
22	C-10.10	Not set out.			
23	C-10.20	Not set out.			
24	C-11.	Not set out.			
25	C-11.10	Not set out.			
26	C-11.20	Not set out.			
27	C-11.50	Not set out.			
28	C-11.60	Not set out.			
29	C-12.	Not set out.			

§ 2-4. UNIVERSITY OF VIRGINIA (207)

31	C-13.	Not set out.			
32	C-13.05	<i>Improvements: Alderman Library Renewal</i>			
33		<i>(18331).....</i>		\$0	\$13,695,000
34	Fund Sources: Bond Proceeds.....	\$0	\$13,695,000		

ITEM C-13.05.		Item Details(\$)		Appropriations(\$)	
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1	Total for University of Virginia.....			\$31,441,000	\$10,200,000
2					\$23,895,000
3	Fund Sources: Bond Proceeds.....	\$31,441,000	\$10,200,000		
4			\$23,895,000		
5	C-13.10	Not set out.			
6	C-13.20	Not set out.			
7	C-14.	Not set out.			
8	C-15.	Not set out.			
9	C-16.	Not set out.			
10	C-16.10	Not set out.			
11	C-16.20	Not set out.			
12	C-16.30	Not set out.			
13	§ 2-5. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)				
14	C-17.	Not set out.			
15	C-18.	Improvements: Improve Student Wellness Facilities			
16		(18357).....		\$63,000,000	\$0
17					\$9,500,000
18	Fund Sources: Higher Education Operating.....	\$13,310,000	\$0		
19	Bond Proceeds.....	\$49,690,000	\$0		
20			\$9,500,000		
21	C-19.	Not set out.			
22	C-20.	Not set out.			
23	C-20.10	Not set out.			
24	C-20.20	Not set out.			
25	Total for Virginia Polytechnic Institute and State				
26	University.....			\$113,066,000	\$354,000,000
27					\$363,500,000
28	Fund Sources: Higher Education Operating.....	\$27,177,000	\$117,000,000		
29	Bond Proceeds.....	\$85,889,000	\$237,000,000		
30			\$246,500,000		
31	C-21.	Not set out.			
32	C-21.10	Not set out.			
33	C-21.50	Not set out.			
34	C-21.75	Not set out.			
35	C-22.	Not set out.			
36	C-22.10	Not set out.			

ITEM C-22.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	§ 2-6. ROANOKE HIGHER EDUCATION AUTHORITY (935)			
2	C-22.50	Create Oliver Hill Courtyard (18411).....	\$328,000	\$0
3				\$120,000
4		Fund Sources: General.....	\$328,000	\$0
5				\$120,000
6		Total for Roanoke Higher Education Authority.....	\$328,000	\$0
7				\$120,000
8		Fund Sources: General.....	\$328,000	\$0
9				\$120,000
10		TOTAL FOR OFFICE OF EDUCATION.....	\$288,251,000	\$407,016,000
11				\$438,331,000
12		Fund Sources: General.....	\$703,000	\$2,326,000
13				\$2,446,000
14		Special.....	\$629,000	\$0
15		Higher Education Operating.....	\$50,925,000	\$136,873,000
16				\$140,873,000
17		Dedicated Special Revenue.....	\$0	\$9,000,000
18		Bond Proceeds.....	\$235,994,000	\$258,817,000
19				\$286,012,000
20	OFFICE OF HEALTH AND HUMAN RESOURCES			
21	C-23.	Not set out.		
22		TOTAL FOR OFFICE OF HEALTH AND		
23		HUMAN RESOURCES.....	\$9,400,000	\$0
24		Fund Sources: Bond Proceeds.....	\$9,400,000	\$0
25	OFFICE OF NATURAL RESOURCES			
26	§ 2-7. DEPARTMENT OF CONSERVATION AND RECREATION (199)			
27	C-24.	Omitted.		
28	C-25.	Not set out.		
29	C-26.	Not set out.		
30	C-27.	Not set out.		
31	C-27.10	Not set out.		
32	C-27.20	Not set out.		
33		Total for Department of Conservation and		
34		Recreation.....	\$7,628,766	\$8,538,164
35		Fund Sources: General.....	\$120,000	\$0
36		Special.....	\$1,957,335	\$3,238,500
37		Dedicated Special Revenue.....	\$4,051,431	\$600,000
38		Federal Trust.....	\$1,500,000	\$4,699,664
39	C-28.	Not set out.		
40	C-29.	Not set out.		

ITEM C-29.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	C-30.	Not set out.			
2	C-31.	Not set out.			
3	C-32.	Not set out.			
4	TOTAL FOR OFFICE OF NATURAL				
5	RESOURCES.....			\$17,028,766	\$18,938,164
6	Fund Sources: General.....	\$120,000	\$0		
7	Special.....	\$1,957,335	\$3,238,500		
8	Dedicated Special Revenue.....	\$6,951,431	\$3,750,000		
9	Federal Trust.....	\$8,000,000	\$11,949,664		
10	OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY				
11	C-32.50	Omitted.			
12	§ 2-8. DEPARTMENT OF MILITARY AFFAIRS (123)				
13	C-33.	Not set out.			
14	C-33.10	<i>Acquisition: Acquire Land for Readiness Centers</i>			
15			<i>(18309).....</i>	\$0	\$3,250,000
16	Fund Sources: Bond Proceeds.....	\$0	\$3,250,000		
17	Total for Department of Military Affairs.....			\$3,000,000	\$12,000,000
18					\$15,250,000
19	Fund Sources: Federal Trust.....	\$0	\$9,000,000		
20	Bond Proceeds.....	\$3,000,000	\$3,000,000		
21					\$6,250,000
22	C-34.	Not set out.			
23	C-34.10	Not set out.			
24	C-34.20	Not set out.			
25	C-34.30	Not set out.			
26	TOTAL FOR OFFICE OF PUBLIC SAFETY AND				
27	HOMELAND SECURITY.....			\$3,725,000	\$57,844,000
28					\$61,094,000
29	Fund Sources: General.....	\$725,000	\$0		
30	Federal Trust.....	\$0	\$9,000,000		
31	Bond Proceeds.....	\$3,000,000	\$48,844,000		
32					\$52,094,000
33	OFFICE OF TRANSPORTATION				
34	C-34.50	Not set out.			
35	C-35.	Not set out.			
36	C-36.	Not set out.			
37	C-37.	Not set out.			

ITEM C-38.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	C-38.	Not set out.		
2	C-39.	Not set out.		
3	C-40.	Not set out.		
4	C-40.10	Not set out.		
5	TOTAL FOR OFFICE OF TRANSPORTATION...		\$416,010,000	\$90,250,000
6	Fund Sources: Special.....	\$63,000,000	\$57,250,000	
7	Commonwealth Transportation.....	\$3,010,000	\$33,000,000	
8	Bond Proceeds.....	\$350,000,000	\$0	
9	OFFICE OF VETERANS AND DEFENSE AFFAIRS			
10	C-41.	Not set out.		
11	TOTAL FOR OFFICE OF VETERANS AND			
12	DEFENSE AFFAIRS.....		\$4,500,000	\$0
13	Fund Sources: Federal Trust.....	\$4,500,000	\$0	
14	CENTRAL APPROPRIATIONS			
15	§ 2-9. CENTRAL CAPITAL OUTLAY (949)			
16	C-42.	Not set out.		
17	C-43.	Not set out.		
18	C-43.50	Planning: Replace Central State Hospital (18391)...	\$3,000,000	\$0
19	Fund Sources: Special.....	\$3,000,000	\$0	
20	A. The Department of Behavioral Health and Developmental Services (DBHDS) and the			
21	Department of General Services (DGS) shall develop and deliver a plan to provide capital			
22	project options for a new Central State Hospital.			
23	B. The Department of General Services (DGS) shall analyze and include phasing options			
24	in the DBHDS plan as part of the detailed planning process.			
25	C. Project budgeting estimates pursuant to this item shall be delivered to the Governor,			
26	Chairmen of the House Appropriations and Senate Finance Committees, and the Six-Year			
27	Capital Outlay Plan Advisory Committee (§ 2.2-1516) by December 1, 2018.			
28	D. DBHDS shall be reimbursed for all nongeneral funds used when the project is funded			
29	to move into the construction phase.			
30	C-44.	Omitted.		
31	C-44.10	Not set out.		
32	C-44.20	Omitted.		
33	C-45.	Not set out.		
34	C-46.	Comprehensive Capital Outlay Program (18049)....	\$21,066,000	\$0
35	Fund Sources: Bond Proceeds.....	\$21,066,000	\$0	

ITEM C-46.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	A. In addition to the amounts previously authorized in Item C-39.40, Chapter 806, 2013 Acts			
2	of Assembly and in Item C-48.50, Chapter 836, 2017 Acts of Assembly, the Virginia College			
3	Building Authority, pursuant to § 23.1-1200 et seq., Code of Virginia, is authorized to issue			
4	bonds in a principal amount not to exceed \$21,066,000, plus amounts needed to fund issuance			
5	costs, reserve funds, original issue discount, interest prior to and during the acquisition or			
6	construction and for one year after completion thereof, and other financing expenses, to			
7	finance the capital costs of the project described in paragraph C. of this Item.			
8	B. Debt service on the bonds issued under the authorization in this Item shall be provided			
9	from appropriations to the Treasury Board.			
10	C. Included in the appropriation for this Item is \$21,066,000 in bond proceeds the first year to			
11	supplement the funding for the following project previously authorized in Item C-39.40,			
12	Chapter 806, 2013 Acts of Assembly:			
13	247-George Mason University	Construct Life Sciences Building, Prince William (18000)		
14	D. The title of this project is hereby changed to "Construct <i>Life Sciences and Engineering</i>			
15	<i>Building/Renovate Bull Run Hall</i> HB Addition , <i>Prince William (18000)</i> ".			
16	C-46.10	Not set out.		
17	C-47.	2016 VPBA Capital Construction Pool (18300).....	\$13,500,000	\$0
18				\$12,000,000
19	Fund Sources: Bond Proceeds.....	\$13,500,000	\$0	
20			\$12,000,000	
21	A. In addition to the amounts previously authorized in Enactment 1, § 1 A. of Chapters 759			
22	and 769, 2016 Acts of Assembly, the Virginia Public Building Authority, pursuant to § 2.2-			
23	2260 et seq., Code of Virginia, is authorized to issue bonds in a principal amount not to			
24	exceed \$13,500,000 \$25,500,000, plus amounts needed to fund issuance costs, reserve funds,			
25	original issue discount, interest prior to and during the acquisition or construction and for one			
26	year after completion thereof, and other financing expenses, to finance the costs of the project			
27	described in paragraph C. of this Item.			
28	B. Debt service on bonds issued under the authorization in this Item shall be provided from			
29	appropriations to the Treasury Board.			
30	C. Included in the appropriation for this Item is \$7,500,000 in bond proceeds the first year for			
31	the following project:			
32	199-Department of Conservation	Renovate Various Cabins (18265)		
33	D. The title and scope of the capital project for the Department of Forensic Science, titled,			
34	"Expand Central Forensic Laboratory and Office of the Chief Medical Examiner Facility,"			
35	authorized in Enactment 1, § 1 A. of Chapters 759 and 769 of the 2016 Acts of Assembly, is			
36	hereby changed to "Expand and Renovate Current or Construct New Central Forensic			
37	Laboratory and Office of the Chief Medical Examiner at its current site or another site that is			
38	determined by the Department to be more cost effective and operationally efficient."			
39	E. The project previously authorized in Enactment 9 of Chapters 759 and 769, 2016 Acts of			
40	Assembly, Renovate the Post Library as a Visitor Center for Fort Monroe, is hereby included			
41	in the amounts authorized in Item C-43, D 1 of Chapter 665 of the Acts of Assembly of 2015.			
42	F. 1. The title and scope of the capital project for the Department of Juvenile Justice (<i>DJJ</i>),			
43	titled, "Construct New Juvenile Correctional Center, Chesapeake," authorized in Enactment 1,			
44	§ 1 A. of Chapters 759 and 769 of the 2016 Acts of Assembly, is hereby changed to			
45	"Construct New Juvenile Correctional Center; Ile of Wight ".			
46	2. a. The Department of General Services (DGS), with the cooperation of the Department of			
47	Juvenile Justice (DJJ), shall construct the New Juvenile Correctional Center, Isle of Wight			
48	project authorized in F-1. The project is authorized as a 60 bed facility. DJJ will provide DGS			
49	facility program information and assistance as requested. is authorized to proceed with the			
50	design and construction of this juvenile correctional center to the extent feasible, on state-			

ITEM C-47.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	<i>owned property and with no more than 60 beds, that is cost effective to develop, and best</i>			
2	<i>suited to achieve DJJ's operational needs.</i>			
3	b. The capital project for the Department of Juvenile Justice, titled, "Renovate or			
4	Construct Juvenile Correctional Center, authorized in Enactment 4, § 1 A. of Chapters 759			
5	and 769 of the 2016 Acts of Assembly is hereby rescinded.			
6	c. The provisions of Enactment 4, § 1 B. of Chapters 759 and 769 of the 2016 Acts of			
7	Assembly are hereby rescinded.			
8	3.a. DGS shall determine options for a second DJJ Juvenile Correctional Center to be			
9	located in Central Virginia. However, the property located in Central Virginia consisting			
10	of approximately 427.97 acres along Old Bon Air Road and Rockaway Road in the			
11	Midlothian Magisterial District of Chesterfield County, Virginia, having a street address			
12	of 1900 Chatsworth Avenue, Bon Air, Virginia, and further designated as Chesterfield			
13	County Tax Parcel No. 752713101100000, shall be excluded from any option or			
14	consideration as a Central Virginia DJJ Juvenile Correctional Center location. DGS shall			
15	report location options for a Central Virginia DJJ Juvenile Correctional Center to the			
16	Chairmen of the House Appropriations, Senate Finance Committees and the Governor by			
17	October 31, 2018.			
18	b. DGS, working with Chesterfield County, Virginia, shall determine a fair market value			
19	and the highest and best use of the DJJ site identified in 3.a of this section and report its			
20	preliminary findings to the Chairmen of House Appropriations, Senate Finance			
21	Committees, and the Governor by December 1, 2018.			
22	c. In addition, the Department of General Services shall determine the highest and best use			
23	for the property located at 3500 Beaumont Road in Powhatan County. In determining such			
24	use DGS shall (i) estimate revenues and costs from any sale or development of the entire			
25	property or any portion thereof, and (ii) the viability of various options for potential use of			
26	the property by the Department of Corrections (DOC), Department of Conservation and			
27	Recreation (DCR), and/or DJJ, DOC, DCR, and DJJ will provide DGS information and			
28	assistance, if requested. DGS shall provide the results of its study to the Chairmen of the			
29	House Appropriations, Senate Finance Committees, and Governor by October 31, 2018.			
30	d. All costs incurred by DGS to perform the requirements in item F., and all subsections			
31	under F., shall be funded by the capital project authorized in F.1.			
32	e. Should the property identified in 3a. be sold by the Commonwealth, any proceeds			
33	received from a sale shall be used to offset the capital costs of a DJJ Central Virginia			
34	Juvenile Correctional Center location.			
35	G. The amounts provided by this item and Enactment 1, § 1 A. of Chapters 759 and 769 of			
36	the 2016 Acts of Assembly include funding for the development of Clinch River State			
37	Park by the Department of Conservation and Recreation.			
38	H. The <i>title and scope</i> of the project, "Renovate Roanoke Readiness Center," for the			
39	Department of Military Affairs, authorized for detailed planning in Enactment 4, § 1 of			
40	Chapters 759 and 769, 2016 Acts of Assembly is <i>hereby changed to "Construct Roanoke</i>			
41	<i>Readiness Center and Combined Support Maintenance Shop". The scope of this project is</i>			
42	<i>hereby expanded to include all planned phases of the overall project: (1) renovation of</i>			
43	<i>four existing buildings, demolition, and (2) construction of certain buildings, to include a</i>			
44	<i>new readiness center addition; and (3) construction of a combined support maintenance</i>			
45	<i>shop; as set out in the capital budget project request submitted by the Department of</i>			
46	<i>Military Affairs for the 2018-2020 budget.</i>			
47	<i>I. The Director, Department of Planning and Budget, may transfer any unutilized</i>			
48	<i>appropriation and bond authorization from the the project "Replace Western State</i>			
49	<i>Hospital" for the Department of Behavioral Health and Developmental Services,</i>			
50	<i>authorized in Enactment 2, § 1 A. of Chapter 1, 2008 Acts of Assembly, Special Session I,</i>			
51	<i>to the project "Expand Western State Hospital," authorized in Enactment 1, § 1 A. of</i>			
52	<i>Chapters 759 and 769 of the 2016 Acts of Assembly.</i>			
53	C-48.	2016 VCBA Capital Construction Pool (18301).....	\$43,883,000	\$0
54				\$34,022,736

ITEM C-48.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	Fund Sources: Bond Proceeds.....	\$43,883,000		\$0
2				\$34,022,736
3	A. In addition to the amount previously authorized in Enactment Clause 1, §2 of Chapters 759			
4	and 769, 2016 Acts of Assembly, the Virginia College Building Authority, pursuant to § 23.1-			
5	1200 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to			
6	exceed \$43,883,000 ; \$77,905,736 plus amounts needed to fund issuance costs, reserve funds,			
7	original issue discount, interest prior to and during the acquisition or construction and for one			
8	year after completion thereof, and other financing expenses, to finance the capital costs of			
9	projects authorized in Enactment Clause 1, § 2 of Chapters 759 and 769, 2016 Acts of			
10	Assembly.			
11	B. Debt service on the bonds issued under the authorization of this Item shall be provided			
12	from appropriations to the Treasury Board.			
13	C. There is hereby appropriated \$43,883,000 \$77,905,736 in bond proceeds for the projects			
14	authorized in Enactment Clause 1, § 2 of Chapters 759 and 769, 2016 Acts of Assembly. Of			
15	this amount, \$883,000 is allocated for the following project authorized in that section:			
16	948-Southwest Virginia Higher Education Center	Construct Service Corridor, Storage Area;		
17		Replace Generator (18126)		
18	D. 1. The title and scope of the project previously authorized in Enactment 1, §2 of Chapters			
19	759 and 769, 2016 Acts of Assembly, as "Construct Service Corridor, Storage Area, Replace			
20	Generator" are hereby changed to "Construct Building Expansion and Replace Generator" in			
21	order to provide an expanded scope, including additional space that may be used as office or			
22	storage space, with total square footage of approximately 6,400 square feet.			
23	2. The scope of the project previously authorized in Enactment 1, §2 of Chapters 759 and 769,			
24	2016 Acts of Assembly, as "Christopher Newport University, Construct and Renovate Fine			
25	Arts and Rehearsal Space reflects 105,040 gross square feet to include 88,060 gross square			
26	feet of new construction and 16,980 gross square feet of renovation. Of the amount provided			
27	in Paragraph C. of this Item, \$4 million is allocated to this project to cover current scope and			
28	cost.			
29	3. The title and scope of the project previously authorized in Enactment 1, §2 of Chapters 759			
30	and 769, 2016 Acts of Assembly, as "Virginia Institute of Marine Science, Replace			
31	Mechanical Systems and Repair Building Envelope of Chesapeake Bay Hall" are hereby			
32	changed to "Virginia Institute of Marine Science, Construct New Research Facility" in order			
33	to replace the existing Chesapeake Hall, for which a renovation is no longer a viable			
34	alternative, with a comparable sized new facility. Additional funding for this revised scope			
35	and cost is contained in Paragraph C. of this item.			
36	E. Virginia Commonwealth University is authorized to utilize nongeneral funds, to be			
37	reimbursed should construction funding be approved, to develop Detailed Plans for the STEM			
38	Building which consists of the STEM Class Laboratory Building, authorized in Chapter 759			
39	and 769 (2016), and the Humanities and Sciences Phase II, Admin and Classroom Building,			
40	as a single facility. The proposed buildings will be located adjacent to each other on the site of			
41	the existing Franklin Street Gymnasium.			
42	F. The title of the project, "Renovate Diggs/Moore/Harrison Complex, Hampton, Thomas			
43	Nelson," for the Virginia Community College System, authorized for detailed planning in			
44	Enactment 4, § 1 of Chapters 759 and 769, 2016 Acts of Assembly. is changed to "Replace			
45	Diggs/Moore/Harrison Complex, Hampton, Thomas Nelson.			
46	G. The scope of the project previously authorized in Enactment 1, §2 of Chapters 759 and			
47	769, 2016 Acts of Assembly, as "Virginia Community College System, Construct Academic			
48	Building, Fauquier Campus, Lord Fairfax" is hereby changed to include chemistry and			
49	biology laboratory space, a nursing skills laboratory space, nursing and operating room			
50	simulation laboratory space, and cadaver laboratory space. Additional funding for this			
51	revised scope is included in paragraph C. of this Item.			
52	H. Out of the amounts included in paragraph C. of this Item, a supplement of \$16,660,000 is			
53	provided to cover unanticipated costs associated with the The College of William and Mary			

ITEM C-48.	Item Details(\$)		Appropriations(\$)		
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020	
1	<i>project "Construct Fine and Performing Arts Facility, Phases I & II", authorized in</i>				
2	<i>Enactment 1, §2 of Chapters 759 and 769, 2016 Acts of Assembly.</i>				
3	<i>I. Out of the amounts included in paragraph C. of this Item, a supplement of \$6,197,736 is</i>				
4	<i>provided to cover unanticipated costs associated with the University of Mary Washington</i>				
5	<i>project "Renovate Seacobeck Hall", authorized in Enactment 1, §2 of Chapters 759 and</i>				
6	<i>769, 2016 Acts of Assembly.</i>				
7	C-48.10	New Construction: 2019 Capital Construction			
8		Pool (18408).....	\$0	\$753,562,000	
9		Fund Sources: General.....	\$0	\$830,000	
10		Special.....	\$0	\$10,516,000	
11		Higher Education Operating.....	\$0	\$20,000,000	
12		Bond Proceeds.....	\$0	\$722,216,000	
13	A. 1. The capital projects in paragraph C of this Item are hereby authorized and may be				
14	financed in whole or in part through bonds of the Virginia College Building Authority				
15	pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building				
16	Authority pursuant to § 2.2-2263 et seq., Code of Virginia. Bonds of the Virginia College				
17	Building Authority issued to finance these projects may be sold and issued under the 21st				
18	Century College Program at the same time with other obligations of the Authority as				
19	separate issues or as a combined issue. The aggregate principal amounts shall not exceed				
20	\$722,216,000 plus amounts needed to fund issuance costs, reserve funds, original issue				
21	discount, interest prior to and during the acquisition or construction and for one year after				
22	completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of				
23	Virginia.				
24	2. From the list of projects included in paragraph C of this Item, the Director, Department				
25	of Planning and Budget, shall provide to the Chairmen of the Virginia College Building				
26	Authority and the Virginia Public Building Authority the specific projects, as well as the				
27	amounts for these projects, to be financed by each authority within the dollar limit				
28	established by this authorization.				
29	3. Debt service on the projects contained in this Item shall be provided from				
30	appropriations to the Treasury Board.				
31	4. The appropriations for the capital projects in this Item are subject to the conditions in §				
32	2.0 F. of this act.				
33	B. In addition to the appropriation and bond authorization authorized by this Item, the				
34	Director, Department of Planning and Budget, shall transfer unutilized Virginia College				
35	Building Authority (VCBA) and Virginia Public Building Authority (VPBA) bond				
36	authorization and appropriation from the projects listed below, in the amounts shown, to				
37	this project for funding the projects listed in paragraph C:				
38	Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
39	207	17476	VCBA	Chapter 1, Enactment 2,	\$4,080,667
40				Section 3, 2008 Acts of	
41				Assembly, Special	
42				Session I	
43	215	17670	VCBA	Chapter 1, Enactment 2,	\$1,374,605
44				Section 3, 2008 Acts of	
45				Assembly, Special	
46				Session I	
47	247	16607	VCBA	Item C-85.10, Chapter	\$1,120,047
48				874, 2010 Acts of	
49				Assembly	
50	260	16836	VCBA	Item C-182.10, Chapter	\$111,398
51				781, 2009 Acts of	
52				Assembly	
53	260	17379	VCBA	Item C-326.30, Chapter	\$401,727
54				847, 2008 Acts of	

ITEM C-48.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1				Assembly
2	912	18319	VPBA	Item C-43.50, Chapter
3				836, 2017 Acts of
4				Assembly

5 C. There is hereby appropriated \$677,216,000 the second year from bond proceeds of the
 6 Virginia College Building Authority or the Virginia Public Building Authority, \$830,000
 7 from the general fund and \$30,516,000 from nongeneral funds to provide funds for the
 8 construction and other capital costs of the following projects:

	Agency Code	Agency Title	Project Title
9			
10	194	Department of General Services	Renovate Parking Deck, Main Street
11			Centre
12	194	Department of General Services	Improve Capitol Campus Utilities
13	194	Department of General Services	Acquisition of the VEC Building
14	194	Department of General Services	Replace Central State Hospital
15	199	Department of Conservation and	Construct Cabins, Breaks Interstate Park
16		Recreation	
17	207	University of Virginia	Alderman Library Renewal
18	211	Virginia Military Institute	Construct Corps Physical Training
19			Facility Phase 3 (Aquatic Center)
20	212	Virginia State University	Demolish / Replace Daniel Gym and
21			Demolish Harris Hall, Phase I
22	214	Longwood University	Replace Major HVAC System
23			Components
24	216	James Madison University	Renovate Jackson Hall
25	221	Old Dominion University	Address Maintenance Needs in Kaufman
26			Hall and Mills Godwin Building
27	236	Virginia Commonwealth University	Construct STEM Teaching Laboratory
28			Building
29	238	Virginia Museum of Fine Arts	Replace Life and Safety Systems
30	238	Virginia Museum of Fine Arts	Repair the Museum Building Envelope
31	241	Richard Bland College	Acquire and Install New Generator at the
32			Library
33	247	George Mason University	Improve IT Network Infrastructure
34	268	Virginia Institute of Marine Science	Replace Oyster Hatchery
35	417	Gunston Hall	Upgrade Fire Suppression System and
36			Improve Security
37	720	Department of Behavioral Health and	Renovate Eastern State Hospital Kitchen
38		Developmental Services	
39	777	Department of Juvenile Justice	Repair Life Safety Systems and Upgrade
40			Electrical Systems, Bon Air
41	799	Department of Corrections	Replace Appalachian and Wise
42			Wastewater Treatment Plants
43	799	Department of Corrections	Construct James River Wastewater Pump
44			Station

45 D. 1. From the proceeds of bonds authorized to be issued by the Virginia Public Building
 46 Authority in paragraph A of this Item, there is hereby appropriated a ~~one-time and final~~
 47 payment of \$25,000,000 in the second year for the Combined Sewer Overflow Matching
 48 Fund, established pursuant to § 62.1-242.12, Code of Virginia and administered by the
 49 Department of Environmental Quality. These bond proceeds shall be used by the Virginia
 50 Resources Authority and the State Water Control Board to make a grant to the City of
 51 Alexandria to pay a portion of the capital costs of its combined sewer overflow control
 52 project. Disbursements from these proceeds shall be authorized by the State Water Control
 53 Board, under the authority of the Department of Environmental Quality, and administered by
 54 the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund.

ITEM C-48.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	2. This appropriation is subject to the conditions of § 2.0 F of this act.				
2	3. Except as provided in paragraph D.2 of this Item, the provisions of §§ 2.0 and 4-4.01 of				
3	this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the project				
4	supported in this Item.				
5	E. Funding for the Department of General Services' project to Improve Capitol Campus				
6	utilities shall not be released until the department and the City of Richmond have signed				
7	an agreement allowing the state to work on any needed improvements to the utilities				
8	running through Capitol Square, including a methodology in the agreement that provides				
9	for the state's utility bills to be adjusted to offset the state's expenditures for any				
10	improvements to the water lines.				
11	F. Out of the amounts provided in this Item, \$10,000,000 the second year from bond				
12	proceeds is designated for lab renovations and enhancements and / or research equipment				
13	related to higher education research for the Hampton Roads Biomedical Research				
14	Consortium created in Item 475.10.				
15	G. Stormwater Local Assistance Fund. From the appropriation and bond authorization				
16	provided in this Item, up to \$10,000,000 of the bond proceeds shall be provided to the				
17	Department of Environmental Quality for the Stormwater Local Assistance Fund,				
18	established in accordance with the provisions of Item 368 of this act. In accordance with				
19	the purpose of the Fund set out in Item 368, the bond proceeds shall be used to provide				
20	grants solely for capital projects meeting all pre-requirements for implementation,				
21	including but not limited to: i) new stormwater best management practices; ii) stormwater				
22	best management practice retrofits; iii) stream restoration; iv) low impact development				
23	projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants				
24	shall be in accordance with eligibility determinations made by the State Water Control				
25	Board under the authority of the Department of Environmental Quality.				
26	H. Out of the amounts provided in Paragraph C of this item, the Department of General				
27	Services is authorized funding for the defeasance of the federal equity in the the Virginia				
28	Employment Commission site located at 703 E. Main Street, Richmond, Virginia, to				
29	enable transfer of title to that site to the Commonwealth of Virginia, Department of				
30	General Services to be included in the Department of General Services statewide building				
31	management program.				
32	I. 1. Funding provided in paragraph C of this Item for the Department of General Services'				
33	project to Replace Central State Hospital is to replace the Department of Behavioral				
34	Health and Developmental Services' Central State Hospital at its current location in				
35	Petersburg, Virginia. Funding is included to complete the design, construction, and				
36	provision of furniture, fixtures, and equipment for a facility that includes 111 maximum				
37	security beds, 141 civil beds, and the associated program and support facilities identified				
38	in the Central State Hospital pre-planning study delivered to the General Assembly in				
39	December 2018 pursuant to Item C-43.50 of this act.				
40	2. The Department of Behavioral Health and Developmental Services may consider				
41	potential future phasing options for the new Central State Hospital beyond the scope				
42	authorized in subparagraph I.1 of this Item for the Central State Hospital replacement in				
43	its plan that is proposed pursuant to Item 310 CC. of this act.				
44	C-49. Not set out.				
45	C-49.10 Not set out.				
46	C-49.20 Not set out.				
47	C-50. A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq. of the Code of				
48	Virginia, is authorized to issue bonds in a principal amount not to exceed \$91,681,000				
49	\$94,931,000 plus amounts needed to fund issuance costs, reserve funds, original issue				
50	discount, interest prior to and during the acquisition or construction and for one year after				
51	completion thereof, and other financing expenses, to finance the capital costs of the				
52	projects described in paragraph C. of this Item.				

ITEM C-50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	B. Debt service on bonds issued under the authorization in this Item shall be provided from			
2	appropriations to the Treasury Board.			
3	C. The appropriations for the following authorized projects are contained in the appropriation			
4	Items listed:			
5	Agency Name/Project Title	Project	Item	VPBA Bonds
6		Code		
7	Department of Military			
8	Affairs (123)			
9	Improve Readiness Centers	18369	C-33	\$6,000,000
10	Acquire Land for Readiness	18309	C-33.10	\$3,250,000
11	Centers			
12	Department of State Police			
13	Upgrade Statewide Radio	18414	C-34.10	\$40,000,000
14	System (STARS) Network			
15	Refresh Commonwealth Link	18415	C-34.20	\$5,844,000
16	to Interoperable			
17	Communications (COMLINC)			
18	System			
19	Department of General			
20	Services (194)			
21	Monroe Building Critical	18368	C-1	\$13,600,000
22	Systems Replacements			
23	Security Improvements for	18420	C-1.10	\$2,000,000
24	North Drive			
25	Capitol Complex Infrastructure	18081	C-51.50	\$11,820,000
26	and Security			
27	Virginia School for the Deaf			
28	and the Blind (218)			
29	Make System Infrastructure	18370	C-3	\$2,000,000
30	Repairs and Improvements			
31	Expand Emergency Generator	18417	C-3.10	\$1,017,000
32	System			
33	Department of Behavioral			
34	Health and Developmental			
35	Services (720)			
36	Address Patient and Staff	18365	C-23	\$9,400,000
37	Safety Issues at State Facilities			
38	Total VPBA Bonds			\$91,681,000
39				\$94,931,000
40	C-51.	Not set out.		
41	C-51.50	Not set out.		
42	Total for Central Capital Outlay.....		\$501,903,936	\$966,954,436
43				\$1,012,977,172
44	Fund Sources: General.....	\$0	\$830,000	
45	Special.....	\$3,000,000	\$10,516,000	
46	Higher Education Operating.....	\$0	\$20,000,000	
47	Bond Proceeds.....	\$498,903,936	\$935,608,436	
48			\$981,631,172	
49	C-52.	Not set out.		

ITEM C-52.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	§ 2-10. 9(D) REVENUE BONDS (951)			
2	C-53.	1. This Item authorizes the capital projects listed below to be financed pursuant to Article		
3		X, Section 9(d), Constitution of Virginia.		
4		2. The appropriations for said capital projects are contained in the appropriation Items		
5		listed below and are subject to the conditions in § 2-0 F of this act.		
6		3. The total amount listed in this Item includes \$224,694,000 \$247,889,000 in bond		
7		proceeds.		
8	Agency Name/	Item #	Project	Section
9	Project Title		Code	9(d) Bonds
10	College of William and			
11	Mary (204)			
12	Construct the Sadler Center	C-4	18360	\$37,742,000
13	West Addition			
14	University of Virginia (208			
15	207)			
16	Renovate Gilmer Hall and	C-13	18082	\$31,441,000
17	Chemistry Building			
18	<i>Renew Alderman Library</i>	<i>C-13.05</i>	<i>18331</i>	<i>\$13,695,000</i>
19	Virginia Polytechnic			
20	Institute and State			
21	University (208)			
22	Renovate O'Shaughnessy Hall	C-17	18356	\$12,634,000
23	<i>Improve Student Wellness</i>	<i>C-18</i>	<i>18357</i>	<i>\$59,190,000</i>
24	<i>Center</i>			
25	Construct VT Carilion	C-19	18269	\$17,765,000
26	Research Institute Biosciences			
27	Addition			
28	Renovate Dietrick Hall, First	C-20	18358	\$5,800,000
29	Floor and Plaza			
30	Virginia Military Institute			
31	(211)			
32	Turman House Renovations	C-14	18361	\$2,500,000
33	Expand / Improve Clarkson-	C-16.20	18388	\$1,500,000
34	McKenna Press Box			
35	University of Mary			
36	Washington (215)			
37	Renovate Residence Halls--	C-12	18362	\$24,500,000
38	Phase II			
39	Old Dominion University			
40	(221)			
41	Construct Student Health and	C-11.20	18407	\$9,200,000
42	Wellness Addition			
43	Virginia Commonwealth			
44	University (236)			
45	Construct School of	C-13.20	18243	\$6,541,000
46	Engineering Research			
47	Expansion			
48	George Mason University			
49	(247)			
50	Construct Utilities	C-6	18208	\$5,381,000
51	Distribution Infrastructure			
52	Central Capital Outlay			

ITEM C-53.		Item Details(\$)		Appropriations(\$)	
		First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
1	(949)				
2	Parking Deck Repairs--Higher		18422	\$20,000,000	
3	Ed Institutions				
4	Total for Nongeneral Fund			\$224,694,000	
5	Obligation Bonds 9(d)			\$247,889,000	
6	Total for 9(D) Revenue Bonds.....			\$0	\$0
7	TOTAL FOR CENTRAL APPROPRIATIONS.....			\$501,903,936	\$966,954,436
8					\$1,012,977,172
9	Fund Sources: General.....	\$0	\$830,000		
10	Special.....	\$3,000,000	\$10,516,000		
11	Higher Education Operating.....	\$0	\$20,000,000		
12	Bond Proceeds.....	\$498,903,936	\$935,608,436		
13			\$981,631,172		
14	TOTAL FOR EXECUTIVE DEPARTMENT.....			\$1,256,418,702	\$1,545,272,600
15					\$1,625,860,336
16	Fund Sources: General.....	\$1,548,000	\$3,156,000		
17			\$3,276,000		
18	Special.....	\$68,586,335	\$75,274,500		
19	Higher Education Operating.....	\$50,925,000	\$156,873,000		
20			\$160,873,000		
21	Commonwealth Transportation.....	\$3,010,000	\$33,000,000		
22	Dedicated Special Revenue.....	\$6,951,431	\$12,750,000		
23	Federal Trust.....	\$12,500,000	\$20,949,664		
24	Bond Proceeds.....	\$1,112,897,936	\$1,243,269,436		
25			\$1,319,737,172		
26	INDEPENDENT AGENCIES				
27	C-54. Not set out.				
28	TOTAL FOR INDEPENDENT AGENCIES.....			\$1,250,000	\$0
29	Fund Sources: Special.....	\$1,212,780	\$0		
30	Dedicated Special Revenue.....	\$37,220	\$0		
31	TOTAL FOR PART 2: CAPITAL PROJECT				
32	EXPENSES.....			\$1,257,668,702	\$1,545,272,600
33					\$1,625,860,336
34	Fund Sources: General.....	\$1,548,000	\$3,156,000		
35			\$3,276,000		
36	Special.....	\$69,799,115	\$75,274,500		
37	Higher Education Operating.....	\$50,925,000	\$156,873,000		
38			\$160,873,000		
39	Commonwealth Transportation.....	\$3,010,000	\$33,000,000		
40	Dedicated Special Revenue.....	\$6,988,651	\$12,750,000		
41	Federal Trust.....	\$12,500,000	\$20,949,664		
42	Bond Proceeds.....	\$1,112,897,936	\$1,243,269,436		
43			\$1,319,737,172		

PART 3: MISCELLANEOUS**§ 3-1.00 TRANSFERS**

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2019	FY 2020
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,141,363	\$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)	\$23,613	\$23,613
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)	\$2,419	\$2,419
4. For collection by Department of Taxation		
a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	\$39,169	\$39,169
b) Soft Drink Excise Tax	\$1,596	\$1,596
c) Virginia Litter Tax	\$9,472	\$9,472
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	\$34,500	\$34,500
7. Alcoholic Beverage Control Authority (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	\$75,521	\$75,521
b) Department of Accounts	\$64,607	\$64,607
c) Department of the Treasury	\$47,628	\$47,628

1	8. Commission on the Virginia Alcohol		
2	Safety Action Program (Special)		
3	For expenses incurred for care, treatment,	\$325,000	\$0
4	study and rehabilitation of alcoholics by		\$400,000
5	the Department of Behavioral Health and		
6	Developmental Services and other state		
7	agencies		
	TOTAL		
8		\$75,238,243	\$74,913,243
9			\$75,313,243

10 2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a
 11 year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall
 12 be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the
 13 difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund.
 14 Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at \$115,600,000
 15 the first year and ~~\$120,128,892~~ \$124,800,000 the second year.

16 b. Notwithstanding the provisions of § 4.1-116 B, Code of Virginia, the Alcoholic Beverage Control Authority shall properly record
 17 the depreciation of all depreciable assets, including approved projects, property, plant and equipment. The State Comptroller shall be
 18 notified of the amount of depreciation costs recorded by the Alcoholic Beverage Control Authority. However, such depreciation
 19 costs shall not be the basis for reducing the quarterly transfers needed to meet the estimated profits contained in this act.

20 B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.02 is subsequently determined to be in
 21 violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to
 22 reverse such transfer and to return such funds to the affected nongeneral fund account.

23 2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for
 24 mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human
 25 Services' review of the annual Statewide Indirect Cost Allocation Plans.

26 C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of
 27 Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. From these amounts
 28 \$2,583,531 the first year and \$2,583,531 the second year shall be deposited to the Virginia Water Quality Improvement Fund
 29 pursuant to § 10.1-2128.1, Code of Virginia, and designated for deposit to the reserve fund, for ongoing improvements of the
 30 Chesapeake Bay and its tributaries. The Department of Motor Vehicles shall be responsible for effecting the provisions of this
 31 paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

32	154	Department of Motor Vehicles	\$10,000,000	\$10,000,000
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33 D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general
 34 fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local
 35 sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by
 36 the Department of Taxation estimated at \$6,208,652 the first year and ~~\$6,208,652~~ \$6,202,002 the second year.

37 E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs
 38 attributable to increased sales and use tax compliance efforts and revenue forecasting for the Transportation Trust Fund by the
 39 Department of Taxation estimated at \$3,010,852 the first year and ~~\$3,010,852~~ \$2,993,308 the second year.

40 F.1. On or before June 30 of each year, the State Comptroller shall transfer \$12,965,823 the first year and \$12,965,823 the second
 41 year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central
 42 service agencies:

43	Agency Name	Fund Group	FY 2019	FY 2020
44	Administration of Health	0500	\$558,986	\$558,986
45	Insurance (149)			
46	Department of	0200	\$1,847	\$1,847
47	Agriculture & Consumer			
48	Services (301)			
49	Department of Forestry	0200	\$48,576	\$48,576

1	(411)			
2	Department of Forestry	0900	\$297	\$297
3	(411)			
4	Board of Accountancy	0900	\$11,302	\$11,302
5	(226)			
6	Department of Housing	0900	\$306	\$306
7	and Community			
8	Develop. (165)			
9	Department of Labor	0200	\$7,404	\$7,404
10	and Industry (181)			
11	Department of	0200	\$8,513	\$8,513
12	Professional &			
13	Occupational			
14	Regulations (222)			
15	Southwest Virginia	0200	\$9,535	\$9,535
16	Higher Ed. Center (948)			
17	Virginia Museum of	0200	\$24,516	\$24,516
18	Fine Arts (238)			
19	Virginia Museum of	0500	\$19,470	\$19,470
20	Fine Arts (238)			
21	Department for the Deaf	0200	\$13,975	\$13,975
22	and Hard-Of-Hearing			
23	(751)			
24	Department of	0200	\$99,048	\$99,048
25	Behavioral Health and			
26	Developmental Services			
27	(720)			
28	Department of Health	0900	\$152,263	\$152,263
29	(601)			
30	Department for Aging	0200	\$85,374	\$85,374
31	and Rehabilitative			
32	Services (262)			
33	Virginia for Health	0900	\$23,052	\$23,052
34	Youth Foundation (852)			
35	State Corporation	0900	\$10,928	\$10,928
36	Commission (171)			
37	Virginia College	0500	\$380,986	\$380,986
38	Savings Plan (174)			
39	Board of Bar Examiners	0200	\$5,155	\$5,155
40	(233)			
41	Supreme Court (111)	0900	\$343,043	\$343,043
42	Virginia State Bar (117)	0900	\$56,836	\$56,836
43	Department of	0200	\$206,500	\$206,500
44	Conservation and			
45	Recreation (199)			

1	Department of	0900	\$47,612	\$47,612
2	Conservation and			
3	Recreation (199)			
4	Department of Game and	0900	\$315,439	\$315,439
5	Inland Fisheries (403)			
6	Department of Historic	0900	\$144	\$144
7	Resources (423)			
8	Marine Resources	0200	\$26,282	\$26,282
9	Commission (402)			
10	Marine Resources	0900	\$8,205	\$8,205
11	Commission (402)			
12	Virginia Museum of	0200	\$4,460	\$4,460
13	Natural History (942)			
14	Alcoholic Beverage	0500	\$169	\$169
15	Control Authority (999)			
16	Department of Criminal	0200	\$72,779	\$72,779
17	Justice Services (140)			
18	Department of Criminal	0900	\$64,195	\$64,195
19	Justice Services (140)			
20	Department of Fire	0200	\$124,615	\$124,615
21	Programs (960)			
22	Department of State	0200	\$84,399	\$84,399
23	Police (156)			
24	Department of Military	0900	\$13,123	\$13,123
25	Affairs (123)			
26	Division of Community	0900	\$12,874	\$12,874
27	Corrections (767)			
28	Innovation &	0900	\$15,383	\$15,383
29	Entrepreneurship			
30	Investment Authority			
31	(934)			
32	Department of Aviation	0400	\$94,028	\$94,028
33	(841)			
34	Department of Motor	0400	\$3,728,268	\$3,728,268
35	Vehicles (154)			
36	Department of Rail &	0400	\$680,556	\$680,556
37	Public Transportation			
38	(505)			
39	Department of	0400	\$5,338,860	\$5,338,860
40	Transportation (501)			
41	Motor Vehicle Dealer	0200	\$15,065	\$15,065
42	Board (506)			
43	Virginia Port Authority	0200	\$170,539	\$170,539
44	(407)			

1		0400	\$80,916	\$80,916
2	Virginia Port Authority (407)			
3			\$12,965,823	\$12,965,823

4 2. Following the transfers authorized in paragraph F.1. of this section in the second year, the State Comptroller shall transfer
5 \$2,787,795 back to the Department of Motor Vehicles to replace the anticipated loss of driving privilege reinstatement fee
6 revenue.

7 G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia,
8 an amount estimated at \$632,398,647 the first year and ~~\$628,830,501~~\$613,449,864 the second year, from the Virginia Lottery
9 Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall
10 transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will
11 be made on a monthly basis, or until the amount estimated at \$632,398,647 the first year and ~~\$628,830,501~~\$613,449,864 the
12 second year has been transferred to the Lottery Proceeds Fund. Prior to June 20 of each year, the Virginia Lottery Executive
13 Director shall estimate the amount of profits in the Virginia Lottery Fund for the month of June and shall notify the State
14 Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

15 2. No later than 10 days after receipt of the annual audit report required by § 58.1-4022.1, Code of Virginia, the State
16 Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the Virginia Lottery Fund for the
17 prior fiscal year. If such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was
18 based, the State Comptroller shall adjust the next monthly transfer from the Virginia Lottery Fund to account for the difference
19 between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all
20 actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of
21 Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds
22 Fund as specified in § 58.1-4022.1, Code of Virginia.

23 H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and
24 which receives investment income. The assessed fees, which are estimated to generate \$3,000,000 the first year and \$3,000,000
25 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into
26 the general fund of the state treasury.

27 2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the
28 Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in
29 addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public
30 institutions of higher education, which are estimated to generate \$100,000 the first year and \$100,000 the second year, shall be
31 paid into the general fund of the state treasury.

32 3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing
33 structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount
34 financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be
35 paid into the general fund of the state treasury.

36 4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an
37 administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of
38 issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$50,000 the first year and
39 \$50,000 the second year, and shall be paid into the general fund of the state treasury.

40 I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received
41 from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance
42 of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

43 J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any
44 amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

45 K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer,
46 notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of
47 Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$4,500,000 the first year and
48 \$4,500,000 the second year.

49 2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the State Comptroller
50 to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the
51 official revenue forecast for such collections.

52 L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical
53 Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed

- 1 \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated
2 amounts to the Trust Fund on July 15 of each year.
- 3 2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance
4 Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.
- 5 M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game
6 Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this
7 transfer shall not exceed \$11,000,000 the first year and \$11,000,000 the second year. Notwithstanding § 58.1-638 E, on or before
8 June 30 of the first year and June 30 of the second year, the State Comptroller shall transfer to the Virginia Port Authority
9 \$1,350,000 of the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia, to enhance and improve recreation
10 opportunities for boaters, including but not limited to land acquisition, capital projects, maintenance, and facilities for boating access
11 to the waters of the Commonwealth pursuant to the provisions of Senate Bill 693, 2018 Session of the General Assembly.
- 12 N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community
13 Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount
14 represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of
15 the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code
16 of Virginia.
- 17 2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an
18 amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement
19 Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998
20 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.
- 21 O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,000,000 the first year and ~~\$3,000,000~~
22 ~~\$2,400,000~~ the second year from the Court Debt Collection Program Fund at the Department of Taxation.
- 23 P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$7,400,000 the first year and \$7,400,000
24 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that
25 would otherwise have been transferred to the State Corporation Commission.
- 26 Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$5,000,000 the first year and an
27 amount estimated at \$5,000,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the
28 Department of Criminal Justice Services.
- 29 R. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,364,585 the first year and \$3,864,585
30 the second year from operating efficiencies to be implemented by the Alcoholic Beverage Control Authority.
- 31 S.1. The State Comptroller shall transfer quarterly, one-half of the revenue received pursuant to § 18.2-270.01, of the Code of
32 Virginia, and consistent with the provisions of § 3-6.03 of this act, to the general fund in an amount not to exceed \$8,055,000 the
33 first year; and ~~\$1,859,900~~ the second year from the Trauma Center Fund contained in the Department of Health's Financial
34 Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).
- 35 2. *On or before June 30 in the second year, the State Comptroller shall transfer \$5,000,000 from the general fund to the Trauma*
36 *Center Fund contained in the Department of Health's Financial Assistance for Non Profit Emergency Medical Services*
37 *Organizations and Localities (40203).*
- 38 T. On or before June 30 each year, the State Comptroller shall transfer \$600,000 the first year and \$466,600 the second year to the
39 general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.
- 40 U. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of
41 state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance
42 from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not apply to institutions of higher
43 education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and
44 Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to
45 restore certain balances that have been transferred.
- 46 V.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The Commonwealth may enter
47 into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local
48 governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.
- 49 2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the
50 Brunswick Correctional Center shall be paid into the general fund.
- 51 W. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund
52 created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 344, 395, and 420 of this act, for the purposes enumerated in

1 Section 17.1-275.12.

2 X. On or before June 30 each year, the State Comptroller shall transfer \$10,518,587 the first year and \$10,518,587 the second
3 year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical
4 services fund contained in the Department of Health's Emergency Medical Services Program (40200).

5 Y. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State
6 Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund
7 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$106,451 the first year and \$106,451
the second year.

8 Z. Any amount designated by the State Comptroller from the June 30, 2018, or June 30, 2019, general fund balance for
9 transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

10 AA. The Department of General Services, with the cooperation and support of the Department of Behavioral Health and
11 Developmental Services, is authorized to sell to Virginia Electric and Power Company, a Virginia corporation d/b/a Dominion
12 Virginia Power, for such consideration as the Governor may approve, a parcel of land containing approximately 15 acres along
13 the northern property line of Southside Virginia Training Center. After deduction of the expenses incurred by the Department
14 of General Services in the sale of the property, the proceeds of the sale shall be deposited to the Behavioral Health and
15 Developmental Services Trust Fund established pursuant to § 37.2-318, Code of Virginia. Any conveyance shall be approved
16 by the Governor or his designee in the manner set forth in § 2.2-1150, Code of Virginia.

17 BB. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the State Health Insurance Fund (Fund
18 06200) the balance from the Administration of Health Benefits Services Fund (Fund 06220) at the Department of Human
19 Resource Management.

20 CC. The Department of General Services is authorized to dispose of the following property currently owned by the Department
21 of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White
22 Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government
23 entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the
24 properties shall be deposited into the general fund no later than June 30, 2018 .

25 DD. The State Comptroller shall deposit an additional \$300,000 to the general fund on or before June 30, 2019, and an
26 additional \$800,000 to the general fund on or before June 30, 2020, from the fees generated by the Firearms Transaction and
27 Concealed Weapons Permit Programs at the Department of State Police.

28 EE.1. On or before June 30 each year, the State Comptroller shall transfer \$4,414,446 the first year and \$273,627 the second
29 year to the general fund from agency nongeneral funds, as detailed below, to fund a portion of the nongeneral share of costs for
30 the expedited repayment of deferred contributions to the Virginia Retirement System authorized in Chapter 732, 2016 Acts of
31 Assembly.

32	Agency Name	Fund Detail	FY 2019	FY 2020
33	Supreme Court (111)	02800	\$13,506	
34	Virginia State Bar (117)	09117	\$132,793	
35	Department of	02870	\$17,828	
36	Emergency Management			
37	(127)			
38	Department of Motor	04540	\$417,507	
39	Vehicles (154)			
40	Department of Motor	04100	\$31,425	
41	Vehicles (154)			
42	Wilson Workforce and	02203	\$92,218	\$92,217
43	Rehabilitation Center			
44	(203)			
45	Board of Bar Examiners	02233	\$11,896	
46	(233)			
47	Department for Aging	02262	\$4,665	\$4,667
48	and Rehabilitative			

1	Services (262)			
2	Department for Aging	02800	\$53,670	\$53,670
3	and Rehabilitative			
4	Services (262)			
5	Department of	02149	\$63	
6	Environmental Quality			
7	(440)			
8	Department of	02440	\$420	
9	Environmental Quality			
10	(440)			
11	Department of	02450	\$309	
12	Environmental Quality			
13	(440)			
14	Department of	02800	\$6,575	
15	Environmental Quality			
16	(440)			
17	Department of	05100	\$5048	
18	Environmental Quality			
19	(440)			
20	Department of	09024	\$1,622	
21	Environmental Quality			
22	(440)			
23	Department of	09042	\$5	
24	Environmental Quality			
25	(440)			
26	Department of	09060	\$34	
27	Environmental Quality			
28	(440)			
29	Department of	09070	\$47	
30	Environmental Quality			
31	(440)			
32	Department of	09080	\$873	
33	Environmental Quality			
34	(440)			
35	Department of	09110	\$1,682	
36	Environmental Quality			
37	(440)			
38	Department of	09190	\$914	
39	Environmental Quality			
40	(440)			
41	Department of	09143	\$2,891	
42	Environmental Quality			
43	(440)			
44	Department of	09250	\$10	
45	Environmental Quality			
46	(440)			
47	Department of	09640	\$454	
48	Environmental Quality			
49	(440)			
50	Department of Health	02000	\$163,259	
51	(601)			
52	Department of Health	02030	\$3,873	
53	(601)			
54	Department of Health	02063	\$7,577	
55	(601)			
56	Department of Health	02110	\$17,839	
57	(601)			

1	Department of Health	02130	\$100,099	
2	(601)			
3	Department of Health	02150	\$3,927	
4	(601)			
5	Department of Health	02260	\$2,400	
6	(601)			
7	Department of Health	02480	\$112,729	
8	(601)			
9	Department of Health	02800	\$1,707,240	
10	(601)			
11	Department of Health	09013	\$51,751	
12	(601)			
13	Department of Health	09100	\$3,927	
14	(601)			
15	Department of Health	09312	\$23,326	
16	(601)			
17	Department for the	05910	\$32,019	\$32,019
18	Blind and Vision			
19	Impaired (702)			
20	Department of Social	02022	\$39,869	\$39,870
21	Services (765)			
22	Department of Social	02043	\$39,869	\$39,870
23	Services (765)			
24	Department of Juvenile	02777	\$9,389	
25	Justice (777)			
26	Department of	02711	\$147,786	
27	Corrections (799)			
28	Department of	02320	\$23,995	
29	Corrections (799)			
30	Department of	09530	\$68,864	
31	Corrections (799)			
32	Virginia Foundation for	09430	\$11,313	\$11,314
33	Healthy Youth (852)			
34	Commonwealth's	02957	\$561	
35	Attorneys' Services			
36	Council (957)			
37	Department of Fire	02180	\$44,614	
38	Programs (960)			
39	Alcoholic Beverage	05001	\$1,001,765	
40	Control Authority (999)			
41			\$4,414,446	\$273,627

42 2. Out of the amounts listed above, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount
43 estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from transfers from
44 internal service funds identified in this list. The State Comptroller shall notify the Director, Department of Planning and Budget
45 of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

46 FF. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Health Insurance Fund - Local (Fund
47 05200) at the Administration of Health Insurance the balance from the Administration of Local Benefits Services Fund (Fund
48 05220) at the Department of Human Resource Management.

1 GG. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Line of Duty Death and Health Benefits
2 Trust Fund (Fund 07420) at the Administration of Health Insurance the balance from the Administration of Health Benefits Payment
3 - LODA Fund (Fund 07422) at the Department of Human Resource Management.

4 HH. On or before June 30, of each fiscal year, the State Comptroller shall transfer \$154,743 from Special Funds of the Department
5 of Behavioral Health and Developmental Services (720) to Special Funds at the Office of the State Inspector General (147).

6 II. The Department of General Services, with the cooperation and support of the Department of Agriculture and Consumer Services,
7 is authorized to sell, for such consideration and the Governor may approve, a portion of the Eastern Shore Farmers Market, including
8 the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410.
9 Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation
10 options under federal tax law of any outstanding tax-exempt bonds on the property. After deduction of the expenses incurred by the
11 Department of Agriculture and Consumer Services, any proceeds that remain shall be deposited to the general fund no later than
12 June 30, 2020. Any conveyance shall be approved by the Governor in a manner set forth in §2.2-1150, Code of Virginia.

13 JJ. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balance of the
14 Disaster Recovery Fund (Fund 02460) at the Virginia Department of Emergency Management that was received as a federal cost
15 recovery. The amounts transferred represent repayment of the sum sufficient fund originally appropriated for federally-declared
16 emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be
17 transferred by June 1 of each year.

18 KK. Notwithstanding the provisions of subsection A of § 58.1-662, Code of Virginia, and in addition to clause (i) and (ii) of that
19 subsection, monies in the Communications Sales and Use Tax Trust Fund shall not be allocated to the Commonwealth's counties,
20 cities, and towns until after an amount equal to \$2,000,000 the first year is allocated to the general fund. The State Comptroller shall
21 deposit to the general fund \$2,000,000 on or before June 30, 2019 and an additional \$2,000,000 on or before June 30, 2020 from the
22 revenues received from the Communications Sales and Use Tax.

23 LL. As required by §4-1.05 b of Chapter 2, 2018 Special Session I, \$168,434 in various inactive nongeneral fund accounts were
24 reverted by the State Comptroller to the general fund in the first year *and \$38,816 in the second year.*

25 MM. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to
26 the general fund pursuant to Item 58 of this act is estimated at \$14,000,000 the first year and ~~\$500,000~~ \$5,902,740 the second year.

27 *NN. Notwithstanding any other provision of law, on or before June 30, of the second year, the State Comptroller shall transfer all*
28 *remaining balances, estimated at \$23,000,000, to the general fund from the Taxpayer Relief Fund established pursuant to Enactment*
29 *5 of Chapter 17 and 18, 2019 Acts of Assembly.*

30 *OO. On or before June 30, 2020, the State Comptroller shall transfer to the general fund an amount estimated at \$12,706,315 from*
31 *Special Fund balances of the Virginia Growth and Opportunity Fund.*

32 § 3-1.02 INTERAGENCY TRANSFERS

33 The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$388,254 the first year and \$388,254 the
34 second year to the Department of General Services for motor fuels testing.

35 § 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

36 A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative year-to-date
37 disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized to draw cash
38 temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related to commodity
39 boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately required by the general
40 fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of the cash drawdown from any
41 particular nongeneral fund shall be limited to the excess of the cash balance of such fund over the amount otherwise necessary to
42 meet the short-term disbursement requirements of that nongeneral fund. The State Comptroller will ensure that those funds will be
43 replenished in the normal course of business.

44 B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the State
45 Treasurer is authorized to borrow, temporarily, required funds from cash balances within the Transportation Trust Fund, where such
46 trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not otherwise
47 needed to meet the short-term disbursement needs of the Transportation Trust Fund, including any debt service and debt coverage
48 needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are consistent with the terms
49 and conditions of all bond documents, if any, that are relevant to the Transportation Trust Fund.

50 C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on the
51 amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the Transportation Trust Fund at the earliest
52 practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however, that such
53 borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the rate per annum

1 equal to the then current one-year United States Treasury Obligation Note rate.

2 D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth
 3 Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of
 4 temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is
 5 authorized to make, at least monthly, interest payments to the Transportation Trust Fund.

6 **§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT**

7 § 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

8 A. The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of
 9 \$125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

10 B. The State Comptroller shall provide a Working Capital Advance for up to \$11,553,000 to the Department of Veterans
 11 Services, on July 1 of the second year, to operate the Puller and Jones & Cabacoy Veterans Care Centers, to be repaid from
 12 revenue generated by the facilities.

13 § 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

14 The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services
 15 received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of
 16 such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand
 17 against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate
 18 working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be
 19 restored to the agency appropriation by direction of the Governor.

20 § 3-2.03 LINES OF CREDIT

21 a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

22	Administration of Health Insurance, Health Benefits Services	\$75,000,000
23	Administration of Health Insurance, Line of Duty Act	\$10,000,000
24	Department of Accounts, for the Payroll Service Bureau	\$400,000
25	Department of Accounts, Transfer Payments	\$5,250,000
26	Alcoholic Beverage Control Authority	\$60,000,000
27	Department of Corrections, for Virginia Correctional	\$1,000,000
28	Enterprises	
29	Department of Corrections, for Educational Grant Processing	300,000
30	Department of Emergency Management	\$150,000
31	Department of Environmental Quality	\$5,000,000
32	Department of Human Resource Management, for the	\$10,000,000
33	Workers' Compensation Self Insurance Trust Fund	
34	Department of Behavioral Health and Developmental Services	\$30,000,000
35	Department of Medical Assistance Services, for the Virginia	\$12,000,000
36	Health Care Fund	
37	Department of Motor Vehicles	\$5,000,000
38	Department of the Treasury, for the Unclaimed Property Trust	\$5,000,000
39	Fund	
40	Department of the Treasury, for the State Insurance Reserve	\$25,000,000
41	Trust Fund	
42	Virginia Lottery	\$40,000,000
43		\$56,000,000
44	Virginia Information Technologies Agency	\$165,000,000
45	Virginia Tobacco Settlement Foundation	\$3,000,000
46	Department of Historic Resources	\$600,000
47	Department of Fire Programs	\$30,000,000
48	Compensation Board	\$8,000,000
49	Department of Conservation and Recreation	\$4,000,000
50	Department of Military Affairs, for State Active Duty	\$5,000,000
51	Department of Military Affairs, for Federal Cooperative	\$21,000,000

1	Agreements	
2	Innovation and Entrepreneurship Authority	\$2,500,000
3	Department of Motor Vehicles	\$10,500,000
4	Virginia Parole Board	\$50,000

5 b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including,
6 but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not
7 apply to these lines of credit.

8 c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish
9 guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation
10 of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the
11 agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation
12 and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of
13 Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall
14 the advances to an agency or institution exceed \$1,000,000 nor the repayment begin more than one year following the
15 implementation or extend beyond a repayment period of seven years.

16 d. The State Comptroller is hereby authorized to provide lines of credit of up to \$2,500,000 to the Department of Motor Vehicles and
17 up to \$2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's
18 establishment of Uniform Carrier Registration.

19 e. The Virginia Lottery is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the
20 year and to provide cash to the Virginia Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery
21 Proceeds Fund in the month of June, as specified in provisions of § 3-1.01G. of this act. The Virginia Lottery shall repay the line of
22 credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the Virginia
23 Lottery if necessary to meet operating needs.

24 f. The State Comptroller is hereby authorized to provide a line of credit of up to \$5,000,000 to the Department of Military Affairs to
25 cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is
26 reimbursed from federal or other funds, other than Department of Military Affairs funds.

27 g. The Innovation and Entrepreneurship Investment Authority is hereby authorized to use its line of credit to meet cash flow needs at
28 any time during the year in support of operational costs in anticipation of reimbursement of said expenditures from signed contracts
29 and grant awards. The Innovation and Entrepreneurship Investment Authority shall repay the line of credit by June 30 of each fiscal
30 year.

31 h. The Department of Human Resource Management shall repay the local health insurance option program's initial start-up costs,
32 funded through the line of credit authorized in Chapter 836, 2017 Acts of Assembly, in fiscal years 2017 and 2018, over a period not
33 to exceed ten years from the health insurance premiums paid by the local health insurance option program's participants.

34 **§ 3-3.00 GENERAL FUND DEPOSITS**

35 § 3-3.01 PAYMENT BY THE STATE TREASURER

36 The state Treasurer shall transfer an amount estimated at \$50,000 on or before June 30, 2019 and an amount estimated at \$50,000 on
37 or before June 30, 2020, to the general fund from excess 9(c) sinking fund balances.

38 **§ 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION**

39 § 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

40 A. 1. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary
41 enterprise programs as certified by institutions of higher education to the Comptroller subject to annual audit by the Auditor of
42 Public accounts. The State Comptroller shall credit those institutions meeting this requirement with the interest earned by the
43 investment of the funds of their auxiliary enterprise programs.

44 2. *The University of Virginia's College at Wise is authorized to suspend the transfer of the recovery of the full indirect cost of*
45 *auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium.*

46 B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the State
47 Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and C-36.40 of
48 Chapter 924, 1997 Acts of Assembly.

49 **§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS**

50 § 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

1 Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to § 58.1-
2 2531 shall not be reduced by more than \$266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States
3 available under § 58.1-2510.

4 §3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND

5 Notwithstanding the provisions of § 58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the
6 fee imposed under subdivision A3 of § 58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct
7 costs of administering the fee are recovered by the Department of Taxation.

8 § 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I

9 Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established
10 under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall
11 be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed
12 pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect
13 such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to
14 localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The
15 estimated amount of such transfers are \$389,900,000 the first year and ~~\$409,300,000~~ \$421,600,000 the second year.

16 § 3-5.04 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS

17 Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales
18 and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of
19 Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax
20 Commissioner shall develop procedures for such refunds.

21 § 3-5.05 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

22 Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1,
23 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as
24 required to be reported under § 17.1-283.

25 § 3-5.06 ACCELERATED SALES TAX

26 A. Notwithstanding any other provision of law, in addition to the amounts required under the provisions of §§58.1-615 and
27 58.1-616, any dealer as defined by §58.1-612 or direct payment permit holder pursuant to §58.1-624 with taxable sales and
28 purchases of \$1,000,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding
29 calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June.
30 Such tax payments shall be made on or before the 30th day of June, if payments are made by electronic fund transfer, as
31 defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before
32 the 25th day of June. Every dealer or direct payment holder shall be entitled to a credit for the payment under this section on the
33 return for June of the current year due July 20.

34 B. The Tax Commissioner may develop guidelines implementing the provisions of this section. Such guidelines shall be
35 exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

36 C. For purposes of this section, taxable sales or purchases shall be computed without regard to the number of certificates of
37 registration held by the dealer. The provisions of this section shall not apply to persons who are required to file only a Form
38 ST-7, Consumer's Use Tax Return.

39 D. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or
40 full payment of the sales and use tax liability as provided in subsection A shall subject the dealer or direct payment permit
41 holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax
42 Commissioner. Interest shall accrue as provided in § 58.1-15. The payment required by this section shall become delinquent on
43 the first day following the due date set forth in this section if not paid.

44 E. Payments made pursuant to this section shall be made in accordance with procedures established by the Tax Commissioner
45 and shall be considered general fund revenue, except with respect to those revenues required to be distributed under the
46 provisions of §§ 58.1-605, 58.1-606, 58.1-638(A), 58.1-638(G)-(H), 58.1-638.2, and 58.1-638.3 of the Code of Virginia.

47 F. That the State Comptroller shall make no distribution of the taxes collected pursuant to this section in accordance with §§
48 58.1-605, 58.1-606, 58.1-638, 58.1-638.1, 58.1-638.2 and 58.1-638.3 of the Code of Virginia until the Tax Commissioner
49 makes a written certification to the Comptroller certifying the sales and use tax revenues generated pursuant to this section. The
50 Tax Commissioner shall certify the sales and use tax revenues generated as soon as practicable after the sales and use tax
51 revenues have been paid into the state treasury in any month for the preceding month.

1 G.1. Beginning with the tax payment that would be remitted on or before June 25, 2019, if the payment is made by other than
 2 electronic fund transfers, and by June 30, 2019, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of
 3 Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of
 4 \$4,000,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

5 2. Beginning with the tax payment that would be remitted on or before June 25, 2020, if the payment is made by other than
 6 electronic fund transfers, and by June 30, 2020, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of
 7 Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of
 8 \$10,000,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

9 § 3-5.07 DISCOUNTS AND ALLOWANCES

10 A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation
 11 allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied under §§ 58.1-603 and
 12 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available
 13 to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and
 14 58.1-604, Code of Virginia:

15 Monthly Taxable Sales	Percentage
16 \$0 to \$62,500	1.6%
17 \$62,501 to \$208,000	1.2%
18 \$208,001 and above	0.8%

19 B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation
 20 available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

21 C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

22 § 3-5.08 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

23 The sales and use tax revenue for distribution to the Highway Maintenance and Operating Fund shall be consistent with Chapter 766,
 24 2013 Acts of Assembly.

25 § 3-5.09 INTANGIBLE HOLDING COMPANY ADDBACK

26 Notwithstanding the provisions of § 58.1-402(B)(8), Code of Virginia, for taxable years beginning on and after January 1, 2004:

27 (i) The exception in § 58.1-402(B)(8)(a)(1) for income that is subject to a tax based on or measured by net income or capital
 28 imposed by Virginia, another state, or a foreign government shall be limited *to* and apply only to the portion of such income received
 29 by the related member *that owns the intangible property*, which portion is attributed to a state or foreign government in which the
 30 *such* related member has sufficient nexus to be *itself* subject to such taxes; and

31 (ii) The exception in § 58.1-402(B)(8)(a)(2) for a related member deriving at least one-third of its gross revenues from licensing to
 32 unrelated parties shall be limited and apply ~~only~~ to the portion of such income *received by the related member that owns the*
 33 *intangible property and* derived from licensing agreements for which the rates and terms are comparable to the rates and terms of
 34 agreements that ~~the~~ *such* related member has ~~actually~~ entered into with unrelated entities.

35 § 3-5.10 REGIONAL FUELS TAX

36 Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation
 37 districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the
 38 shares collected in the respective member jurisdictions. However, no funds shall be collected pursuant to § 58.1-2291 et seq., Code
 39 of Virginia, from levying the additional sales tax on aviation fuel as that term is defined in § 58.1-2201, Code of Virginia.

40 § 3-5.11 DEDUCTION FOR ABLE ACT CONTRIBUTIONS

41 A. Effective for taxable years beginning on or after January 1, 2016, an individual shall be allowed a deduction from Virginia
 42 adjusted gross income as defined in § 58.1-321, Code of Virginia, for the amount contributed during the taxable year to an ABLE
 43 savings trust account entered into with the Virginia College Savings Plan pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1,
 44 Code of Virginia. The amount deducted on any individual income tax return in any taxable year shall be limited to \$2,000 per ABLE
 45 savings trust account. No deduction shall be allowed pursuant to this section if such contributions are deducted on the contributor's
 46 federal income tax return. If the contribution to an ABLE savings trust account exceeds \$2,000 the remainder may be carried
 47 forward and subtracted in future taxable years until the ABLE savings trust contribution has been fully deducted; however, in no
 48 event shall the amount deducted in any taxable year exceed \$2,000 per ABLE savings trust account.

49 B. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, Code of Virginia, any deduction taken
 50 hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other

1 than (i) to pay qualified disability expenses, as defined in § 529A of the Internal Revenue Code; or (ii) the beneficiary's death.

2 C. A contributor to an ABLE savings trust account who has attained age 70 shall not be subject to the limitation that the amount
3 of the deduction not exceed \$2,000 per ABLE savings trust account in any taxable year. Such taxpayer shall be allowed a
4 deduction for the full amount contributed to an ABLE savings trust account, less any amounts previously deducted.

5 D. The Tax Commissioner shall develop guidelines implementing the provisions of this section, including but not limited to the
6 computation, carryover, and recapture of the deduction provided under this section. Such guidelines shall be exempt from the
7 provisions of the Administrative Process Act (§ 2.2-4000 et seq., Code of Virginia).

8 § 3-5.12 RETAIL SALES AND USE TAX EXEMPTION FOR RESEARCH FOR FEDERALLY FUNDED RESEARCH AND
9 DEVELOPMENT CENTERS

10 A. Notwithstanding any other provision of law or regulation, and beginning July 1, 2016 and ending June 30, 2018, the retail
11 sales and use tax exemption provided for in subdivision 5 of § 58.1-609.3 of the Code of Virginia, applicable to tangible
12 personal property purchased or leased for use or consumption directly and exclusively in basic research or research and
13 development in the experimental or laboratory sense, shall apply to such property used in a federally funded research and
14 development center, regardless of whether such property is used by the purchaser, lessee, or another person or entity.

15 B. Notwithstanding any other provision of law, beginning July 1, 2018, tangible personal property purchased by a federally
16 funded research and development center sponsored by the U.S. Department of Energy shall be exempt from the retail sales and
17 use tax.

18 C. Nothing in this section shall be construed to relieve any federally funded research and development center of any liability for
19 retail sales and use tax due for the purchase of tangible personal property pursuant to the law in effect at the time of the
20 purchase.

21 § 3-5.13 ADMISSIONS TAX

22 Notwithstanding the provisions of § 58.1-3818.02, Code of Virginia, or any other provision of law, subject to the execution of a
23 memorandum of understanding between an entertainment venue and the County of Stafford, Stafford County is authorized to
24 impose a tax on admissions to an entertainment venue located in the county that (i) is licensed to do business in the county for
25 the first time on or after July 1, 2015, and (ii) requires at last 75 acres of land for its operations, and (iii) such land is purchased
26 or leased by the entertainment venue owner on or after June 1, 2015. The tax shall not exceed 10 percent of the amount of
27 charge for admission to any such venue. The provisions of this section shall expire on July 1, 2019 if no entertainment venue
28 exists in Stafford County upon which the tax authorized is imposed.

29 § 3-5.14 SUNSET DATES FOR INCOME TAX CREDITS AND SALES AND USE TAX EXEMPTIONS

30 A. Notwithstanding any other provision of law the General Assembly shall not advance the sunset date on any existing sales tax
31 exemption or tax credit beyond June 30, ~~2022~~ 2025. ~~Any new sales tax exemption or tax credit enacted by the General~~
32 ~~Assembly prior to the 2021 regular legislative session shall have a sunset date not later than June 30, 2022~~ *Any new sales tax*
33 *exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2024*
34 *regular legislative session, shall have a sunset date of not later than June 30, 2025.* However, this requirement shall not apply
35 to tax exemptions administered by the Department of Taxation under § 58.1-609.11, relating to exemptions for nonprofit
36 entities nor shall it apply to exemptions or tax credits with sunset dates after June 30, 2022, enacted or advanced during the
37 2016 Session of the General Assembly.

38 B. By November 1, 2020, the Department of Taxation shall report to every member of the General Assembly and to the Joint
39 Subcommittee to Evaluate Tax Preferences, on the revenue impact of every sales tax exemption and tax credit scheduled to
40 expire on or before June 30, ~~2022~~ 2025. The report shall include the prior fiscal year's state and local sales tax impact of each
41 expiring sales tax exemption, and the prior fiscal year's general fund revenue impact of each expiring tax credit. The tax credit
42 revenue impact analysis shall be inclusive of credits claimed against any tax imposed under Title 58.1 of the Code of Virginia.

43 C. The Department shall provide an updated revenue impact report no later than November 1, 2025, and every five years
44 thereafter, for sales tax exemptions and tax credits set to expire within two years following the date of the report. Such reports
45 shall be distributed to every member of the General Assembly and to the Joint Subcommittee to Evaluate Tax Preferences.

46 § 3-5.15 PROVIDER COVERAGE ASSESSMENT

47 A. The Department of Medical Assistance Services (DMAS) is authorized to levy an assessment upon private acute care
48 hospitals operating in Virginia in accordance with this Item. Private acute care hospitals operating in Virginia shall pay a
49 coverage assessment beginning on or after October 1, 2018. For the purposes of this coverage assessment, the definition of
50 private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's
51 hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

52 B.1. The coverage assessment shall be used only to cover the non-federal share of the "full cost of expanded Medicaid

1 coverage" for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care
 2 Act, including the administrative costs of collecting the coverage assessment and implementing and operating the coverage for
 3 newly eligible adults which includes the costs of administering the provisions of the Section 1115 waiver.

4 2.a. The "full cost of expanded Medicaid coverage" shall include: 1) any and all Medicaid expenditures related to individuals eligible
 5 for Medicaid pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including any federal
 6 actions or repayments; and, 2) all administrative costs associated with providing coverage, which includes the costs of administering
 7 the provisions of the Section 1115 waiver, and collecting the coverage assessment.

8 b. The "full cost of expanded Medicaid coverage" shall be updated: 1) on November 1 of each year based on the official Medicaid
 9 forecast and latest administrative cost estimates developed by DMAS; 2) no more than 30 days after the enactment of this Act to
 10 reflect policy changes adopted by the latest session of the General Assembly; and 3) on March 1 of any year in which DMAS
 11 estimates that the most recent non-federal share of the "full cost of expanded Medicaid coverage" times 1.08 will be insufficient to
 12 pay all expenses in 2.a. for that year.

13 c. This Act estimates the non-federal share of the cost of Medicaid expansion to be \$86,103,345 the first year and \$293,192,716 the
 14 second year. However, these amounts shall not be construed as a limitation on collections or override the provisions of this item that
 15 allow for periodic updates of the full cost of coverage.

16 C. 1. The Department of Medical Assistance Services (DMAS) shall calculate each hospital's "coverage assessment amount" by
 17 multiplying the "coverage assessment percentage" times "net patient service revenue" as defined below.

18 2. The "coverage assessment percentage" shall be calculated as (i) 1.08 times the non-federal share of the "full cost of expanded
 19 Medicaid coverage" divided by (ii) the total "net patient service revenue" for hospitals subject to the assessment.

20 3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI)
 21 "Hospital Detail Report." In FY 2019, net patient service revenue shall be prorated by the portion of the year subject to the tax.
 22 Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the
 23 following fiscal year.

24 D.1. DMAS shall, at a minimum, update the "coverage assessment amount" to be effective on January 1, of each year. DMAS is
 25 further authorized to update the "coverage assessment amount" on a quarterly basis to ensure amounts are sufficient to cover the full
 26 cost of expanded Medicaid coverage based on the latest estimate. Hospitals shall be given no less than 30 days' notice prior to a
 27 change in its coverage assessment amount and be provided with associated calculations. Prior to any change to the coverage
 28 assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Coverage Assessment Fund. Any
 29 estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or added to the "full cost of
 30 expanded Medicaid coverage" for the updated coverage assessment amount.

31 2. DMAS shall be responsible for collecting the coverage assessment amount. Hospitals subject to the coverage assessment shall
 32 make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year. In FY 2019, quarterly
 33 amounts for the remainder of the state fiscal year shall equal one-third of the coverage assessment. In the first year, the first coverage
 34 assessment payment shall be due on or after October 1, 2018.

35 3. Hospitals that fail to make the coverage assessment payments within 30 days of the due date shall incur a five percent penalty that
 36 shall be deposited in the Virginia Health Care Fund. Any unpaid coverage assessment or penalty will be considered a debt to the
 37 Commonwealth and DMAS is authorized to recover it as such.

38 E. DMAS shall submit a report due September 1 of each year to the Director, Department of Planning and Budget and Chairmen of
 39 the House Appropriations and Senate Finance Committees, and the Virginia Hospital and Healthcare Association. The report shall
 40 include, for the most recently completed fiscal year, the revenue collected from the coverage assessment, expenditures for purposes
 41 authorized by this Item, and the year-end coverage assessment balance in the Health Care Coverage Assessment Fund. The report
 42 shall also include a complete and itemized listing of all administrative costs included in the coverage assessment.

43 F. All revenue from the coverage assessment excluding penalties, shall be deposited into the Health Care Coverage Assessment
 44 Fund. Proceeds from the coverage assessment, excluding penalties, shall not be used for any other purpose than to cover the non-
 45 federal share of the full cost of expanded Medicaid coverage.

46 G. Any provision of this Item is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

47 H. The Hospital Payment Policy Advisory Council shall meet to consider the implementation and provisions of the Provider
 48 Coverage and Payment Rate Assessments in order to consider and make recommendations to ensure the collection and use of such
 49 funds are appropriate and consistent with the intent of the General Assembly. Specifically, the Council shall consider the level of
 50 detail and format necessary to develop the report pursuant to paragraph E. The Council shall recommend a format and associated
 51 level of detail, to be included in the report to the Joint Subcommittee for Health and Human Resources Oversight. The Joint
 52 Subcommittee shall approve the final format and associated level of detail of the report to be submitted by the Department of
 53 Medical Assistance Services.

1 § 3-5.16 PROVIDER PAYMENT RATE ASSESSMENT

2 A. The Department of Medical Assistance Services (DMAS) is hereby authorized to levy a payment rate assessment upon
3 private acute care hospitals operating in Virginia in accordance with this item. Private acute care hospitals operating in Virginia
4 shall pay a payment rate assessment beginning on or after October 1, 2018 when all necessary state plan amendments are
5 approved by the Centers for Medicare and Medicaid Services (CMS). For purposes of this assessment, the definition of private
6 acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals,
7 long stay hospitals, long-term acute care hospitals and critical access hospitals.

8 B. Proceeds from the payment rate assessment shall be used to i) fund an increase in inpatient and outpatient payment rates paid
9 to private acute care hospitals operating in Virginia up to the "upper payment limit gap" and ii) fill the "managed care
10 organization hospital payment gap" for care provided to recipients of medical assistance services. Payments made under the
11 provisions of this item shall be referred to as "private acute care hospital enhanced payments".

12 C.1. The Department of Medical Assistance Services (DMAS) shall calculate each hospital's "payment rate assessment
13 amount" by multiplying the "payment rate assessment percentage" times "net patient service revenue" as defined below.

14 2. The "payment rate assessment percentage" for hospitals shall be calculated as (i) 1.08 times the non-federal share of funding
15 the "private acute care hospitals enhanced payments" divided by (ii) the total "net patient service revenue" for hospital subject
16 to the assessment.

17 3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information
18 (VHI) "Hospital Detail Report." In FY 2019, net patient service revenue shall be prorated by the portion of the year subject to
19 the tax. Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment
20 basis for the following fiscal year.

21 D. DMAS is authorized to update the payment rate assessment amount on a quarterly basis to ensure amounts are sufficient to
22 cover the full cost of the private acute care hospital enhanced payments based on the latest estimate. Hospitals shall be given no
23 less than 30 days prior notice of the new assessment amount and be provided with calculations. Prior to any change to the
24 payment rate assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Provider Payment
25 Rate Assessment Fund. Any estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or
26 added to the calculation of the private acute care hospital enhanced payments.

27 E.1. The "upper payment limit" means the limit on payment for inpatient services for recipients of medical assistance
28 established in accordance with 42 C.F.R. § 447.272 and outpatient services for recipients of medical assistance pursuant to 42
29 C.F.R. § 447.321 for private hospitals. DMAS shall complete a calculation of the "upper payment limit" for each state fiscal
30 year with a detailed analysis of how it was determined. The "upper payment limit payment gap" means the difference between
31 the amount of the private hospital upper payment limit and the amount otherwise paid pursuant to the state plan for inpatient
32 and outpatient services. The "managed care organization hospital payment gap" means the difference between the amount
33 included in the capitation rates for inpatient and outpatient services based on historical paid claims and the amount that would
34 be included when the projected hospital services furnished by private acute care hospitals operating in Virginia are priced
35 according to the existing State Plan methodology but using 100% for the adjustment factors (including the capital
36 reimbursement percentage) and full inflation subject to CMS approval under 42 C.F.R. section 438.6(c). As part of the
37 development of the managed care capitation rates, the DMAS shall calculate a "Medicaid managed care organization (MCO)
38 supplemental hospital capitation payment adjustment". This is a distinct additional amount shall be added to Medicaid MCO
39 capitation rates to fund supplemental payments under this section to private acute care hospitals operating in Virginia for
40 services to Medicaid recipients.

41 2. DMAS shall contractually direct Medicaid MCOs to disburse supplemental hospital capitation payment funds consistent with
42 this section and 42 C.F.R. § 438.6(c), to ensure that all such funds are disbursed to private acute care hospitals operating in
43 Virginia. In addition, DMAS shall contractually prohibit MCOs from making reductions to or supplanting hospital payments
44 otherwise paid by MCOs.

45 3. DMAS shall make available quarterly a report of the additional capitation payments that are made to each MCO pursuant to
46 this item. Further, DMAS shall consider recommendations of the Medicaid Hospital Payment Policy and Advisory Council in
47 designing and implementing the specific elements of the payment rate assessment and private acute care hospital supplemental
48 payment program authorized by this item.

49 F.1. DMAS shall be responsible for collecting the payment rate assessment amount. Hospitals subject to the payment rate
50 assessment shall make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year. In
51 FY 2019, the first payment rate assessment payment shall be due on or after October 1, 2018.

52 2. Hospitals that fail to make the payment rate assessment payments within 30 days of the due date shall incur a five percent
53 penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid payment assessment or penalty will be considered
54 a debt to the Commonwealth and DMAS is authorized to recover it as such.

1 G. DMAS shall submit a report due September 1 of each year to the Director, Department of Planning and Budget and Chairmen of
 2 the House Appropriations and Senate Finance Committees. The report shall include, for the most recently completed fiscal year, the
 3 revenue collected from the payment rate assessment, expenditures for purposes authorized by this item, and the year-end assessment
 4 balance in the Health Care Provider Payment Rate Assessment Fund.

5 H. All revenue from the payment rate assessment shall be deposited into the Health Care Provider Payment Rate Assessment Fund, a
 6 special non-reverting fund in the state treasury. Proceeds from the payment rate assessment, excluding penalties, shall not be used
 7 for any other purpose than to fund (i) an increase in inpatient and outpatient payment rates paid to private acute care hospitals
 8 operating in Virginia up to the private hospital "upper payment limit" and "managed care organization hospital payment gap" for
 9 care provided to recipients of medical assistance services, and (ii) the administrative costs of collecting the assessment and of
 10 implementing and operating the associated payment rate actions.

11 J. Any provision of this Section is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

12 § 3-5.17 TOBACCO TAX STUDY

13 The Joint Subcommittee to Evaluate Tax Preferences is hereby directed to continue studying options for the modernization of
 14 § 58.1-1001(A), Code of Virginia, to reflect advances in science and technology in the area of tobacco harm reduction, and the role
 15 innovative non-combustible tobacco products can play in reducing harm, including products that produce vapor or aerosol from
 16 heating tobacco or liquid nicotine. In addition, the Joint Subcommittee shall study possible reforms to the taxation of tobacco
 17 products that will provide fairness and equity for all local governments and also ensure stable tax revenues for the Commonwealth.
 18 The Joint Subcommittee shall complete its study and submit a final report with recommended reforms to the Finance Committees of
 19 the Virginia Senate and Virginia House of Delegates by November 1, 2019. All agencies of the Commonwealth shall provide
 20 assistance for this study, upon request.

21 §3-5.18 HISTORIC PRESERVATION TAX CREDIT

22 Notwithstanding § 58.1-339.2 or any other provision of law, effective for taxable years beginning on and after January 1, 2017, the
 23 amount of the Historic Rehabilitation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior
 24 taxable years, shall not exceed \$5 million for any taxable year.

25 § 3-5.19 LAND PRESERVATION TAX CREDIT CLAIMED

26 Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2017, but
 27 before January 1, 2020, the amount of the Land Preservation Tax Credit that may be claimed by each taxpayer, including amounts
 28 carried over from prior taxable years, shall not exceed \$20,000

29 § 3-5.20. Omitted.

30 § 3-5.21 TAXPAYER RELIEF FUND

31 A. Notwithstanding any other provision of law, the Comptroller shall transfer any revenues generated by the individual reform
 32 provisions contained in Subtitle A of Title I and §§ 13611 - 13613 of the federal Tax Cuts and Jobs Act, P.L. 115-97 (2017), from the
 33 collection of taxes during Fiscal Years 2019 through 2025, estimated to be approximately \$450 million annually, beyond those
 34 revenues reasonably expected to be collected due to general economic growth and absent the federal policy changes, less the estimated
 35 reduction in revenues needed to implement the tax policy changes set forth in the first enactment of Chapters 17 and 18, 2019 Acts of
 36 Assembly for the relevant fiscal year, to the Taxpayer Relief Fund established pursuant to the fifth enactment of that Act. The
 37 Governor, in consultation with the State Comptroller and the Tax Commissioner, shall certify to the General Assembly on or before
 38 September 1 each year the estimated amount to be transferred to the Fund pursuant to this act.

39 B. For purposes of determining the amounts required to be deposited to the Revenue Stabilization Fund pursuant to Article X, Section
 40 8, Constitution of Virginia, the certified amounts for fiscal year 2019 shall not include any amounts transferred from the general fund to
 41 the Taxpayer Relief Fund that will be used to provide refunds pursuant to the fourth enactment of Chapters 17 and 18, 2019 Acts of
 42 Assembly.

43 C. For the purposes of determining the amounts required to be deposited to the Revenue Reserve Fund pursuant to § 2.2-1831.3, Code
 44 of Virginia, and the amounts required to be deposited to the Water Quality Improvement Fund pursuant to § 10.1-2128, Code of
 45 Virginia, general fund revenue collections shall not include any amounts transferred to the Taxpayer Relief Fund established pursuant
 46 to the fifth enactment of Chapters 17 and 18, 2019 Acts of Assembly.

47 § 3-5.22 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

48 Notwithstanding any other provision of law or regulation, in order to be eligible to receive an allocation of credits pursuant to § 58.1-
 49 439.20:1, Code of Virginia, at least 50 percent of the persons served by the neighborhood organization, either directly by the
 50 neighborhood organization or through the provision of revenues to other organizations or groups serving such persons, shall be low-

1 income persons or eligible students with disabilities and at least 50 percent of the neighborhood organization's revenues shall be
 2 used to provide services to low-income persons or to eligible students with disabilities, either directly by the neighborhood
 3 organization or through the provision of revenues to other organizations or groups providing such services. A tax credit shall be
 4 issued by the Superintendent of Public Instruction or the Commissioner of Social Services to an individual only upon receipt of a
 5 certification made by a neighborhood organization to whom tax credits were allocated for an approved program pursuant to §
 6 58.1-439.20, § 58.1-439.20:1 or this language.

7 **§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES**

8 § 3-6.01 RECORDATION TAX FEE

9 There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§
 10 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55-66.6, Code of
 11 Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated
 12 from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of
 13 the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this
 14 subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1-2128.1, Code
 15 of Virginia.

16 § 3-6.02 ANNUAL VEHICLE REGISTRATION FEE (\$4.25 FOR LIFE)

17 Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the
 18 time of registration of each pickup or panel truck and each motor vehicle shall be \$6.25.

19 § 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

20 Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund
 21 shall be \$100 the first year and \$0 the second year. In the second year, notwithstanding the provisions of § 46.2-395 of the
 22 Code of Virginia, no court shall suspend any person's privilege to drive a motor vehicle solely for failure to pay any fines, court
 23 costs, forfeitures, restitution, or penalties assessed against such person. The Commissioner of the Department of Motor
 24 Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to
 25 § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges. Nothing
 26 herein shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully
 27 suspended or revoked or if such person is otherwise ineligible for a driver's license.

28 § 3-6.04 ASSESSMENT OF ELECTRONIC SUMMONS FEE BY LOCALITIES

29 Nothing in § 17.1-279.1 of the Code of Virginia shall be construed to authorize any county, city, or town to assess the sum set
 30 forth therein upon any summons issued by a law-enforcement agency of the Commonwealth.

PART 4: GENERAL PROVISIONS

§ 4-0.00 OPERATING POLICIES

§ 4-0.01 OPERATING POLICIES

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

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

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

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

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

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

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

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

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

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

§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of

1 appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon
 2 which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other
 3 purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days
 4 after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House
 5 Appropriations and Senate Finance Committees.

6 2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations
 7 have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

8 c. Increased Nongeneral Fund Revenue:

9 1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues
 10 collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the
 11 operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments
 12 of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for
 13 educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations
 14 to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any
 15 state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually
 16 disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations
 17 for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other
 18 purpose.

19 2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program,
 20 following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by
 21 withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is
 22 prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations,
 23 which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.

24 d. Reduced General Fund Resources:

25 1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of
 26 the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium,
 27 and all unexpended balances brought forward from the previous biennium.

28 2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund
 29 appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold
 30 general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the
 31 estimated general fund resources available.

32 3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current
 33 fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared
 34 within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of
 35 general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance
 36 Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

37 4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the
 38 Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to
 39 the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

40 b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller
 41 shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes
 42 for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget
 43 estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income
 44 taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the
 45 official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund
 46 revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the
 47 Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following
 48 the close of the fiscal year.

49 5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved
 50 by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House
 51 Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be
 52 submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of
 53 appropriations.

54 b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state

1 agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's
2 Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means
3 to the Chairmen of the House Appropriations and Senate Finance Committees concurrently with that budget reduction plan.

4 6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

5 a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any
6 one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency
7 or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations
8 Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than
9 the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee
10 which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal
11 installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to
12 \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

13 b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its
14 authorities, or for payment of a legally authorized deficit.

15 c) The payments for care of graves of Confederate and historical African American dead.

16 d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement
17 System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional
18 Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan
19 for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and
20 disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia
21 Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the
22 appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the
23 current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for
24 health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be
25 increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed
26 in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the
27 governing board.

28 e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

29 f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

30 g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for
31 payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the
32 Executive Department.

33 h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting
34 revenues for such appropriation are estimated to be insufficient to pay the appropriation.

35 7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on
36 an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the
37 maximum of 15 percent, as prescribed in subdivision 6a of this subsection.

38 8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the
39 appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund
40 appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations;
41 however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of
42 reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in
43 accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance,
44 House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined
45 as Highway Maintenance and Operating Fund and Transportation Trust Fund.

46 9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year
47 of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to
48 the following:

49 a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal
50 emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer
51 within five calendar days of the transfer;

52 b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of
53 Virginia, debt service funds, or federal funds; and

1 c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the
2 amount transferred from each account or fund and recommendations for restoring such amounts.

3 10. The Director, Department of Planning and Budget, shall make available via electronic means a report of spending authority
4 withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees
5 within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation
6 item.

7 11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between
8 projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of
9 the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General
10 Assembly.

11 § 4-1.03 APPROPRIATION TRANSFERS

12 GENERAL

13 a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state
14 or other agency to another, to effect the following:

15 1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies
16 in accordance with specific language in the central appropriation establishing reversion clearing accounts;

17 2) distribution of pass-through grants or other funds held by an agency as fiscal agent;

18 3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House
19 Appropriations and Senate Finance Committees;

20 4) proper accounting between fund sources 0100 and 0300 in higher education institutions;

21 5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;

22 6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or
23 scope; or

24 7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly,
25 pursuant to a signed agreement between the respective agencies.

26 b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an
27 agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly,
28 unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for
29 local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without
30 advance notice to the Chairmen of the House Appropriations and Senate Finance Committees. Further, any transfers between
31 capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

32 c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer
33 operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the
34 Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may
35 occur during the biennium.

36 2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health
37 and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts
38 required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

39 3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services
40 to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for
41 reimbursement of services provided to eligible children.

42 4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other
43 agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by
44 the General Assembly to be effective during the current biennium.

45 5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with
46 said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five
47 calendar days of the transfer, when the expenditure of such funds is required to:

48 a) address a threat to life, safety, health or property, or

- 1 b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those
2 services at the present level, or
- 3 c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a
4 situation deemed threatening to life, safety, health, or property, or
- 5 d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2,
6 Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States
7 military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia,
8 or
- 9 e) continue a program at the present level of service or at an increased level of service when required to address unanticipated
10 increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or
- 11 f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that
12 any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.
- 13 6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically
14 for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and
15 accounting systems.
- 16 7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project
17 of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project
18 shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.
- 19 8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia
20 (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title
21 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions
22 from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning
23 and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if
24 necessary to fulfill the requirements of § 15.2-1302.
- 25 § 4-1.04 APPROPRIATION INCREASES
- 26 a. UNAPPROPRIATED NONGENERAL FUNDS:
- 27 1. Sale of Surplus Materials:
- 28 The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the
29 amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.
- 30 2. Insurance Recovery:
- 31 The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of
32 the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to
33 pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.
- 34 3. Gifts, Grants and Other Nongeneral Funds:
- 35 a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of
36 Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of
37 donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year.
38 Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:
- 39 1) address a threat to life, safety, health or property or
- 40 2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in
41 order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or
- 42 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a
43 situation deemed threatening to life, safety, health, or property, or
- 44 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated
45 increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will
46 benefit the state's economy, or
- 47 5) participate in a federal or sponsored program provided that the provisions of § 4-5.03 shall also apply to increases in
48 appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a condition of

- 1 their acceptance; or
- 2 6) realize cost savings in excess of the additional funds provided, or
- 3 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or
- 4 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or
- 5 9) address caseload or workload changes in programs approved by the General Assembly.
- 6 b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.
- 7 c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from
- 8 donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and
- 9 verify their accuracy, as part of the budget planning and review process.
- 10 d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the
- 11 Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the
- 12 purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject
- 13 to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services,
- 14 of this act.
- 15 e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations,
- 16 Gifts, Grants, and Contracts of this act.
- 17 4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of
- 18 the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director,
- 19 Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues
- 20 deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly
- 21 specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director
- 22 shall make a listing of such transactions available to the public via electronic means no less than ten business days following
- 23 the approval of the appropriation of any such balance.
- 24 5. Reporting:
- 25 The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in
- 26 unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in
- 27 this subsection.
- 28 b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS
- 29 The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the
- 30 purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of
- 31 any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of
- 32 the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund
- 33 appropriations for the Department of Corrections.
- 34 § 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS
- 35 a. GENERAL FUND OPERATING EXPENSE:
- 36 1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of
- 37 the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of
- 38 Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable,
- 39 in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial
- 40 incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund
- 41 appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of
- 42 higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium
- 43 or the last day of the first year of the current biennium shall revert to the general fund.
- 44 b) General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent
- 45 Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund
- 46 appropriations shall also be reappropriated for institutions of higher education, subject to § 23.1-1002, Code of Virginia.
- 47 c) To improve the stability in institutional planning and predictability for students and families to prepare for the cost of higher
- 48 education, public higher education institutions are encouraged to employ the financial management strategy of establishing an
- 49 institutional reserve fund supported by any unexpended education and general appropriations of the institution at the end of the
- 50 fiscal year. The establishment of such a fund is designed to foster more long-term planning, promote efficient resource

1 utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians.
 2 Independent of the provisions of § 23.1-1001, institutions are authorized to carry over education and general unexpended balances to
 3 establish and maintain a reserve fund in an amount not to exceed three percent of their general fund appropriation for educational
 4 and general programs in the most recently-completed fiscal year. Any use of the reserve fund shall be approved by the Board of
 5 Visitors of the affected institution, and the institution shall immediately report the details of the approved plan for use of the reserve
 6 fund to the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and
 7 Senate Finance Committees. Any reserve fund shall be subject to the provisions of § 23.1-1303.B.11.

8 2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate
 9 Finance and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department.
 10 He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December
 11 20 to the Chairmen of the House Appropriations and Senate Finance Committees.

12 b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring
 13 costs.

14 3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with
 15 management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction
 16 over the agency or institution, acting jointly.

17 4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain
 18 unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be
 19 reappropriated by language in the Appropriation Act.

20 5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House
 21 Appropriations and Senate Finance Committees showing the amount reverted for each agency and the total amount of such
 22 reversions.

23 b. NONGENERAL FUND OPERATING EXPENSE:

24 Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a
 25 period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it
 26 is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director,
 27 Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly. This
 28 provision does not apply to funds held in trust by the Commonwealth.

29 c. CAPITAL PROJECTS:

30 1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the
 31 fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or
 32 reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The
 33 State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and
 34 reduce any appropriation or reappropriation which the Director determines is not needed to complete the project.

35 2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to
 36 and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of
 37 Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the
 38 appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return
 39 the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral
 40 funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds.

41 3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall
 42 subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an
 43 unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise
 44 restore any portion of such amount under the same conditions.

45 § 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

46 a. LIMITED CONTINUATION OF APPROPRIATIONS.

47 Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of
 48 the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be necessary in
 49 order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such
 50 date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the
 51 previous biennium, against such unexpended balances.

52 b. LIMITATIONS ON CASH DISBURSEMENTS.

1 Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth
 2 for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter
 3 budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an
 4 emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30,
 5 the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn
 6 against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the
 7 general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in
 8 accordance with bond documents, trust indentures, and/or escrow agreements.

9 § 4-1.07 ALLOTMENTS

10 Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority,
 11 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and
 12 Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia,
 13 and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if
 14 the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the
 15 head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and
 16 Budget, under this section.

17 § 4-2.00 REVENUES

18 § 4-2.01 NONGENERAL FUND REVENUES

19 a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

20 1. No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor
 21 except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds,
 22 except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less
 23 than \$5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War
 24 Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the
 25 Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland
 26 Security.

27 2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary
 28 donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this
 29 act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment
 30 funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a
 31 separately incorporated foundation or corporation.

32 3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution
 33 through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of the
 34 lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

35 4. The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs,
 36 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

37 b. HIGHER EDUCATION TUITION AND FEES

38 1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of
 39 Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, all nongeneral fund collections by public institutions of
 40 higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in
 41 accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the
 42 appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment
 43 funds, or income derived from endowments and gifts.

44 2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at
 45 levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates,
 46 provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund
 47 appropriation for educational and general programs provided in this act.

48 b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels
 49 they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided
 50 that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students cover at
 51 least 100 percent of the average cost of their education, as calculated through base adequacy guidelines adopted, and
 52 periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total revenue
 53 generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and

- 1 general programs provided in this act.
- 2 c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher
3 Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual
4 tuition and fee increases for nonresident students that would discourage their enrollment.
- 5 d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of
6 nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent. Norfolk State
7 University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction.
- 8 3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the
9 General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the
10 base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th
11 percentile of peer institutions, and other priorities set forth in this act.
- 12 b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at
13 least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in
14 subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other
15 priorities set forth in this act.
- 16 4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as
17 the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of
18 Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council
19 of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the
20 domiciliary status of students.
- 21 b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations
22 and Senate Finance Committees no later than August 1 of each year the annual change in total charges for tuition and all required
23 fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia
24 shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at
25 institutions outside of the Commonwealth.
- 26 c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts
27 of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the
28 institutions of higher education.
- 29 d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly,
30 and Chapters 675 and 685 of the 2009 Acts of Assembly, each institution shall work with the State Council of Higher Education for
31 Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.
- 32 5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its
33 educational and general program closely approximate the anticipated annual budget each fiscal year.
- 34 6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and
35 paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.
- 36 7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education
37 includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction
38 of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of
39 Virginia Educational Facilities Bond Act of 2002.
- 40 8. a) 1) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of
41 Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, mandatory fees for purposes other than educational and general
42 programs shall not be increased for Virginia undergraduates beyond three percent annually, excluding requirements for wage, salary,
43 and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to
44 mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee
45 increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher
46 education at least 30 days prior to the effective date of the fee increase.
- 47 2) The University of Mary Washington is hereby authorized to undertake a review of its tuition and fee structure for the purpose of
48 more closely aligning auxiliary fees, including room, board, and the comprehensive fee, with auxiliary expenditure budgets.
49 Adjustments to mandatory fees in auxiliary programs may exceed three percent subject to annual approval by the University's Board
50 of Visitors to the extent required to effect budgetary alignment of revenues and expenditures. This exemption will be limited to the
51 period beginning in fiscal year 2019-20 and extending through the end of fiscal year 2023-24.
- 52 b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the
53 General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General

1 Assembly.

2 c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia
3 Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case
4 basis, subject to approval by the State Board for Community Colleges.

5 9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the
6 Code of Virginia must absorb the cost of any discretionary waivers.

7 10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional
8 Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to
9 those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

10 c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

11 An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of
12 Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, may
13 generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees,
14 subject to the following:

15 1. Such revenues are identified by language in the appropriations in this act to any such institution.

16 2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to
17 allotment.

18 3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as
19 the basis for funding in subsequent biennia.

20 4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of
21 Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

22 5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-
23 1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

24 § 4-2.02 GENERAL FUND REVENUE

25 a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

26 1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following
27 agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

28 a) Marine Resources Commission, from all sources, except:

29 1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § [28.2-542](#), Code of Virginia.

30 2) Revenue payable to the Virginia Marine Products Fund established by § [3.2-2705](#), Code of Virginia.

31 3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § [28.2-302.3](#), Code of
32 Virginia.

33 4) Revenue payable to the Marine Fishing Improvement Fund established by § [28.2-208](#), Code of Virginia.

34 5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § [28.2-1206](#), Code of Virginia.

35 b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws
36 under Title 40.1, Code of Virginia.

37 2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § [40.1-51.15](#), Code
38 of Virginia.

39 c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance
40 of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member
41 of any such institution when summoned as a witness in any court.

42 d) Secretary of the Commonwealth, from all sources.

43 e) The Departments of Corrections and Juvenile Justice, as required by law, including revenues from sales of dairy and other
44 farm products.

- 1 f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county,
2 city, town, regional government or political subdivision of such governments audited or examined.
- 3 g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.
- 4 h) Department of the Treasury, from the following source:
5 Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.
- 6 i) Attorney General, from recoveries of attorneys' fees and costs of litigation.
- 7 j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in
8 accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.
- 9 k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal
10 years, after deduction of the cost of collection and any refunds due to the federal government.
- 11 l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general
12 fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia
13 Correctional Enterprises Fund; (2) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates,
14 work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners,
15 probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Departments of Corrections
16 and Juvenile Justice for work performed by inmates in educational programs shall be retained by the agency to increase vocational
17 training activities and to purchase work tools and work clothes for inmates, upon release.
- 18 m) the Department of State Police, from the fees generated by the Firearms Transaction Program Fund, the Concealed Weapons
19 Program, and the Conservator of the Peace Program pursuant to §§ 18.2-308, 18.2-308.2:2 and 19.2-13, Code of Virginia
- 20 2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus
21 materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of
22 the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds – Sale of Surplus Materials of this act,
23 sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize
24 similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally
25 acquired with general fund appropriations, unless the General Assembly provides otherwise.
- 26 n) Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping
27 and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral
28 Assessment Fund to defray such safekeeping and handling expenses.
- 29 b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT
- 30 Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code
31 of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest,
32 required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of
33 Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required
34 and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of
35 the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not
36 generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the
37 general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.
- 38 c. DATE OF RECEIPT OF REVENUES:
- 39 All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic
40 transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or
41 Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.
- 42 d. RECOVERIES BY THE OFFICE OF THE ATTORNEY GENERAL
- 43 1. As a condition of the appropriation for Item 59 of this Act, there is hereby created the Disbursement Review Committee (the
44 "Committee"), the members of which are the Attorney General, who shall serve as chairman; two members of the House of
45 Delegates appointed by the Speaker of the House; two members of the Senate appointed by the Chairman of the Senate Committee
46 on Rules; and two members appointed by the Governor.
- 47 2. Whenever forfeitures are available for distribution by the Attorney General through programs overseen by either the U.S.
48 Department of Justice Asset Forfeiture Program or the U.S. Treasury Executive Office for Asset Forfeiture, by virtue of the Attorney
49 General's participation on behalf of the Commonwealth or on behalf of an agency of the Commonwealth, the Attorney General shall
50 seek input from the Committee, to the extent permissible under applicable federal law and guidelines, for the preparation of a

1 proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both. If a federal entity must
 2 approve the Plan for such distribution or use, or both, and does not approve the Plan submitted by the Attorney General, the
 3 Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval following notification of the
 4 Committee. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall inform the Committee,
 5 and ensure that such money or property, or both, is distributed or used, or both, in a manner that is consistent with the Plan
 6 approved by the federal entity. The distribution of any money or property, or both, shall be done in a manner as prescribed by
 7 the State Comptroller and consistent with any federal authorization in order to ensure proper accounting on the books of the
 8 Commonwealth.

9 e. REVENUES GENERATED FROM CLIMATE CHANGE COMPACTS

10 Any revenues generated through participation in any regional climate change compact, including but not limited to the
 11 Regional Greenhouse Gas Initiative and the Transportation Climate Initiative, shall be deposited in the general fund and shall
 12 not be transferred to any other entity as a condition of such compact nor shall such funds be expended for any projects or
 13 programs without the express approval of the General Assembly as evidenced by an appropriation of such funds in a general
 14 Appropriation Act with the exception of expenditures required pursuant to any contracts signed prior to the passage of this act
 15 by the General Assembly.

16 § 4-2.03 INDIRECT COSTS

17 a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

18 Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and
 19 agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

20 b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

21 The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher
 22 education:

23 1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which
 24 the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall
 25 reflect the indirect costs in the program incurring the costs.

26 2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director,
 27 Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of
 28 such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

29 3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically
 30 exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess
 31 of the exempted sum shall be deposited to the general fund of the state treasury.

32 c. INSTITUTIONS OF HIGHER EDUCATION:

33 The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

34 1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of
 35 research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued
 36 by or for the institution pursuant to § 23.1-1106, Code of Virginia, for any appropriate purpose of the institution, including, but
 37 not limited to, the conduct and enhancement of research and research-related requirements.

38 2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of
 39 Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution to
 40 meet administrative costs.

41 3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract
 42 levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an
 43 additional incentive for increasing externally funded research activities.

44 d. REPORTS

45 The Director, Department of Planning and Budget, shall make available via electronic means a report to the Chairmen of the
 46 Senate Finance and House Appropriations Committees and the public no later than September 1 of each year on the indirect
 47 cost recovery moneys administratively appropriated.

48 e. REGULATIONS:

49 The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the

1 establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

2 **§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS**

3 § 4-3.01 DEFICITS

4 a. GENERAL:

5 1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations
6 under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or
7 expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

8 2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

9 a) an unanticipated federal or judicial mandate has been imposed,

10 b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or

11 c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services required by
12 statute or those required by federal mandate or will produce a threat to life, safety, health or property.

13 d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this
14 act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees within five
15 calendar days of deficit approval.

16 3. Deficits shall not be authorized for capital projects.

17 4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital
18 nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia Transportation
19 Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have sufficient cash allocated to
20 each such project to cover projected costs in each year of the Program; and provided that c) sufficient revenues are projected to meet
21 all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the
22 biennial budget.

23 b. UNAUTHORIZED DEFICITS: If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized
24 deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no
25 reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet
26 such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefor, or its
27 head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount
28 of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject
29 to removal therefor. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director,
30 Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition,
31 the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state
32 agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective. The governing board
33 or the agency head shall execute and return to the Governor a signed acknowledgment of such notification.

34 c. TOTAL AUTHORIZED DEFICITS: The amount which the Governor may authorize, under the provisions of this section during
35 the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or
36 other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half
37 percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in § 4-2.02 b. of this act
38 during the last year of the previous biennium and the first year of the current biennium.

39 d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate
40 Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a
41 comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all such deficits.

42 § 4-3.02 TREASURY LOANS

43 a. AUTHORIZED DEFICIT LOANS: A state agency requesting authorization for deficit spending shall prepare a plan for the
44 Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the
45 deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the
46 provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms
47 and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any
48 unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of
49 the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which
50 require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of
51 the House Appropriations and the Senate Finance Committees within five calendar days of approval.

- 1 b. ANTICIPATION LOANS: Authorization for anticipation loans are limited to the provisions below.
- 2 1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund
3 revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the
4 Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount
5 of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.
- 6 b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund
7 revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation
8 and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the
9 Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond
10 proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be
11 repaid only from such proceeds when collected.
- 12 2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the
13 minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating
14 expenses shall not exceed twelve months.
- 15 3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital
16 project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.
- 17 4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to
18 meet the projected expenditures for the project within the current biennium.
- 19 5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall
20 monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from
21 authorized debt and have anticipation loans.
- 22 6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on
23 anticipation loans made for operating purposes and capital projects subject to the following:
- 24 a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt
25 from interest payments on borrowed balances.
- 26 b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be
27 made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or
28 from the proceeds of authorized debt without the approval of the State Treasurer.
- 29 c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and
30 Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each
31 loan.
- 32 c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED
33 UNDER § 4-4.01M: Authorization for anticipation loans for projects not included in this act or for projects authorized under §
34 4-4.01 m are limited to the provisions below:
- 35 1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.
- 36 2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund
37 revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary
38 of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the
39 anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when
40 collected.
- 41 b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 m is required prior to the
42 collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and
43 government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the
44 Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from
45 nongeneral fund revenues associated with the project.
- 46 3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the
47 minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses
48 shall not exceed 12 months.
- 49 4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 m, the agency shall develop a plan for
50 repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such
51 plans and reported to the Chairman of the House Appropriations and Senate Finance Committees.

1 5. Anticipation loans for capital projects authorized under § 4-4.01 m shall be in amounts not greater than the sum identified by the
2 agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only
3 from nongeneral fund revenues associated with the project.

4 6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-
5 4.01 m. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 m shall be made from
6 appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval
7 of the Director of the Department of Planning and Budget.

8 a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate
9 Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

10 § 4-3.03 CAPITAL LEASES

11 a. GENERAL:

12 1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects that
13 may qualify as capital lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be
14 supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of
15 the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer. The Secretary of
16 Finance may promulgate guidelines for the review and approval of such requests.

17 2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director,
18 Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as capital lease
19 agreements. The State Treasurer shall be responsible for incorporating existing and authorized capital lease agreements in the annual
20 Debt Capacity Advisory Committee reports.

21 b. APPROVAL OF FINANCINGS:

22 1. For any project which qualifies as a capital lease, as defined in the preceding subdivisions a 1 and 2, and which is financed
23 through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416,
24 Code of Virginia.

25 2. For any project for which costs will exceed \$5,000,000 and which is financed through a capital lease transaction, the Treasury
26 Board shall approve the financing terms and structure of such capital lease in addition to such other reviews and approvals as may be
27 required by law. Prior to consideration by the Treasury Board, the Departments of Accounts, General Services, and Planning and
28 Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a capital lease under the terms of
29 this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance Committees of the
30 action of the Treasury Board as it regards this subdivision within five calendar days of its action.

31 c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be
32 responsible for providing the Chairmen of the House Appropriations and Senate Finance Committees with recommendations
33 involving proposed capital lease agreements.

34 d. This section shall not apply to capital leases that are funded entirely with nongeneral fund revenues and are entered into by public
35 institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly. Furthermore, the Department of
36 General Services is authorized to enter into capital leases for executive branch agencies provided that the resulting capital lease is
37 funded entirely with nongeneral funds, is approved based on the requirements of § 4-3.03 b.1 and 2 above, and would not be
38 considered tax supported debt of the Commonwealth.

39 § 4-4.00 CAPITAL PROJECTS

40 § 4-4.01 GENERAL

41 a. Definition:

42 1. Unless defined otherwise, when used in this section, "capital project" or "project" means acquisition of property and new
43 construction and improvements related to state-owned property, plant or equipment (including plans therefor), as the terms
44 "acquisition", "new construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget.
45 "Capital project" or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the
46 state, when such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this
47 subsection.

48 2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other means,
49 including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the source of funds.
50 Acquisition of property by lease shall be subject to § 4-3.03 of this act.

- 1 3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property
2 and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the
3 lease remain the property of the lessor.
- 4 4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C
5 and 33.2-1010, Code of Virginia.
- 6 b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:
- 7 1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the
8 Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the
9 director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to
10 similar public and private sector projects.
- 11 2. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594
12 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, financings for capital projects
13 shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any
14 subsequent amendments thereto.
- 15 3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written
16 commitment from the host locality to share in the operating expense of the armory.
- 17 c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the
18 maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an
19 agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head
20 shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof
21 repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in
22 accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.
- 23 d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time
24 and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and
25 Senate Finance Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the
26 suggested change on affected agencies and institutions.
- 27 e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of
28 Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and
29 procurement activities.
- 30 f. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph
31 m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be
32 pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-
33 1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:
- 34 1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and
- 35 2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in
36 cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing
37 facilities.
- 38 3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 m hereof, or projects included under the
39 central appropriations for capital project expenses in this act.
- 40 g. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to
41 this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or
42 is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need
43 for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and
44 specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for
45 the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or
46 construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project
47 conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a
48 program approved by the General Assembly.
- 49 h. Initiation Generally:
- 50 1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or
51 revised without the prior written approval of the Governor or his designee.

- 1 2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided,
 2 however, that the Governor or his designee is authorized to release from any appropriation for a major state project made pursuant to
 3 this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-
 4 1188, Code of Virginia.
- 5 3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made
 6 pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and
 7 engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the
 8 appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary
 9 design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown
 10 to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the
 11 appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the
 12 Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the
 13 appropriation.
- 14 4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or
 15 activity.
- 16 i. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d)
 17 obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be
 18 reviewed as follows:
- 19 1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general
 20 obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance
 21 with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to
 22 the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House
 23 Appropriations and Senate Finance Committees, and the Director, State Council of Higher Education for Virginia, if the project is
 24 requested by an institution of higher education.
- 25 2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of
 26 Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the
 27 institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the institutions
 28 of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher
 29 education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher
 30 Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and
 31 Senate Finance Committees no later than October 1 of each year.
- 32 3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of
 33 financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the
 34 State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the
 35 Constitution of Virginia.
- 36 j. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04
 37 a.3, and 4-4.01 m of this act.
- 38 k.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital
 39 project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and
 40 justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to §
 41 4-4.01 m of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances
 42 determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is
 43 for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition
 44 shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General
 45 Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the
 46 increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to
 47 decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of
 48 Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of
 49 the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also
 50 include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent
 51 of the appropriations.
- 52 2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by
 53 the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.
- 54 l. Projects Not Included In This Act:
- 55 1. Authorization by Governor:

1 a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project not
 2 specifically included in this act or provided for a program approved by the General Assembly through appropriations, under
 3 one or more of the following conditions:

- 4 1) The project is required to meet an emergency situation.
- 5 2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be
 6 fully funded by revenues of auxiliary enterprises or sponsored programs.
- 7 3) The project is to be operated as an educational and general program in an institution of higher education and will be fully
 8 funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.
- 9 4) The project consists of plant or property which has become available or has been received as a gift.
- 10 5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission
 11 or the Virginia Tobacco Settlement Foundation.

12 b) The foregoing conditions are subject to the following criteria:

- 13 1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03)
 14 without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.
- 15 2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.
- 16 3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated
 17 operating costs, and the fund sources for the project and its operating costs.
- 18 4) The Chairmen of the House Appropriations and Senate Finance Committees shall be notified by the Governor prior to the
 19 authorization of any capital project under the provisions of this subsection.
- 20 5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

21 2. Authorization by Director, Department of Planning and Budget:

22 a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the
 23 General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia
 24 College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

25 3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

26 a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the
 27 eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative
 28 autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated
 29 authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for
 30 emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project
 31 that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in
 32 § 4-4.01 m 1 of this act.

33 b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and
 34 Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the
 35 project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

36 c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine
 37 maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher
 38 education in accordance with this provision.

39 m. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject
 40 to the following policies:

41 1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for
 42 acquisition, construction, maintenance, operation, and repairs.

43 2. Expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional
 44 outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College
 45 System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or
 46 appropriations, or the proceeds of indebtedness authorized by the General Assembly.

47 3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all

- 1 colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking
2 facilities.
- 3 4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks,
4 and other infrastructure facilities may be made from any appropriated funds.
- 5 5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and
6 outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a
7 community college campus as of July 1, 1988.
- 8 6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority
9 as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any
10 repair, renovation, or new construction project costing up to \$3,000,000 shall be exempt from the capital outlay review and approval
11 process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would
12 exceed the \$3,000,000 maximum.
- 13 2. All state agencies and institutions of higher education shall be exempt from the capital review and approval process for repair,
14 renovation, or new construction projects costing up to \$3,000,000.
- 15 b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to
16 \$3,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made
17 after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the
18 threshold.
- 19 7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a
20 priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant"
21 subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or
22 his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations
23 and Senate Finance Committees.
- 24 n. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which
25 require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such
26 appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of
27 the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be
28 necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-
29 8.00, Reporting Requirements.
- 30 o. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond
31 that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by
32 the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in
33 part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to
34 expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers
35 from projects for which reappropriations have been authorized.
- 36 p. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner
37 or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.
- 38 q. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned
39 properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely
40 affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans
41 for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure,
42 landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the
43 comments of that department shall be submitted to the Governor through the Department of General Services for use in making a
44 final determination.
- 45 r.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to
46 the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with
47 local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the
48 General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning
49 conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon,
50 such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or
51 proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the
52 foundation for any foundation purpose.
- 53 2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of
54 Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters

- 1 675 and 685 of the 2009 Acts of Assembly.
- 2 s.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-
 3 owned property controlled by an institution of higher education, where the lease has been entered into consistent with the
 4 provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting
 5 procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the
 6 lease agreement was developed.
- 7 2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of
 8 Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and
 9 Chapters 675 and 685 of the 2009 Acts of Assembly.
- 10 t. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as
 11 follows:
- 12 1. Such improvements shall be considered an operating expense, provided that:
- 13 a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of
 14 Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-
 15 1989 and is limited to measures listed in guidelines issued by the Department of General Services;
- 16 b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board
 17 approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General
 18 Services;
- 19 c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;
- 20 d) the total cost does not exceed \$3,000,000; and
- 21 e) if the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, the energy savings from the project offset the total cost
 22 of the project, including debt service and interest payments.
- 23 2. If (a) the total cost of the improvement exceeds \$7,000,000 or (b) the total cost exceeds \$3,000,000, but does not exceed
 24 \$7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and
 25 interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the
 26 following conditions must be met:
- 27 a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of
 28 Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-
 29 1989 and is limited to measures listed in guidelines issued by the Department of General Services;
- 30 b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board
 31 approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General
 32 Services;
- 33 c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;
- 34 d) the project has been reviewed by the Department of Planning and Budget; and
- 35 e) the project has been approved by the Governor.
- 36 3. If the total project exceeds \$250,000, the agency director will submit written notification to the Director, Department of
 37 Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.
- 38 The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy
 39 conservation projects that qualify as capital expenses.
- 40 4. As used in this paragraph, “improvement” does not include (a) constructing, enlarging, altering, repairing or demolishing a
 41 building or structure, (b) changing the use of a building either within the same use group or to a different use group when the
 42 new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or
 43 disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures.
 44 If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay
 45 process as set out in this section.
- 46 5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate
 47 Finance Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.
- 48 u. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional

1 facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves
 2 acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth
 3 on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution
 4 supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit
 5 expenditures for site studies, real estate options, correctional facility design and related expenditures.

6 v. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and
 7 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, any alternative financing agreement
 8 entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed
 9 and approved by the Treasury Board.

10 w. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to
 11 determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the
 12 construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget
 13 development process and shall be evaluated by the Governor prior to submitting his proposed budget.

14 x. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process
 15 when the state procurement process is utilized, except for those projects with both an estimated cost of \$3,000,000 or less and are
 16 100 percent federally reimbursed. The Department of Military Affairs shall submit by July 30 of each year to the Department of
 17 Planning and Budget a list of such projects that were funded pursuant to this exemption in the previous fiscal year and any projects
 18 that would be eligible for such funding in future fiscal years.

19 **§ 4-4.02 PLANNING AND BUDGETING**

20 a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient to
 21 address the program needs of the Commonwealth. The capital improvements program shall include maintenance and deferred
 22 maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the programs of state
 23 agencies and institutions.

24 b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the
 25 Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the Commonwealth's
 26 investment in its property and plant.

27 **§ 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES**

28 **§ 4-5.01 TRANSACTIONS WITH INDIVIDUALS**

29 a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is settled
 30 pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor, to the state
 31 agency(ies) which is (are) party to the settlement.

32 b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

33 1. General:

34 a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may
 35 be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-
 36 half time in a degree, certificate, industry-based certification and related programs that do not qualify for other sources of student
 37 financial assistance or diploma program; grants to full-time graduate students; graduate assistantships: grants to students enrolled
 38 full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for the
 39 purpose of supporting work study programs. The institution is required to transfer to educational and general appropriations all funds
 40 used for work study or to pay graduate assistantships. Institutions may also contribute to federal or private student grant aid
 41 programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education
 42 for Virginia shall annually review each institution's plan for the expenditures of its general fund appropriation for undergraduate
 43 student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the
 44 institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need
 45 as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community
 46 college shall be considered independently. No limitations shall be placed on the awarding of nongeneral fund appropriations made in
 47 this act to state institutions of higher education within the Items for student financial assistance other than those found previously in
 48 this paragraph and as follows: (i) funds derived from in-state student tuition will not subsidize out-of-state students, (ii) students
 49 receiving these funds must be making satisfactory academic progress, (iii) awards made to students should be based primarily on
 50 financial need, and (iv) institutions should make larger grant and scholarship awards to students taking the number of credit hours
 51 necessary to complete a degree in a timely manner.

52 b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or
 53 portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of

- 1 books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need
 2 of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria
 3 other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and
 4 recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and
 5 minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland
 6 College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be
 7 determined by a need-analysis system approved by the Council.
- 8 c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the
 9 Council.
- 10 2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly,
 11 each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate
 12 student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.
- 13 d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the
 14 award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the
 15 percentage used for federal Return to Title IV program purposes.
- 16 e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according
 17 to the size of comparable awards made in that institution's regular session.
- 18 f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the
 19 soil scientist scholarships authorized under § 23.1-615, Code of Virginia and (2) need-based financial aid programs for
 20 industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will
 21 be subject to guidelines developed by the State Council of Higher Education for Virginia.
- 22 g) Unless noted elsewhere in this act, general fund awards shall be named "Commonwealth" grants.
- 23 h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional
 24 baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.
- 25 2. Grants To Undergraduate Students:
- 26 a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend
 27 such sums as approved for that purpose by the Council.
- 28 b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the
 29 institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes
 30 of eligibility under Title IV of the federal Higher Education Act, as amended.
- 31 c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP)
 32 authorized in Title 23.1, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution
 33 with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this
 34 act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other
 35 students with equivalent remaining need.
- 36 2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required
 37 fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the
 38 VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with
 39 the greatest financial need shall be guaranteed an award at least equal to tuition.
- 40 3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially
 41 needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic
 42 performance and to consider higher education an achievable objective in their futures.
- 43 4) Students may not receive a VGAP and a Commonwealth grant in the same semester.
- 44 3. Grants To Graduate Students:
- 45 a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria
 46 determined by the institution making the award. The amount of an award shall be determined by the institution making the
 47 award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in
 48 the appropriation.
- 49 b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at
 50 the institution making the award.

1 c) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as
 2 such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases
 3 where the persons meet the criteria outlined in § 4-2.01b.6.

4 4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for
 5 fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal
 6 government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring
 7 work.

8 5. Discontinued Loan Program:

9 a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is
 10 discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share
 11 was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of
 12 Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used
 13 according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

14 b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23.1, Chapter 4.01, Code
 15 of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible
 16 nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held
 17 by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that
 18 institution.

19 2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher
 20 Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the
 21 Department of Planning and Budget.

22 3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by
 23 the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account specified in
 24 subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.

25 6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation of
 26 the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial
 27 Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

28 C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

29 Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of boards,
 30 commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the work of the
 31 board, commission, authority, council, or other body.

32 d. VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

33 1. Notwithstanding any other provision of law, the Virginia Birth-Related Neurological Injury Compensation Program is authorized
 34 to require each admitted claimant's parent or legal guardian to purchase private health insurance (the "primary payer") to provide
 35 coverage for the actual medically necessary and reasonable expenses as described in Virginia Code § 38.2-5009(A)(1) that were, or are,
 36 incurred as a result of the admitted claimant's birth-related neurological injury and for the admitted claimant's benefit. Provided,
 37 however, that the Program shall reimburse, upon receipt of proof of payment, solely the portion of the premiums that is attributable to
 38 the admitted claimant's post-admission coverage from the effective date of this provision forward and paid for by the admitted
 39 claimant's parent or legal guardian.

40 2. The State Corporation Commission shall develop a report containing options and recommendations for improving the actuarial
 41 soundness of financing for the Virginia Birth-Related Neurological Injury Compensation Program. The report shall be presented to the
 42 Governor and Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2017.

43 § 4-5.02 THIRD PARTY TRANSACTIONS

44 a. EMPLOYMENT OF ATTORNEYS:

45 1.a) All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys
 46 appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject to the
 47 provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of Virginia;
 48 provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such
 49 agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that
 50 compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency
 51 or from the moneys appropriated to the Office of the Attorney General.

1 b) For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court,
 2 board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the
 3 bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited
 4 to, instructing, managing, supervising or performing normal or customary duties of that agency.

5 2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or
 6 Independent Agencies.

7 3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

8 4. Notwithstanding § 2.2-510.1 of the Code of Virginia and any other conflicting provision of law, the Virginia Retirement
 9 System may enter into agreements to seek i) recovery of investment losses in foreign jurisdictions, and ii) legal advice related
 10 to its investments. Any such agreements shall be reported to the Office of the Attorney General as soon as practicable.

11 b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments
 12 on third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the
 13 General Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party
 14 nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study,
 15 without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the
 16 Chairman of the Senate Finance Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate.
 17 All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the
 18 Attorney General.

19 c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of
 20 "return on investment" as part of the criteria for awarding contracts for consulting services.

21 d. DEBT COLLECTION SERVICES:

22 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University
 23 Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process.
 24 Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by
 25 engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and
 26 discharge accounts receivable claims.

27 2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center
 28 shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue
 29 collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the
 30 University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the
 31 Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the
 32 University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt
 33 Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the
 34 Office of the Attorney General.

35 3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be
 36 exempt from participating in the debt collection process of the Office of the Attorney General.

37 § 4-5.03 SERVICES AND CLIENTS

38 a. CHANGED COST FACTORS:

39 1. No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which
 40 may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the
 41 unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the
 42 cost of such change.

43 2. Notwithstanding any other provision of law, the Department of Planning and Budget, with assistance from agencies that
 44 operate internal service funds as requested, shall establish policies and procedures for annually reviewing and approving
 45 internal service fund overhead surcharge rates and working capital reserves.

46 3. By September 1 each year, state agencies that operate an internal service fund, pursuant to §§ 2.2-803, 2.2-1101, and 2.2-
 47 2013, Code of Virginia, that have an impact on agency expenditures, shall submit a report to the Department of Planning and
 48 Budget and the Joint Legislative Audit and Review Commission to include all information as required by the Department of
 49 Planning and Budget to conduct a thorough review of overhead surcharge rates, revenues, expenditures, full-time positions, and
 50 working capital reserves for each internal service fund. The report shall include any proposed modifications in rates to be
 51 charged by internal service funds for review and approval by the Department of Planning and Budget. In its review, the
 52 Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget
 53 assumptions. The format by which agencies submit the operating plan for each internal service fund shall be determined by the

- 1 Department of Planning and Budget with assistance from agencies that operate internal service funds as requested.
- 2 4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless
3 the resulting change is provided in the final General Assembly enacted budget.
- 4 5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in
5 this Item for each internal service fund.
- 6 6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency
7 provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent
8 with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-
9 1.03 a. 7 of this act.
- 10 7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond
11 the rates enacted in the budget in the event of an emergency or to implement actions approved by the General Assembly, upon prior
12 notice to the Chairmen of the House Appropriations and Senate Finance Committees. Such prior notice shall be no less than five
13 days prior to enactment of a revised or new rate and shall include the basis of the rate change and the impact on state agencies.
- 14 8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known
15 as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and Budget
16 consistent with the provisions of this Item.
- 17 9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state agency
18 shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an
19 appropriation proration of such expenses.
- 20 b. NEW SERVICES:
- 21 1. No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an
22 increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General
23 Assembly.
- 24 2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and
25 the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless
26 approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant
27 exemptions to this policy in exceptional circumstances.
- 28 3. a) The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the
29 success of the programs at the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute, and
30 encourages these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the
31 Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the
32 Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and
33 establishment of the Virginia Tech/Carilion School of Medicine within the institution notwithstanding § 23.1-203 Code of Virginia.
34 No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution.
- 35 b) Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance
36 Services to fully fund the state share for Medicaid supplemental payments to the teaching hospital affiliated with the Virginia Tech
37 Carilion School of Medicine. These Medicaid supplemental fee-for-service and/or capitation payments to managed care
38 organizations are for the purpose of securing access to Medicaid hospital services in Western Virginia. The funds to be transferred
39 must comply with 42 CFR 433.51.
- 40 4. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.
- 41 c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:
- 42 No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.
- 43 1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly
44 from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course
45 offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The
46 State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one
47 year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation
48 or appropriation, to continue operating the site.
- 49 2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for
50 approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of
51 the institution, including locations outside Virginia.

1 3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are
 2 supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees
 3 generated entirely by course offerings at the site.

4 b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

5 c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of
 6 carrying out grant and contract research where direct and indirect costs from such research are covered through external
 7 funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

8 d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the
 9 main campus of a college or university.

10 4. The State Council of Higher Education shall establish guidelines to implement this provision.

11 d. PERFORMANCE MEASUREMENT

12 1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic
 13 budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and
 14 performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall
 15 provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall
 16 provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to
 17 the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

18 2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall make available via
 19 electronic means to the Chairmen of the House Appropriations and Senate Finance Committees and the public a list of the new
 20 initiatives for which appropriations are provided in this act.

21 b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget,
 22 shall make available via electronic means a report on the performance of each new initiative contained in the list, to be
 23 submitted to the Chairmen of the House Appropriations and Senate Finance Committees and the public. The report shall
 24 compare the actual results, including expenditures, of the initiative with the anticipated results and the appropriation for the
 25 initiative. This information shall be used to determine whether the initiative should be extended beyond the beginning period.
 26 In the preparation of this report, all state agencies shall provide assistance as requested by the Department of Planning and
 27 Budget.

28 § 4-5.04 GOODS AND SERVICES

29 a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

30 1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide
 31 prospective students with accurate and objective information about its programs and services. The institution may use public
 32 funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual
 33 information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for
 34 registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other
 35 information normally distributed through the college catalog. This information may be presented in any and all media, such as
 36 newspapers, magazines, television or radio where the information may be in the form of news, public service announcements or
 37 advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins, official
 38 catalogs, flyers available at public places and formal or informal meetings with prospective students.

39 2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the
 40 control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material
 41 intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students,
 42 facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement
 43 or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings
 44 or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically
 45 feasible in the institution's local service area.

46 3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the
 47 remediation of students accepted for admission by the senior institutions.

48 4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's compliance
 49 with this subsection.

50 b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

51 1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and

- 1 services of every description for its own benefit or on behalf of other state agencies and institutions, or authorize other state agencies
2 or institutions to undertake such procurements on their own.
- 3 b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-
4 major information technology project request from the Virginia Community College System, Longwood University, or from an
5 institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing
6 Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and
7 services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of
8 Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824
9 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, requests for authorization from
10 state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf
11 shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby
12 recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University,
13 Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State
14 University, and the University of Virginia.
- 15 c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms
16 to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.
- 17 d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications
18 goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in
19 accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.
- 20 e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from
21 using the services of Network Virginia.
- 22 f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical
23 research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is
24 hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to
25 competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to
26 establish and maintain research network infrastructure.
- 27 2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies
28 are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs
29 affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected
30 by the altered billing systems.
- 31 3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the
32 provisions of § 2.2-803, Code of Virginia.
- 33 4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including
34 geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services
35 which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State
36 agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the
37 development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed
38 use, functionality, capacity and the total cost of acquisition, operation and maintenance.
- 39 5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of
40 the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of
41 Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, or to the
42 Virginia Alcoholic Beverage Control Authority.
- 43 6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information
44 Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their
45 employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or
46 funds used to purchase the equipment.
- 47 c. MOTOR VEHICLES AND AIRCRAFT:
- 48 1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state
49 without the prior written approval of the Director, Department of General Services.
- 50 2. The institutions of higher education and the Alcoholic Beverage Control Authority shall be exempt from this provision but shall
51 be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the
52 Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost
53 of vehicles acquired by institutions of higher education and the Authority to like vehicles under the state contract. If the comparison

1 demonstrates for a given institution or the Authority that the cost to the Commonwealth is greater for like vehicles than would
 2 be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to
 3 the institution or the Authority pursuant to this subparagraph c.

4 3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state
 5 agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state
 6 agencies affected by such transfers.

7 d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher
 8 education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the
 9 Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for
 10 television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of
 11 the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-
 12 secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is
 13 authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent
 14 agencies, other than the Virginia Lottery Department, prior approval action rests with the supervisory bodies of these entities.
 15 With respect to television programs which are so approved and other programs which are otherwise authorized or are not
 16 produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive
 17 negotiation, for program production and transmission services which are performed by public telecommunications entities, as
 18 defined in § 2.2-2006, Code of Virginia.

19 e. TRAVEL: Reimbursement for the cost of travel on official business of the state government is authorized to be paid pursuant
 20 to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary provisions of law:

21 1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the
 22 State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;

23 2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the
 24 continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage rate
 25 as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax
 26 deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance of a state
 27 employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged by the
 28 Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of travel,
 29 for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned vehicle was
 30 not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in lieu of a state-
 31 owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the IRS rate. For such
 32 use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per mile, unless a state-
 33 owned vehicle is not available; then the rate shall be the IRS rate;

34 3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;

35 4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense
 36 category deemed necessary for the efficient and effective operation of state government;

37 5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same
 38 bank account authorized by the employee in which their net pay is direct deposited; and

39 6. This section shall not apply to members and employees of public school boards.

40 f. SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE
 41 OPT OUT: The State Comptroller is hereby authorized to charge state agencies a fee of \$5 per check or earnings notice when,
 42 in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce
 43 unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by
 44 the Department of Accounts through accounting entries.

45 g. PURCHASES OF APPLIANCES AND EQUIPMENT: State agencies and institutions shall purchase Energy Star rated
 46 appliances and equipment in all cases where such appliances and equipment are available.

47 h. ELECTRONIC PAYMENTS: Any recipient of payments from the State Treasury who receives six or more payments per
 48 year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate
 49 method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of
 50 this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify
 51 non-electronic payment.

52 i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies
 53 shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to

1 achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance,
2 procurement, social services programs, and facilities management.

3 j. TELECOMMUNICATION SERVICES AND DEVICES:

4 1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones
5 and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment, evaluation of need,
6 safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use
7 agreement template clearly defining an employee's responsibility when they receive and use a telecommunication device. Statewide
8 requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean
9 of all sensitive information when it is no longer in use.

10 2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific
11 policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or
12 a public health, welfare and safety need.

13 3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the
14 needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure these services and
15 provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage
16 information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make informed purchasing
17 decisions and minimize costs.

18 4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to
19 analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and
20 individual users.

21 k. ALTERNATIVE PROCUREMENT: If any payment is declared unconstitutional for any reason or if the Attorney General finds
22 in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally
23 be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by
24 means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to
25 accomplish the original legislative intent.

26 l. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the
27 General Assembly for providing abortion services, except otherwise as required by federal law *or state statute*.

28 m. BODY-WORN CAMERAS: No expenditures from general or nongeneral fund sources may be made by any state agency or
29 authority for the purchase or implementation of body-worn cameras or body-worn camera systems.

30 § 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

31 a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or
32 controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public
33 Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

34 b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

35 2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

36 a) Such agency is located in and operates in Virginia.

37 b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been
38 incurred for its operation.

39 3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that
40 cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided
41 by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such
42 matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

43 4. Operating appropriations for nonstate agencies equal to or in excess of \$150,000 shall be disbursed to nonstate agencies in twelve
44 or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations
45 for nonstate agencies of less than \$150,000 shall be disbursed in one payment once the nonstate agency has successfully met
46 applicable match and application requirements.

47 5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

48 c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof
49 holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget
50 request to the state agency under which such commission or organization is listed in this act. The state agency shall include the

1 request of such commission or organization within its own request, but identified separately. Requests by the commission or
2 organization for disbursements from appropriations shall be submitted to the designated state agency.

3 2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget,
4 listing the name and purpose for organizational memberships held by that agency with annual dues of \$5,000 or more. The
5 institutions of higher education shall be exempt from this reporting requirement.

6 § 4-5.06 DELEGATION OF AUTHORITY

7 a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the
8 authority of the Governor to delegate powers under the provisions of § 2.2-104 , Code of Virginia.

9 b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of
10 Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which
11 institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-
12 5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until
13 revoked.

14 c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit
15 a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to
16 participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if
17 appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and
18 Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have
19 applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the
20 decentralization program.

21 d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot
22 programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby
23 continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability
24 program.

25 e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not
26 performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to
27 the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations
28 Committees.

29 f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital
30 outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation,
31 subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum of
32 \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

33 g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply
34 only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

35 h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of
36 Assembly.

37 § 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

38 a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the
39 Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for
40 the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General
41 Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the
42 Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold
43 such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage
44 services, portfolio management strategies, strategic planning, transaction management, project and construction management,
45 and lease administration strategies consistent with industry best practices as adopted by the Department from time to time.
46 These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall
47 not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23.1-1006, Code of
48 Virginia.

49 b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer
50 that funds are available within the agency's appropriations made by this act for the cost of the lease.

51 § 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

52 a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs,

1 pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in
 2 accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the
 3 Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance
 4 Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the Semiconductor
 5 Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the
 6 numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment
 7 for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct
 8 employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor
 9 and to the Chairmen of the House Appropriations and Senate Finance Committees the extent to which a qualified manufacturer met
 10 the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the
 11 memorandum of understanding.

12 b. The Governor shall consult with the House Appropriations and Senate Finance Committees before amending any existing
 13 memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the
 14 Commonwealth.

15 § 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

16 a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the
 17 Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

18 1. Any emergency declared in accordance with §§ 44-146.18:2 or § 44-146.28, Code of Virginia, or

19 2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance
 20 Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the
 21 individual or entity taking title to such property.

22 3. Surplus property valued at less than \$5,000,000 that is possessed and controlled by a public institution of higher education,
 23 pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

24 b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or
 25 institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the
 26 property.

27 c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road known as
 28 Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's Culpeper District
 29 Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road network in the Town of
 30 Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the Town of Culpeper, upon such
 31 terms and conditions as the Department deems proper and for such considerations the Department may determine, the property on
 32 which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled "plat Showing Property and Various Easements for
 33 Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper County, Virginia" prepared by ATCS P.L.C and sealed
 34 March 14, 2012, together with easements to the Town of Culpeper for electric utility, slopes and drainage as shown on said plat.
 35 The conveyance shall be made with the approval of the Governor and in a form approved by the Attorney General. The appropriate
 36 officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be
 37 necessary to accomplish the conveyance.

38 d. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, if tax-exempt bonds were issued by the Commonwealth or its
 39 related authorities, boards or institutions to finance the acquisition, construction, improvement or equipping of real property,
 40 proceeds from the sale or disposition of such property and any improvements may first be applied toward remediation options
 41 available under federal law to maintain the tax-exempt status of such bonds.

42 § 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

43 a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for
 44 economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the
 45 Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than
 46 one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair
 47 market value as determined by the assessments.

48 b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any
 49 properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based
 50 on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion,
 51 to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Commonwealth's
 52 Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 D, Code of Virginia.

53 c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee

1 shall report to the Chairmen of the Senate Finance and House Appropriations Committees. The report shall include information
 2 on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund,
 3 and the fair market value of the sold property.

4 d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those
 5 subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

6 e. ~~Prior to July 1, 2019, and notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall begin~~
 7 ~~the process to convey, as is and pursuant to § 2.2-1150, approximately 150 acres of land located within County of York,~~
 8 ~~Virginia, known as Tax Parcel 12-00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority~~
 9 ~~(hereinafter referred to Authority) for an amount not to exceed \$1,000,000. Location of the 150 acres within the Property shall~~
 10 ~~be agreed to between the Commonwealth of Virginia and the Authority prior to execution of the property transfer; the~~
 11 ~~Commonwealth of Virginia shall provide to the Authority copies of the two most recent state appraisals for the 150 acres parcel~~
 12 ~~agreed to by the parties; and in no case shall the transaction price exceed the average of the two most recent state appraisals.~~
 13 ~~The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the appraisals and other Commonwealth~~
 14 ~~of Virginia costs to prepare and execute the conveyance documents. The conveyance of the Property should occur no later than~~
 15 ~~December 31, 2019.~~

16 1. ~~The Authority is authorized to convey the property rights of the 150 acres, conveyed by the Commonwealth in paragraph e.,~~
 17 ~~to the operator of a 20 megawatt solar facility for the amount the Authority acquired the property and any closing costs~~
 18 ~~associated with its acquisition from the Commonwealth of Virginia.~~

19 2. ~~Any remaining Property as agreed to by the Commonwealth of Virginia and the Authority shall be made available for~~
 20 ~~purchase by the Authority for an amount not to exceed \$350,000; and the Commonwealth is authorized to sell such property to~~
 21 ~~the Authority pursuant to § 2.2-1150 : A deed restriction in the Commonwealth of Virginia and Authority property sale~~
 22 ~~described in this section; e.2; shall limit the sale of such property by the Authority to unmanned systems companies or~~
 23 ~~companies related to the unmanned system industries locating to the Hampton Roads Unmanned Systems Park for amounts as~~
 24 ~~determined by the Authority. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for any~~
 25 ~~appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents related to this~~
 26 ~~transaction.~~

27 *f. Notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall begin the process to convey, as is*
 28 *and pursuant to § 2.2-1150, approximately 432 acres of land located within County of York, Virginia, known as Tax Parcel 12-*
 29 *00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority, or any of its members, subsidiaries or*
 30 *affiliates (hereinafter referred to Authority) for an amount not to exceed \$1,350,000. The Commonwealth of Virginia shall*
 31 *provide to the Authority copies of the two most recent state appraisals for 150-200 acres for the parcel, and in no case shall the*
 32 *transaction price per acre exceed the average of the two most recent state appraisals. The Authority shall have the right to*
 33 *waive the appraisal requirement. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the*
 34 *appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents. The conveyance of*
 35 *the Property should occur no later than December 31, 2020, but may occur earlier if requested by the Authority. The Authority*
 36 *and its designees shall have the right to enter the Property and to perform due diligence and design studies and activities prior*
 37 *to the conveyance. The Authority shall have the right to file applications and related documents seeking land, zoning and use*
 38 *entitlements, and the Commonwealth is authorized to execute such documents as may be required for such purposes, but*
 39 *without incurring obligations on the Commonwealth by such execution.*

40 1. *The Authority is authorized to convey the property rights for portions of the Property conveyed by the Commonwealth in*
 41 *paragraph e., to one or more operators of one or more utility scale solar facilities, or to lease the property rights to such an*
 42 *operator or operators, for an amount as agreed by the Authority and such operator(s).*

43 2. *Any remaining Property at the site shall be subject to a deed restriction created in the Commonwealth of Virginia and*
 44 *Authority property sale described herein to restrict the use of such property by the Authority to any non-residential use, as*
 45 *determined by the Authority.*

46 § 4-5.11 LIMITATIONS ON USE OF STATE FUNDING

47 Notwithstanding any other provision of the Code of Virginia, no expenditures from the general, special, or other nongeneral
 48 fund sources from any appropriation by the General Assembly shall be used to support membership or participation in the
 49 Regional Greenhouse Gas Initiative (RGGI) until such time as the General Assembly has approved such membership as
 50 evidenced by language authorizing such action in the Appropriation Act, with the exception of any expenditures required
 51 pursuant to any contract signed prior to the passage of this act by the General Assembly; nor shall any RGGI auction proceeds
 52 be used to supplement any appropriation in this act without express General Assembly approval.

53 § 4-5.12 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

54 In order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of
 55 government, the Commonwealth Transportation Board shall, not later than January 1, 2020, add to the state primary highway

1 system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as
 2 Bank Street from 9th Street to 14th Street, 10th Street from Main Street to Bank Street, 12th Street from Main Street to Bank Street,
 3 and Governor Street from Main Street to Bank Street and, pursuant to the responsibilities of the Department of General Services
 4 (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control those rights-of-way and
 5 pedestrian and vehicular traffic thereon. The rights-of-way so transferred shall be in addition to the 50 miles per year authorized to
 6 be transferred under § 33.2-314(A).

7 § 4-6.00 POSITIONS AND EMPLOYMENT

8 § 4-6.01 EMPLOYEE COMPENSATION

9 a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the
 10 Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such
 11 rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor.
 12 No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the
 13 rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to
 14 fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at
 15 a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the
 16 General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions
 17 of this subsection.

18 b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400,
 19 Code of Virginia, shall be paid in the amounts shown. However, if an incumbent is reappointed, his or her salary may be as high as
 20 his or her prior salary.

21		July 1, 2018	June 25, 2019	November 25, 2019
22		to	to	to
		June 24, 2019	November 24, 2019	June 30, 2020
23	Chief of Staff	\$175,000	\$179,813	\$179,813
24	Secretary of Administration	\$172,000	\$176,730	\$176,730
25	Secretary of Agriculture and	\$172,000	\$176,730	\$176,730
26	Forestry			
27	Secretary of Commerce and	\$172,000	\$176,730	\$176,730
28	Trade			
29	Secretary of the Commonwealth	\$172,000	\$176,730	\$176,730
30	Secretary of Education	\$172,000	\$176,730	\$176,730
31	Secretary of Finance	\$175,980	\$180,819	\$180,819
32	Secretary of Health and Human	\$172,000	\$176,730	\$176,730
33	Resources			
34	Secretary of Natural Resources	\$172,000	\$176,730	\$176,730
35	Secretary of Public Safety and	\$173,903	\$178,685	\$178,685
36	Homeland Security			
37	Secretary of Transportation	\$172,000	\$176,730	\$176,730
38	Secretary of Veterans and	\$172,000	\$176,730	\$176,730
39	Defense Affairs			

40 c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the
 41 current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

42 b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a
 43 ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a

1 rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not
 2 exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective
 3 salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range except if the
 4 new hire was employed in a state classified position, then the Governor may exceed the maximum salary for the position and
 5 set the salary for the employee at a salary level not to exceed the employee's salary at their prior state position.

6 c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

7 d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to
 8 those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar
 9 positions in the public sector.

10 2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a
 11 rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in
 12 accordance with an assessment of performance and service to the Commonwealth.

13 2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions
 14 listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the
 15 respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

16 b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are
 17 listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance
 18 with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over
 19 and above the salaries listed in this act, and shall not become part of the base rate of pay.

20 2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to
 21 the Department of Human Resource Management for retention in its records.

22 3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents
 23 holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees
 24 and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as
 25 creditable compensation for the calculation of such benefits.

26 4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement
 27 the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which
 28 provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without
 29 limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report
 30 approved supplements to the Department of Human Resource Management for retention in its records.

31 5.a. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science
 32 Museum of Virginia, the Virginia Museum of Natural History, Gunston Hall, and the Library Board may supplement the salary
 33 of the Director of each museum, and the Librarian of Virginia from nonstate funds. In approving a supplement, the Governor
 34 should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include,
 35 without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states.
 36 The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in
 37 its records.

38 b) The Board of Trustees of the Jamestown-Yorktown Foundation may supplement, using nonstate funds, the salary of the
 39 Executive Director of the Foundation. In approving the supplement the Board should be guided by criteria which provides a
 40 reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries
 41 paid to similar officials at comparable Foundations in other states. The Board shall report approved supplements to the
 42 Department of Human Resource Management for retention in its records.

43 6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be
 44 subject to subdivisions c 2 through c 5 above.

	July 1, 2018 to June 24, 2019	June 25, 2019 to November 24, 2019	November 25, 2019 to June 30, 2020
Level I Range	\$164,651 - \$235,000	\$169,179- \$241,463	\$169,179 - \$241,463
Midpoint	\$198,825	\$205,321	\$205,321
Chief Information Officer, Virginia Information	\$189,263	\$194,468	\$194,468

1	Technologies Agency			
2	Commissioner, Department of	\$164,970	\$169,507	\$169,507
3	Motor Vehicles			
4	Commissioner, Department of	\$209,000	\$214,748	\$214,748
5	Social Services			
6	Commissioner, Department of	\$212,661	\$218,509	\$218,509
7	Behavioral Health and			
8	Developmental Services			
9	Commonwealth Transportation	\$212,661	\$218,509	\$218,509
10	Commissioner			
11	Director, Department of	\$184,051	\$189,112	\$189,112
12	Corrections			
13	Director, Department of	\$190,188	\$195,418	\$195,418
14	Environmental Quality			
15	Director, Department of	\$199,548	\$205,036	\$205,036
16	Medical Assistance Services			
17	Director, Department of	\$172,699	\$177,448	\$177,448
18	Planning and Budget			
19	State Health Commissioner	\$225,000	\$231,188	\$231,188
20	State Tax Commissioner	\$164,651	\$169,179	\$169,179
21	Superintendent of Public	\$235,000	\$241,463	\$241,463
22	Instruction			
23	Superintendent of State Police	\$184,705	\$189,784	\$189,784
24		July 1, 2018	June 25, 2019	November 25, 2019
25		to	to	to
26		June 24, 2019	November 24, 2019	June 30, 2020
26	Level II Range	\$114,330 - \$180,000	\$117,474 - \$184,950	\$117,474 - \$184,950
27	Midpoint	\$147,150	\$151,212	\$151,212
28	Commissioner, Department for	\$155,895	\$160,182	\$160,182
29	Aging and Rehabilitative			
30	Services			
31	Commissioner, Department of	\$165,000	\$169,538	\$169,538
32	Agriculture and Consumer			
33	Services			
34	Commissioner, Department of	\$147,084	\$151,129	\$151,129
35	Veterans Services			
36	Commissioner, Virginia	\$161,679	\$166,125	\$166,125
37	Employment Commission			

1	Executive Director,	\$144,414	\$148,385	\$148,385
2	Department of Game and			
3	Inland Fisheries			
4	Commissioner, Marine	\$142,000	\$145,905	\$145,905
5	Resources Commission			
6	Director, Department of	\$167,566	\$172,174	\$172,174
7	Forensic Science			
8	Director, Department of	\$167,214	\$171,812	\$171,812
9	General Services			
10	Director, Department of	\$158,738	\$163,103	\$163,103
11	Human Resource Management			
12	Director, Department of	\$126,860	\$130,349	\$130,349
13	Juvenile Justice			
14	Director, Department of	\$146,775	\$150,811	\$150,811
15	Mines, Minerals and Energy			
16	Director, Department of Rail	\$152,337	\$156,526	\$156,526
17	and Public Transportation			
18	Director, Department of Small	\$139,466	\$143,301	\$143,301
19	Business and Supplier			
20	Diversity			
21	Executive Director, Motor	\$114,330	\$117,474	\$117,474
22	Vehicle Dealer Board			
23	Executive Director, Virginia	\$141,301	\$145,187	\$145,187
24	Port Authority			
25	State Comptroller	\$172,567	\$177,313	\$177,313
26	State Treasurer	\$172,430	\$177,172	\$177,172
27	Executive Director, Board of	\$145,000	\$148,988	\$148,988
28	Accountancy			
29	Chief Executive Officer,	\$180,000	\$184,950	\$184,950
30	Virginia Alcoholic Beverage			
31	Control Authority			
32		July 1, 2018	June 25, 2019	November 25, 2019
		to	to	to
33		June 24, 2019	November 24, 2019	June 30, 2020
34	Level III Range	\$110,980 - \$153,585	\$114,032 - \$157,809	\$114,032 - \$157,809
35	Midpoint	\$132,282	\$135,920	\$135,920
36	Adjutant General	\$139,614	\$143,453	\$143,453
37	Chairman, Virginia Parole	\$131,310	\$134,921	\$134,921
38	Board			
39	Vice Chairman, Virginia	\$118,145	\$121,394	\$121,394
40	Parole Board			

1	Member, Virginia Parole Board	\$115,829	\$119,014	\$119,014
2	Commissioner, Department of Labor and Industry	\$139,647	\$143,487	\$143,487
3				
4	Coordinator, Department of Emergency Management	\$148,860	\$152,954	\$152,954
5				
6	Director, Department of Aviation	\$150,000	\$154,125	\$154,125
7				
8	Director, Department of Conservation and Recreation	\$151,577	\$155,745	\$155,745
9				
10	Director, Department of Criminal Justice Services	\$125,021	\$128,459	\$128,459
11				
12	Director, Department of Health Professions	\$135,160	\$138,877	\$138,877
13				
14	Director, Department of Historic Resources	\$110,980	\$114,032	\$114,032
15				
16	Director, Department of Housing and Community Development	\$137,296	\$141,072	\$141,072
17				
18				
19	Director, Department of Professional and Occupational Regulation	\$151,759	\$155,932	\$155,932
20				
21				
22	Director, The Science Museum of Virginia	\$138,798	\$142,615	\$142,615
23				
24	Director, Virginia Museum of Fine Arts	\$144,315	\$148,284	\$148,284
25				
26	Director, Virginia Museum of Natural History	\$118,480	\$121,738	\$121,738
27				
28	Executive Director, Jamestown- Yorktown Foundation	\$140,888	\$144,762	\$144,762
29				
30	Executive Secretary, Virginia Racing Commission	\$113,300	\$116,416	\$116,416
31				
32	Librarian of Virginia	\$153,585	\$157,809	\$157,809
33	State Forester, Department of Forestry	\$144,983	\$148,970	\$148,970
34				
35		July 1, 2018	June 25, 2019	November 25, 2019
		to	to	to
36		June 24, 2019	November 24, 2019	June 30, 2020
37	Level IV Range	\$90,537 - \$118,393	\$93,027 - \$121,649	\$93,027 - \$121,649
38	Midpoint	\$104,465	\$107,338	\$107,338

1	Administrator,	\$107,761	\$110,724	\$110,724
2	Commonwealth's Attorneys'			
3	Services Council			
4	Commissioner, Virginia	\$118,393	\$121,649	\$121,649
5	Department for the Blind and			
6	Vision Impaired			
7	Executive Director, Frontier	\$105,000	\$107,888	\$107,888
8	Culture Museum of Virginia			
9	Commissioner, Department of	\$111,000	\$114,053	\$114,053
10	Elections			
11	Executive Director, Virginia-	\$98,000	\$100,695	\$100,695
12	Israel Advisory Board			
13	Director, Gunston Hall	\$90,537	\$93,027	\$93,027
14		July 1, 2018	June 25, 2019	November 25, 2019
		to	to	to
15		June 24, 2019	November 24, 2019	June 30, 2020
16	Level V Range	\$23,515 - \$98,577	\$24,162 - \$101,288	\$24,162 - \$101,288
17	Midpoint	\$61,046	\$62,725	\$62,725
18	Director, Virginia Department	\$98,577	\$101,288	\$101,288
19	for the Deaf and Hard-of-			
20	Hearing			
21	Executive Director,	\$98,577	\$101,288	\$101,288
22	Department of Fire Programs			
23	Executive Director, Virginia	\$98,577	\$101,288	\$101,288
24	Commission for the Arts			
25	Chairman, Compensation	\$23,515	\$24,162	\$24,162
26	Board			

27 7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown.
 28 All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

29		July 1, 2018	June 25, 2019	November 25, 2019
		to	to	to
30		June 24, 2019	November 24, 2019	June 30, 2020
31	Independent Range	\$171,954 - \$185,871	\$176,683 - \$190,982	\$176,683 - \$190,982
32	Midpoint	\$178,913	\$183,832	\$183,832
33	Executive Director, Virginia	\$171,954	\$176,683	\$176,683
34	Lottery			
35	Director, Virginia Retirement	\$185,871	\$190,982	\$190,982
36	System			
37	Chief Executive Officer,	\$183,362	\$188,404	\$188,404
38	Virginia College Savings Plan			

1 8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of
 2 its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director.
 3 The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension
 4 plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House
 5 Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved
 6 supplements to the Department of Human Resource Management for retention in its records.

7 9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the compensation of
 8 its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income
 9 of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar
 10 officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and
 11 size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House
 12 Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved
 13 supplements to the Department of Human Resource Management for retention in its records.

14 d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the
 15 Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the
 16 State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest
 17 Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the
 18 amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community
 19 Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

20 2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education
 21 Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a
 22 president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements
 23 paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of
 24 visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a
 25 president or director. The criteria should include a consideration of additional income from outside sources including, but not being
 26 limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved
 27 supplements to the Department of Human Resource Management for retention in its records.

28 b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available
 29 appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges
 30 should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should
 31 include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or
 32 other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention
 33 in its records.

34 c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to \$17,000.

35 d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the
 36 salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I
 37 agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	July 1, 2018 to June 24, 2019	June 25, 2019 to November 24, 2019	November 25, 2019 to June 30, 2020
NEW COLLEGE INSTITUTE			
Executive Director, New College Institute	\$126,844	\$130,332	\$130,332 <i>\$148,332</i>
STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA			
Director, State Council of Higher Education for Virginia	\$199,479	\$204,965	\$204,965
SOUTHERN VIRGINIA HIGHER EDUCATION CENTER			
Director, Southern Virginia	\$134,273	\$137,966	\$137,966

1	Higher Education Center			
2	SOUTHWEST VIRGINIA			
3	HIGHER EDUCATION			
4	CENTER			
5	Director, Southwest Virginia	\$133,900	\$137,582	\$137,582
6	Higher Education Center			
7	VIRGINIA COMMUNITY			
8	COLLEGE SYSTEM			
9	Chancellor of Community	\$180,976	\$185,953	\$185,953
10	Colleges			
11	SENIOR COLLEGE			
12	PRESIDENTS' SALARIES			
13	Chancellor, University of	\$127,218	\$130,716	\$130,716
14	Virginia's College at Wise			
15	President, Christopher	\$142,606	\$146,528	\$146,528
16	Newport University			
17	President, The College of	\$163,602	\$168,101	\$168,101
18	William and Mary in Virginia			
19	President, George Mason	\$157,384	\$161,712	\$161,712
20	University			
21	President, James Madison	\$168,654	\$173,292	\$173,292
22	University			
23	President, Longwood	\$153,858	\$158,089	\$158,089
24	University			
25	President, Norfolk State	\$166,920	\$171,510	\$171,510
26	University			
27	President, Old Dominion	\$173,732	\$178,510	\$178,510
28	University			
29	President, Radford University	\$162,579	\$167,050	\$167,050
30	President, Richard Bland	\$138,453	\$142,260	\$142,260
31	College			
32	President, University of Mary	\$151,404	\$155,568	\$155,568
33	Washington			
34	President, University of	\$187,500	\$192,656	\$192,656
35	Virginia			
36	President, Virginia	\$181,395	\$186,383	\$186,383
37	Commonwealth University			
38	President, Virginia Polytechnic	\$198,266	\$203,718	\$203,718
39	Institute and State University			
40	President, Virginia State	\$149,496	\$153,607	\$153,607
41	University			
42	Superintendent, Virginia	\$154,785	\$159,042	\$159,042
43	Military Institute			

- 1 e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification
2 plans established by the Governor.
- 3 2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by
4 credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.
- 5 f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any
6 system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such
7 system shall be paid from any funds appropriated to the affected agencies.
- 8 g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary
9 schedules to be fixed under law by the Governor payable from the lump sum appropriation.
- 10 h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in §
11 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.
- 12 i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to
13 provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic
14 and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the
15 Commonwealth to maintain a competitive position in the relevant labor market.
- 16 j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported
17 institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the
18 salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6;
19 provided, however, that such additional compensation must be approved by the Council.
- 20 2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed
21 in § 4-6.01 c 6 shall be paid from the Council's appropriation.
- 22 k.1.a. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in
23 the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as
24 the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are
25 available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a
26 plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If
27 at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an
28 emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the
29 remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon
30 by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in
31 accordance with § 4-8.00, Reporting Requirements.
- 32 b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10
33 to June 24 in any calendar year in which July 1 falls on a weekend.
- 34 2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options,
35 or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary
36 adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.
- 37 3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the
38 Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported
39 from the general fund.
- 40 l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed
41 to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as
42 members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply
43 to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.
- 44 m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher
45 education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive
46 plans for their respective institutions pursuant to § 23.1-1302 B and the cash payment offered under such compensation plans
47 pursuant to § 23.1-1302 D, Code of Virginia. Notwithstanding the limitations in § 23.1-1302 D, the total cost in any fiscal year for
48 any such compensation plan, shall be set forth by the governing body in the compensation plan for approval by the Governor and
49 review for legal sufficiency by the Office of the Attorney General.
- 50 2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions
51 of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for
52 medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time,
53 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in this Act.

r. Any public institution of higher education shall not provide general fund monies above \$100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of \$100,000.

§ 4-6.02 EMPLOYEE TRAINING AND STUDY

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

§ 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and

1 independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a
 2 full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement
 3 programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this
 4 provision.

5 f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1)
 6 returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four
 7 years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-
 8 155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of
 9 reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

10 a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual
 11 cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of
 12 service and compensation received during the period of reemployment, or

13 b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any purchase
 14 of service that may be eligible for purchase under the provisions of § 51.1-142.2, Code of Virginia.

15 2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided
 16 for in this paragraph.

17 g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of
 18 the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this
 19 paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

20 h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for
 21 the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to
 22 purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service
 23 purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever
 24 is greater, and shall be completed within 90 days of separation of service.

25 i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers'
 26 Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement
 27 System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces
 28 of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

29 1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher,
 30 when calculating average compensation, and

31 2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the
 32 United States in the calculation of creditable service.

33 j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for
 34 each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as
 35 defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter
 36 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-
 37 124.3, Code of Virginia.

38 k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24
 39 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability
 40 retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application
 41 shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant
 42 relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section
 43 14 of the Constitution of Virginia.

44 § 4-6.04 CHARGES

45 a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource
 46 Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state
 47 facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost
 48 of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal
 49 charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all
 50 revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall
 51 not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

52 b. HOUSING SERVICES:

1 1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines
 2 provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-
 3 owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances,
 4 which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the
 5 Director, Department of General Services may waive the requirement for collection of fees.

6 2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating
 7 expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund.
 8 For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be
 9 deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are
 10 financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state
 11 treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion
 12 of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid
 13 into the general fund.

14 c. PARKING SERVICES:

15 1. State-owned parking facilities

16 Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of
 17 General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such
 18 charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor,
 19 for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. -

20 2. Leased parking facilities in metropolitan Richmond area

21 Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher
 22 education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise
 23 available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space.
 24 In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of
 25 General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or
 26 waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will
 27 be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking
 28 space must be approved by the Director, Department of General Services.

29 3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1
 30 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the
 31 surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the
 32 Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to
 33 the provisions of paragraph 1 of this item.

34 4. The assignment of 300 parking spaces in the Department of General Services parking facility to be built at the corner of 9th
 35 and Broad Streets in the City of Richmond, shall be under the control of the Committee on Joint Rules and administered by the
 36 Clerk of the House and the Clerk of the Senate. Such parking spaces shall be subject to the provisions of paragraph 1 of this
 37 item.

38 § 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

39 It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the
 40 Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly
 41 observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

42 § 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

43 Except as provided in subsection A of § 23.1-1020 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of
 44 higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of
 45 Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, with regard to their participating covered employees, as
 46 that term is defined in those two chapters, except to the extent a specific appropriation or language in this act addresses such an
 47 employee.

48 § 4-7.00 STATEWIDE PLANS

49 § 4-7.01 MANPOWER CONTROL PROGRAM

50 a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency
 51 in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit
 52 for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of

- 1 Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department
2 agencies or approval from the appropriate governing authority for the independent agencies.
- 3 2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee
4 and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of
5 Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on
6 threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private
7 donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to
8 delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such
9 position level increases pursuant to this provision may not be approved for more than one year.
- 10 b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental
11 Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided
12 that such changes do not result in exceeding the Position Level for that department.
- 13 c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the
14 Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further
15 restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and
16 procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the
17 Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient
18 operation of programs.
- 19 2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions
20 authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists
21 requiring a change in the official estimate of general fund revenues available for appropriation.
- 22 d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the
23 Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.
- 24 2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon
25 workload and funding availability.
- 26 3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of
27 higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to
28 Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for
29 reference only and may fluctuate depending upon workload and funding availability.
- 30 4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may
31 fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher
32 education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director,
33 Department of Planning and Budget.
- 34 5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce
35 Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only
36 and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after
37 enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of
38 the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.
- 39 e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in
40 regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain
41 positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring
42 freezes.
- 43 f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and
44 institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period
45 exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the
46 Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries for periods exceeding
47 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of
48 the General Assembly.
- 49 2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any
50 Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House
51 Appropriations and Senate Finance Committees in the case of any such approvals.
- 52 g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the
53 Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human

1 Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may
 2 not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher
 3 education may not work more than 29 hours per week on average over a twelve month period, including classroom or other
 4 instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties.
 5 DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on
 6 wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information
 7 requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the "Act")
 8 and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any
 9 costs associated with maintaining compliance with it and for any costs or penalties associated with any violations of the Act or
 10 regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this
 11 paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state
 12 teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining
 13 compliance with the Act and for any costs or penalties associated with any violations of the Act or regulations thereunder and
 14 any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall
 15 modify this provision consistent with any updates or changes to federal law and regulations.

16 § 4-8.00 REPORTING REQUIREMENTS

17 § 4-8.01 GOVERNOR

18 a. General:

19 1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate
 20 Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in
 21 this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in
 22 such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved
 23 for public inspection in the Department of Planning and Budget.

24 2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House
 25 Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically
 26 appropriated, their sources, and the amounts for each agency affected.

27 3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be
 28 reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and
 29 Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific
 30 reporting requirements that the Governor may consider suspending.

31 b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect,
 32 use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to
 33 collect the information; or (3) the information collected is central to an essential state process mandated by the Code of
 34 Virginia.

35 c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or
 36 modified as specified below:

37	Agency	Report Title of Descriptor	Authority	Action
38 39	Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23.1-102.	Suspend reporting.
40 41	Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
42 43	Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.
44 45	Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.
46 47	Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.
48 49 50	Department of Human Resource Management	Human Capital Report (Full- Time, Part-Time, Temporary, Contractual employees funded	Code of Virginia § 2.2-1201. A. 14.	Change reporting from annually to monthly.

1		by the Commonwealth)		
2	Department of Human Resource	Work-related injuries and	Agency Directive -- Executive	Suspend reporting.
3	Management State Employee	illnesses report -- goals,	Order 94 (2005)	
4	Workers' Compensation	strategies, and results		
5	Program			
6	Governor's Office	Small, Women-and Minority-	Executive Directive	Change reporting from
7		owned Businesses (SWaM)		weekly to monthly.
8	Secretary of Commerce and	Recruitment of National and	Agency Directive -- Executive	Suspend reporting.
9	Trade	Regional Conferences Report	Order 14 (2006)	

10 d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work
 11 jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund
 12 revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in
 13 collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of
 14 nongeneral fund revenue from institutions of higher education.

15 b. Operating Appropriations Reports:

16 1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments,
 17 transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this
 18 act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees, and
 19 the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

20 2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just
 21 completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of
 22 differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current
 23 biennium.

24 3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for
 25 economic contingency.

26 4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

27 5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

28 6. Status of approvals of deficits.

29 c. Employment Reports:

30 1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions
 31 and the agencies affected.

32 2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter
 33 10 of Title 33.2, Code of Virginia, on behalf of the Commissioner of Highways, as authorized by § 2.2-510, Code of Virginia. This
 34 report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be
 35 submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

36 3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list
 37 of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

38 4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of
 39 Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have
 40 adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees
 41 telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing
 42 state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on
 43 Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year
 44 by October 1.

45 d. Capital Appropriations Reports:

46 1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

47 2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

1 e. Utilization of State Owned and Leased Real Property:

2 1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of §
 3 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-
 4 1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and
 5 include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-
 6 1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of
 7 space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and
 8 recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the
 9 Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

10 2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease
 11 administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form
 12 prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the
 13 number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

14 f. Services Reports:

15 Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the
 16 operation of any academic program by any state institution of higher education, unless approved by the Council and included in
 17 the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

18 g. Standard State Agency Abbreviations:

19 The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of
 20 state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a
 21 continuous basis to the Chairmen of the House Appropriations and Senate Finance Committees, the State Comptroller, the
 22 Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies
 23 Agency, and the public.

24 h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning
 25 and Budget:

26 The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget,
 27 shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees
 28 on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each
 29 public college and university contained in this budget. The report shall include actual or projected adjustments which increase
 30 nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The
 31 report shall provide the justification for the increase or transfer and the relative impact on student groups.

32 § 4-8.02 STATE AGENCIES

33 a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or
 34 activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies
 35 of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to
 36 the State Comptroller.

37 b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for
 38 amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit,
 39 electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.

40 c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent
 41 forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year
 42 and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance Committees.

43 d. Any state agency that is required to return federal grant funding as a result of not fulfilling the specifications of a grant, shall,
 44 as soon as practicable but no later than November 1st, report to the Chairmen of the Senate Finance and House Appropriations
 45 Committees of such forfeiting of federal grant funding.

46 § 4-8.03 LOCAL GOVERNMENTS

47 a.1. The Auditor of Public Accounts shall establish a workgroup to develop criteria for a preliminary determination that a local
 48 government may be in fiscal distress. Such criteria shall be based upon information regularly collected by the Commonwealth
 49 or otherwise regularly made public by the local government. This information includes expenditure reports submitted to the
 50 Auditor, budget information posted on local government websites, and reports prepared by the Commission on Local
 51 Government on revenue fiscal stress. Information provided by the Virginia Retirement System, the Virginia Resources

- 1 Authority, the Virginia Public Building Authority, and other state and regional authorities concerning late or missed debt service
 2 payments shall be shared with the Auditor. Fiscal distress as used in this context shall mean a situation whereby the provision and
 3 sustainability of public services is threatened by various administrative and financial shortcomings including but not limited to cash
 4 flow issues; inability to pay expenses; revenue shortfalls; deficit spending; structurally imbalanced budgets; billing and revenue
 5 collection inadequacies and discrepancies; debt overload; failure to meet obligations to authorities, school divisions, or political
 6 subdivisions of the Commonwealth; and/or lack of trained and qualified staff to process administrative and financial transactions.
 7 Fiscal distress may be caused by factors internal to the unit of government or external to the unit of government and in various
 8 degrees such conditions may or may not be controllable by management, or the local governing body, or its constitutional officers.
- 9 2. Based upon the criteria established by the workgroup and using information identified above, the Auditor of Public Accounts shall
 10 establish a prioritized early warning system. Under the prioritized early warning system, the Auditor of Public Accounts shall
 11 establish a regular process whereby it reviews data on at least an annual basis to make a preliminary determination that a local
 12 government is in fiscal distress.
- 13 3. For local governments where the Auditor of Public Accounts has made a preliminary determination of fiscal distress based upon
 14 the early warning system criteria, the Auditor of Public Accounts shall notify the local governing body of its preliminary
 15 determination that it may meet the criteria for fiscal distress. Based upon the request of the local governing body or chief executive
 16 officer, the Auditor of Public Accounts may conduct a review and request documents and data from the local government. Such
 17 review shall consider factors including, but not limited to, budget processes, debt, borrowing, expenses and payables, revenues and
 18 receivables, and other areas including staffing, and the identification of external variables contributing to a locality's financial
 19 position, and if so, the scope of the issues involved. Any local governing body that receives requests for information from the
 20 Auditor of Public Accounts pursuant to such preliminary determination based on the above described threshold levels shall
 21 acknowledge receipt of such a request and shall ensure that a response is provided within the time frames specified by the Auditor of
 22 Public Accounts. After such review, if the Auditor of Public Accounts is of the opinion that state assistance, oversight, or targeted
 23 intervention is needed, either to further assess, help stabilize, or remediate the situation, the Auditor shall notify the Governor and
 24 the Chairmen of the House Appropriations and Senate Finance Committees, and the governing body of the local government in
 25 writing outlining specific issues or actions that need to be addressed by state intervention.
- 26 4. The notification issued by the Auditor of Public Accounts pursuant to paragraph 3 above shall satisfy the notification requirement
 27 necessary to effectuate the provisions of this act in paragraph b.3 below.
- 28 b.1. The Director of the Department of Planning and Budget shall identify any amounts remaining unexpended from general fund
 29 appropriations in this Act as of June 30 of each year, which constitute state aid to local governments. The Director shall provide a
 30 listing of such amounts designated by item number and by program on or before August 15 of each year, to the Governor and the
 31 Chairmen of the House Appropriations Committee and the Senate Finance Committee.
- 32 2. From such unexpended balances identified by the Director of the Department of Planning and Budget, the Governor may
 33 reappropriate up to \$750,000 from amounts which would otherwise revert to the balance of the general fund and transfer such
 34 amounts as necessary to establish a component of fund balance which may be used for the purpose of providing technical assistance
 35 and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress.
 36 Any such reappropriation approved by the Governor, shall be separately identified in the commitments specified on the balance
 37 sheet and financial statements of the State Comptroller for the close of each fiscal year, to the extent that such reserve is not used or
 38 added to by future appropriation actions.
- 39 3. Prior to any expenditure of the reappropriated reserve, the Governor and the Chairmen of the House Appropriations Committee
 40 and the Senate Finance Committee must receive a notification from the Auditor of Public Accounts that a specific locality is in need
 41 of intervention because of a worsening financial situation. The Auditor of Public Accounts may issue such a notification upon
 42 receipt of audited financial statement or other information that indicates the existence of fiscal distress. But, no such notification
 43 shall be made until appropriate follow up and correspondence ascertains that, in the opinion of the Auditor of Public Accounts, such
 44 fiscal distress indeed exists. Such notification may also be issued by the Auditor of Public Accounts if written concerns raised about
 45 fiscal distress are not adequately addressed by the locality in question.
- 46 4. Once the Governor has received a notification from the Auditor of Public Accounts indicating fiscal distress in a specific local
 47 government, the Governor shall consult with the Chairmen of the House Appropriations Committee and the Senate Finance
 48 Committee about a plan for state intervention prior to any expenditure of funds from the cash reserve. Any plan approved by the
 49 Governor for intervention should, at a minimum, specify the purpose of such intervention, the estimated duration of the intervention,
 50 and the anticipated resources (dollars and personnel) directed toward such effort. The staffing necessary to carry out the intervention
 51 plan may be assembled from either public agencies or private entities or both and, notwithstanding any other provisions of law, the
 52 Governor may use an expedited method of procurement to secure such staffing when, in his judgment, the need for intervention is of
 53 an emergency nature such that action must be taken in a timely manner to avoid or address unacceptable financial risks to the
 54 Commonwealth.
- 55 5. The governing body and the elected constitutional officers of a locality subject to an intervention plan approved by the Governor
 56 shall assist all state appointed staff conducting the intervention regardless of whether such staff are from public agencies or private
 57 entities. Intervention staff shall provide periodic reports in writing to the Governor and the Chairmen of the House Appropriations

1 Committee and the Senate Finance Committee outlining the scope of issues discovered and any recommendations made to
 2 remediate such issues, and the progress that is made on such recommendations or other remediation efforts. These periodic
 3 reports shall specifically address the degree of cooperation the intervention team is receiving from locally elected officials,
 4 including constitutional officers, city, county, or town managers and other local personnel in regards to their intervention work.

5 6. The Department of General Services is hereby encouraged to develop a master contract of qualified private sector turnaround
 6 specialists with expertise in local government intervention that the Governor can use to procure intervention services in an
 7 expeditious manner when he determines that state intervention is warranted in situations of local fiscal distress.

8 § 4-9.00 HIGHER EDUCATION RESTRUCTURING

9 § 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

10 Consistent with § 23.1-206, Code of Virginia, the following education-related and financial and administrative management
 11 measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional
 12 performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no
 13 later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section
 14 shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and
 15 communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits
 16 provided to each institution in accordance with § 23.1-1002 will be evaluated in light of that institution's performance.

17 In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is
 18 understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance
 19 measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting
 20 all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions
 21 that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the
 22 following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of
 23 financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of
 24 financial benefits.

25 Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related
 26 measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related
 27 measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of
 28 performance.

29 The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the
 30 certification process.

31 a. BIENNIAL ASSESSMENTS

32 1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount
 33 enrollment.

34 2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate
 35 and bachelor degree awards.

36 3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H
 37 (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

38 4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level
 39 - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time
 40 equivalent students.

41 5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented
 42 populations.

43 6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

44 b. Elementary and Secondary Education

45 1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council
 46 of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production
 47 and retention of teachers, and the exiting of teachers from the teaching profession.

48 2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally
 49 identifiable information from education records in order to evaluate and study student preparation for and enrollment and
 50 performance at state institutions of higher education in order to improve educational policy and instruction in the

1 Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by
 2 persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such
 3 shared information shall be destroyed when no longer needed for purposes of the study.

4 b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education
 5 for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain
 6 de-identified student data to improve student and program performance including those for career readiness.

7 3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public
 8 Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of
 9 Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the
 10 Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his
 11 designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed,
 12 except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the
 13 content and rigor of the Standards of Learning.

14 c. SIX-YEAR PLAN

15 Institution prepares six-year financial plan consistent with § 23.1-907.

16 d. FINANCIAL AND ADMINISTRATIVE STANDARDS

17 The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the 2006
 18 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly.

19 1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and
 20 administrative standards:

21 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

22 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

23 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

24 d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any
 25 standards for outstanding receivables and bad debts; and

26 e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any
 27 standards for accounts payable past due.

28 2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of
 29 institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently
 30 issued within a specified period.

31 3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent
 32 from the established goal will be acceptable.

33 4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the
 34 Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in
 35 the plan, will be acceptable.

36 The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet
 37 procurement system (eVA) from vendor locations registered in eVA.

38 5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved
 39 by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or
 40 other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance
 41 shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether
 42 the institution shall be considered in compliance with the measure despite the cost overrun.

43 6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the
 44 budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time
 45 schedule for any such project, the Secretary of Administration shall review the circumstances causing the cost overrun and/or delay
 46 and the manner in which the institution responded and determine whether the institution appropriately adhered to Project
 47 Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the
 48 cost overrun and/or delay.

49 e. FINANCIAL AND ADMINISTRATIVE STANDARDS

1 The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of
 2 Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly. They
 3 shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act.
 4 However, the Governor may supplement or replace those administrative performance measures with the administrative
 5 performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall
 6 be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts
 7 of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the
 8 2009 Acts of Assembly.

9 1. Financial

- 10 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
 11 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;
 12 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;
 13 d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any
 14 standards for outstanding receivables and bad debts; and
 15 e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any
 16 standards for accounts payable past due.

17 2. Debt Management

- 18 a) The institution shall maintain a bond rating of AA- or better;
 19 b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and
 20 c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt
 21 management policy.

22 3. Human Resources

- 23 a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate
 24 for state classified employees within a variance of 15 percent; and
 25 b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the
 26 fiscal year.

27 4. Procurement

- 28 a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan
 29 as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM
 30 purchase goal, as stated in the plan, will be acceptable; and
 31 b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide
 32 internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

33 5. Capital Outlay

- 34 a) The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally
 35 approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or
 36 the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at
 37 the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and
 38 Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and
 39 determine whether the institution shall be considered in compliance with the measure despite the cost overrun;
 40 b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2
 41 percent of the guaranteed maximum price (GMP) or construction price; and
 42 c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by
 43 the institution is within 5 percent of the average commercial business district lease rate for similar quality space within
 44 reasonable proximity to the institution's campus.

45 6. Information Technology

- 46 a) The institution will complete major information technology projects (with an individual cost of over \$1,000,000) on time and

1 on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the
 2 Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the
 3 institution responded and determine whether the institution appropriately adhered to Project Management Institute's best
 4 management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

5 b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The
 6 institution will have no significant audit deficiencies unresolved beyond one year.

7 f. REPORTING

8 The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education
 9 governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure
 10 data.

11 g. EXEMPTION

12 The requirements of this section shall not be in effect if they conflict with § 23.1-206.D. of Chapters 828 and 869 of the Acts of
 13 Assembly of 2011.

14 § 4-9.02 LEVEL II AUTHORITY

15 a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that
 16 have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008
 17 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate
 18 functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

19 1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by
 20 an original memorandum of understanding;

21 2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

22 The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the
 23 Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of
 24 Chapter 824 and 829 of the 2008 Acts of Assembly.

25 b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related
 26 measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in
 27 consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of
 28 Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of
 29 Higher Education for Virginia.

30 c. 1. As part of a five-year pilot program, George Mason University and James Madison University are authorized, for a period of
 31 five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information
 32 technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second
 33 enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and
 34 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item, and (ii) the institution is not required to have a
 35 signed memorandum of understanding with the Secretary of Administration regarding participation in the nongeneral fund
 36 decentralization program as provided in subsection C of § 2.2-1132 in order to be eligible for the additional capital project authority.

37 2. In addition, each institution shall exercise additional financial and administrative authority over financial operations as follows:

38 a). BOARD OF VISITORS ACCOUNTABILITY AND DELEGATION OF AUTHORITY.

39 The Board of Visitors of the University shall at all times be fully and ultimately accountable for the proper fulfillment of the duties
 40 and responsibilities set forth in, and for the appropriate implementation of, this Policy. Consistent with this full and ultimate
 41 accountability, however, the Board may, pursuant to its legally permissible procedures, specifically delegate either herein or by
 42 separate Board resolution the duties and responsibilities set forth in this Policy to a person or persons within the University, who,
 43 while continuing to be fully accountable for such duties and responsibilities, may further delegate the implementation of those duties
 44 and responsibilities pursuant to the University's usual delegation policies and procedures.

45 b) FINANCIAL MANAGEMENT AND REPORTING SYSTEM.

46 The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be
 47 authorized by the Board to maintain existing and implement new policies governing the management of University financial
 48 resources. These policies shall continue to (i) ensure compliance with Generally Accepted Accounting Principles, (ii) ensure
 49 consistency with the current accounting principles employed by the Commonwealth, including the use of fund accounting principles,
 50 with regard to the establishment of the underlying accounting records of the University and the allocation and utilization of resources

1 within the accounting system, including the relevant guidance provided by the State Council of Higher Education for Virginia
 2 chart of accounts with regard to the allocation and proper use of funds from specific types of fund sources, (iii) provide
 3 adequate risk management and internal controls to protect and safeguard all financial resources, including moneys transferred
 4 to the University pursuant to a general fund appropriation, and ensure compliance with the requirements of the Appropriation
 5 Act.

6 The financial management system shall continue to include a financial reporting system to satisfy both the requirements for
 7 inclusion into the Commonwealth's Comprehensive Annual Financial Report, as specified in the related State Comptroller's
 8 Directives, and the University's separately audited financial statements. To ensure observance of limitations and restrictions
 9 placed on the use of the resources available to the University, the accounting and bookkeeping system of the University shall
 10 continue to be maintained in accordance with the principles prescribed for governmental organizations by the Governmental
 11 Accounting Standards Board.

12 In addition, the financial management system shall continue to provide financial reporting for the President, acting through the
 13 Executive Vice President, Chief Operating Officer, or Chief Financial Officer, and the Board of Visitors to enable them to
 14 provide adequate oversight of the financial operations of the University.

15 c) FINANCIAL MANAGEMENT POLICIES.

16 The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall create
 17 and implement any and all financial management policies necessary to establish a financial management system with adequate
 18 risk management and internal control processes and procedures for the effective protection and management of all University
 19 financial resources. Such policies will not address the underlying accounting principles and policies employed by the
 20 Commonwealth and the University, but rather will focus on the internal operations of the University's financial management.
 21 These policies shall include, but need not be limited to, the development of a tailored set of finance and accounting practices
 22 that seek to support the University's specific business and administrative operating environment in order to improve the
 23 efficiency and effectiveness of its business and administrative functions. In general, the system of independent financial
 24 management policies shall be guided by the general principles contained in the Commonwealth's Accounting Policies and
 25 Procedures such as establishing strong risk management and internal accounting controls to ensure University financial
 26 resources are properly safeguarded and that appropriate stewardship of public funds is obtained through management's
 27 oversight of the effective and efficient use of such funds in the performance of University programs.

28 The University shall continue to follow the Commonwealth's accounting policies until such time as specific alternate policies
 29 can be developed, approved and implemented. Such alternate policies shall include applicable accountability measures and
 30 shall be submitted to the State Comptroller for review and comment before they are implemented by the University.

31 d) FINANCIAL RESOURCE RETENTION AND MANAGEMENT.

32 The Board of Visitors shall retain the authority to establish tuition, fee, room, board, and other charges, with appropriate
 33 commitment provided to need-based grant aid for middle- and lower-income undergraduate Virginians. Except as provided
 34 otherwise in the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be exempt
 35 from the revenue restrictions in the general provisions of the Appropriation Act related to non-general funds. In addition, unless
 36 prohibited by the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be
 37 entitled to retain non-general fund savings generated from changes in Commonwealth rates and charges, including but not
 38 limited to health, life, and disability insurance rates, retirement contribution rates, telecommunications charges, and utility rates,
 39 rather than reverting such savings back to the Commonwealth. This financial resource policy assists the University by
 40 providing the framework for retaining and managing non-general funds, for the receipt of general funds, and for the use and
 41 stewardship of all these funds.

42 The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue
 43 to provide oversight of the University's cash management system which is the framework for the retention of non-general
 44 funds. The Internal Audit Department of the University shall periodically audit the University's cash management system in
 45 accordance with appropriate risk assessment models and make reports to the Audit and Compliance Committee of the Board of
 46 Visitors. Additional oversight shall continue to be provided through the annual audit and assessment of internal controls
 47 performed by the Auditor of Public Accounts. For the receipt of general and non-general funds, the University shall conform to
 48 the Security for Public Deposits Act, Chapter 44 (§ 2.2-4400 et seq.) of Title 2.2 of the Code of Virginia as it currently exists
 49 and from time to time may be amended.

50 e) ACCOUNTS RECEIVABLE MANAGEMENT AND COLLECTION.

51 The President, through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be
 52 authorized to create and implement any and all Accounts Receivable Management and Collection policies as part of a system
 53 for the management of University financial resources. The policies shall be guided by the requirements of the Virginia Debt
 54 Collection Act, Chapter 48 (§ 2.2-4800 et seq.) of the Code of Virginia, such that the University shall take all appropriate and
 55 cost effective actions to aggressively collect accounts receivable in a timely manner.

1 These shall include, but not be limited to, establishing the criteria for granting credit to University customers; establishing the nature
 2 and timing of collection procedures within the above general principles; and the independent authority to select and contract with
 3 collection agencies and, after consultation with the Office of the Attorney General, private attorneys as needed to perform any and
 4 all collection activities for all University accounts receivable such as reporting delinquent accounts to credit bureaus, obtaining
 5 judgments, garnishments, and liens against such debtors, and other actions. In accordance with sound collection activities, the
 6 University shall continue to utilize the Commonwealth's Debt Set-Off Collection Programs, shall develop procedures acceptable to
 7 the Tax Commissioner and the State Comptroller to implement such Programs, and shall provide a quarterly summary report of
 8 receivables to the Department of Accounts in accordance with the reporting procedures established pursuant to the Virginia Debt
 9 Collection Act.

10 f) DISBURSEMENT MANAGEMENT.

11 The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be
 12 authorized to create and implement any and all disbursement policies as part of a system for the management of University financial
 13 resources. The disbursement management policies shall continue to define the appropriate and reasonable uses of all funds, from
 14 whatever source derived, in the execution of the University's operations. These policies also shall continue to address the timing of
 15 appropriate and reasonable disbursements consistent with the Prompt Payment Act, and the appropriateness of certain goods or
 16 services relative to the University's mission, including travel-related disbursements. Further, the University's disbursement policy
 17 shall continue to provide for the mechanisms by which payments are made including the use of charge cards, warrants, and
 18 electronic payments.

19 These disbursement policies shall authorize the President, acting through the Executive Vice President, Chief Operating Officer, or
 20 Chief Financial Officer, to independently select, engage, and contract for such consultants, accountants, and financial experts, and
 21 other such providers of expert advice and consultation, and, after consultation with the Office of the Attorney General, private
 22 attorneys, as may be necessary or desirable in his or her discretion. The policies also shall continue to include the ability to locally
 23 manage and administer the Commonwealth's credit card and cost recovery programs related to disbursements, subject to any
 24 restrictions contained in the Commonwealth's contracts governing those programs, provided that the University shall submit the
 25 credit card and cost recovery aspects of its financial and operations policies to the State Comptroller for review and comment prior
 26 to implementing those aspects of those policies. The disbursement policies shall ensure that adequate risk management and internal
 27 control procedures shall be maintained over previously decentralized processes for public records, payroll, and non-payroll
 28 disbursements. The University shall continue to provide summary quarterly prompt payment reports to the Department of Accounts
 29 in accordance with the reporting procedures established pursuant to the Prompt Payment Act.

30 The University's disbursement policies shall be guided by the principles of the Commonwealth's policies as included in the
 31 Commonwealth's Accounting Policy and Procedures Manual. The University shall continue to follow the Commonwealth's
 32 disbursement policies until such time as specific alternative policies can be developed, approved and implemented. Such alternate
 33 policies shall be submitted to the State Comptroller for review and comment prior to their implementation by the University.

34 3. The Auditor of Public Accounts or his legally authorized representatives shall audit annually the accounts of each institution and
 35 shall distribute copies of each annual audit to the Governor and to the Chairmen of the House Committee on Appropriations and the
 36 Senate Committee on Finance. Pursuant to § 30-133, the Auditor of Public Accounts and his legally authorized representatives shall
 37 examine annually the accounts and books of each such institution, but the institution shall not be deemed to be a state or
 38 governmental agency, advisory agency, public body, or agency or instrumentality for purposes of Chapter 14 (§ 30-130 et seq.) of
 39 Title 30 except for those provisions in such chapter that relate to requirements for financial recordkeeping and bookkeeping. Each
 40 such institution shall be subject to periodic external review by the Joint Legislative and Audit Review Commission and such other
 41 reviews and audits as shall be required by law.

42 d. Subject to review of its Shared Services Center by the Department of General Services, and approval to proceed with
 43 decentralized procurement of authority by the Department of General Services, the Virginia Community College System (VCCS) is
 44 authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three
 45 functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0,
 46 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates
 47 contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item. The State Board
 48 for Community Colleges may request any subsequent delegation of procurement authority after consultation with and positive
 49 recommendation by the Department of General Services.

50 e. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement for institutions of higher education
 51 that have operational authority in the area of procurement, the small purchases thresholds shall be the same thresholds set forth in the
 52 Virginia Public Procurement Act (§ 2.2- 4300 et seq). Where small purchase thresholds in the Rules Governing Procurement for
 53 such institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

54 § 4-9.03 LEVEL III AUTHORITY

55 a. The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly
 56 shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the Management Agreements
 57 need to be renegotiated or revised.

1 b. Pursuant to § 23.1-1005, Code of Virginia, the Governor recommends approval for James Madison University to operate as a
2 Level III institution under the management agreement as approved by its board of visitors on November 9, 2018.

3 c. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement the small purchases thresholds
4 for Level III institutions shall be the small purchase thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et
5 seq). Where small purchase thresholds under Rules Governing Procurement for Level III institutions exceed those in 2.2-4300
6 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

7 § 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

8 a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

9 1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The
10 page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards
11 should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to
12 athletics, on a separate page attached to student invoices;

13 2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce
14 reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue
15 through charging for specialized programs and services, expanding membership, and/or charging all users of recreation
16 facilities;

17 3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of
18 control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure.
19 Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures
20 where possible;

21 4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct
22 reports;

23 5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that
24 establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control
25 for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the
26 circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the
27 purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are
28 unusually narrow; and,

29 6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods,
30 including use of institution-wide contracts;

31 7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that
32 are exceptions to the institutional policies for standardizing purchases;

33 8. participate in national faculty teaching load assessments by discipline and faculty type.

34 b. The State Council on Higher Education for Virginia, to the extent practicable, shall:

35 1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of
36 Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory
37 non-E&G fees, including for intercollegiate athletics;

38 2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory
39 non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public
40 Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;

41 3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure
42 current use of space and plans for future use of space at Virginia's public higher education institutions;

43 4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory
44 Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee,
45 the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering
46 institutions' instructional expenditures per student while maintaining or enhancing student learning;

47 5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;

48 6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing
49 learning.

1 c. Notwithstanding the provisions of § 23.1-1304, the State Council of Higher Education for Virginia shall annually train boards of
 2 visitors members on the types of information members should request from institutions to inform decision making, such as
 3 performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends.
 4 Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within
 5 their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from
 6 relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year
 7 institutions, as appropriate.

8 d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's
 9 maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and
 10 differences in facility use. Beginning with fiscal year 2016, the Department of Planning and Budget shall submit these
 11 recommendations to the Governor and General Assembly no later than November 1 of each year.

12 e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall
 13 use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which
 14 capital projects should receive funding.

15 f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher
 16 education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

17 § 4-11.00 STATEMENT OF FINANCIAL CONDITION

18 Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a
 19 detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts,
 20 and upon such forms as shall be prescribed by the Auditor of Public Accounts.

21 § 4-12.00 SEVERABILITY

22 If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or
 23 circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this
 24 act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence,
 25 clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this
 26 act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if
 27 such application had not been made.

28 § 4-13.00 CONFLICT WITH OTHER LAWS

29 Notwithstanding any other provision of law, and until June 30, 2020, the provisions of this act shall prevail over any conflicting
 30 provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting
 31 provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has
 32 clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such
 33 other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to
 34 prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s)
 35 of this act and the provision of such other law.

36 § 4-14.00 EFFECTIVE DATE

37 This act is effective on its passage as provided in § 1-214, Code of Virginia.

38 ADDITIONAL ENACTMENTS

39 3. That §§ 33.2-1904, 33.2-1907 and 33.2-2502 of the Code of Virginia are amended and reenacted as follows:

40 § 33.2-1904. Northern Virginia Transportation District and Commission.

41 A. There is hereby created the Northern Virginia Transportation District (the District), comprising the Counties of Arlington, Fairfax,
 42 and Loudoun; the Cities of Alexandria, Falls Church, and Fairfax; and such other county or city contiguous to the District that agrees to
 43 join the District.

44 B. There is hereby established the Northern Virginia Transportation Commission (the Commission) as a transportation commission
 45 pursuant to this chapter. The Commission shall consist of five nonlegislative citizen members from Fairfax County, three nonlegislative
 46 citizen members from Arlington County, two nonlegislative citizen members from Loudoun County, two nonlegislative citizen
 47 members from the City of Alexandria, one nonlegislative member from the City of Falls Church, one nonlegislative citizen member
 48 from the City of Fairfax, and the Chairman of the Commonwealth Transportation Board or his designee to serve ex officio with voting
 49 privileges. If a county or city contiguous to the District agrees to join the District, such locality shall appoint one nonlegislative citizen
 50 member to the Commission. Members from the counties and cities shall be appointed from their respective governing bodies. The
 51 Commission shall also include four members appointed by the Speaker of the House of Delegates who may be members of the House

1 of Delegates and two members of the Senate appointed by the Senate Committee on Rules. All legislative members shall serve
 2 terms coincident with their terms of office. Members may be reappointed for successive terms. All members shall be citizens of
 3 the Commonwealth. Except for the Chairman of the Commonwealth Transportation Board or his designee, all members of the
 4 Commission shall be residents of the localities composing the District. Vacancies occurring other than by expiration of a term
 5 shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.

6 **§ 33.2-1907. Members of Transportation Commissions.**

7 A. Any transportation district commission created pursuant to this chapter shall consist of the number of members the component
 8 governments shall agree upon, or as may otherwise be provided by law. The governing body of each participating county and city
 9 shall appoint from among its members the number of commissioners to which the county or city is entitled; however, for those
 10 commissions with powers as set forth in subsection A of § 33.2-1915, the governing body of each participating county or city is
 11 not limited to appointing commissioners from among its members. In addition, the governing body may appoint, from its number
 12 or otherwise, designated alternate members for those appointed to the commission who shall be able to exercise all of the powers
 13 and duties of a commission member when the regular member is absent from commission meetings. Each such appointee shall
 14 serve at the pleasure of the appointing body; however, no appointee to a commission with powers as set forth in subsection B of §
 15 33.2-1915 may continue to serve when he is no longer a member of the appointing body. Each governing body shall inform the
 16 commission of its appointments to and removals from the commission by delivering to the commission a certified copy of the
 17 resolution making the appointment or causing the removal.

18 The Chairman of the Commonwealth Transportation Board, or his designee, shall be a member of each commission, ex officio
 19 with voting privileges. The Chairman of the Commonwealth Transportation Board may appoint an alternate member who may
 20 exercise all the powers and duties of the Chairman of the Commonwealth Transportation Board when neither the Chairman of the
 21 Commonwealth Transportation Board nor his designee is present at a commission meeting.

22 The Potomac and Rappahannock Transportation Commission shall also include two members who reside within the boundaries of
 23 the transportation district appointed by the Speaker of the House who may be members of the House of Delegates and one
 24 member of the Senate appointed by the Senate Committee on Rules. Each legislative member shall be from a legislative district
 25 located wholly or in part within the boundaries of the transportation district and shall serve a term coincident with his term of
 26 office. The members of the General Assembly shall be eligible for reappointment for successive terms. Vacancies occurring other
 27 than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original
 28 appointments.

29 The Transportation District Commission of Hampton Roads shall consist of one nonlegislative citizen member appointed by the
 30 Governor from each county and city embraced by the transportation district. However, for the gubernatorial appointments that will
 31 become effective July 1, 2016, three of the appointments shall be for initial terms of two years and three appointments shall be for
 32 terms of four years. Thereafter, all gubernatorial appointments shall be for terms of four years so as to stagger the terms of the
 33 gubernatorial appointees. The governing body of each such county or city may appoint either a member of its governing body or
 34 its county or city manager to serve as an ex officio member with voting privileges. Every such ex officio member shall be allowed
 35 to attend all meetings of the commission that other members may be required to attend. Vacancies shall be filled in the same
 36 manner as the original appointments.

37 B. The Secretary or his designee and any appointed member of the Northern Virginia Transportation Commission are authorized
 38 to serve as members of the board of directors of the Washington Metropolitan Area Transit Authority (§ 33.2-3100 et seq.) and
 39 while so serving the provisions of § 2.2-2800 shall not apply to such member. In appointing Virginia members of the board of
 40 directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission
 41 shall include the Secretary or his designee as a principal member on the board of directors of WMATA. Any designee serving as
 42 the principal member must reside in a locality served by WMATA.

43 In selecting from its membership those members to serve on the board of directors of WMATA, the Northern Virginia
 44 Transportation Commission shall comply with the following requirements:

45 1. A board member shall not have been an employee of WMATA within one year of appointment to serve on the board of
 46 directors.

47 2. A board member shall have (i) experience in at least one of the fields of transit planning, transportation planning, or land use
 48 planning; transit or transportation management or other public sector management; engineering; finance; public safety; homeland
 49 security; human resources; or the law or (ii) knowledge of the region's transportation issues derived from working on regional
 50 transportation issue resolution.

51 3. A board member shall be a regular patron of the services provided by WMATA.

52 4. Board members shall serve a term of four years with a maximum of two consecutive terms. A board member's term or terms
 53 must coincide with his term on the body that appointed him to the Northern Virginia Transportation Commission. Any vacancy
 54 created if a board member cannot fulfill his term because his term on the appointing body has ended shall be filled for the
 55 unexpired term in the same manner as the member being replaced was appointed within 60 days of the vacancy. The initial

1 appointments to a four-year term will be as follows: the Secretary, or his designee, for a term of four years; the second principal
 2 member for a term of three years; one alternate for a term of two years; and the remaining alternate for a term of one year. Thereafter,
 3 board members shall be appointed for terms of four years. Service on the WMATA board of directors prior to July 1, 2012, shall not be
 4 considered in determining length of service. Any person appointed to an initial one-year or two-year term, or appointed to an unexpired
 5 term in which two years or less is remaining, shall be eligible to serve two consecutive four-year terms after serving the initial or
 6 unexpired term.

7 5. Members may be removed from the board of directors of WMATA if they attend fewer than three-fourths of the meetings in a
 8 calendar year; if they are conflicted due to employment at WMATA; or if they are found to be in violation of the State and Local
 9 Government Conflict of Interests Act (§ 2.2-3100 et seq.). If a board member is removed during a term, the vacancy shall be filled
 10 pursuant to the provisions of subdivision 4.

11 6. Each member of the Northern Virginia Transportation Commission appointed to the board of directors of WMATA shall file
 12 semiannual reports with the Secretary's office beginning July 1, 2012. The reports shall include (i) the dates of attendance at WMATA
 13 board meetings, (ii) any reasons for not attending a specific meeting, and (iii) dates and attendance at other WMATA-related public
 14 events.

15 7. Each nonelected member of the Northern Virginia Transportation Commission appointed to the board of directors of WMATA shall
 16 be eligible to receive reasonable and necessary expenses and compensation pursuant to §§ 2.2-2813 and 2.2-2825 from the Northern
 17 Virginia Transportation Commission for attending meetings and for the performance of his official duties as a board member on that
 18 day.

19 Any entity that provides compensation to a WMATA board member for his service on the WMATA board shall be required to submit
 20 on July 1 of each year to the Secretary the amount of that compensation. Such letter will remain on file with the Secretary's office and
 21 be available for public review.

22 C. When the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission enter into
 23 an agreement to operate a commuter railway, the agreement governing the creation of the railway shall provide that the Chairman of
 24 the Commonwealth Transportation Board or his designee shall have one vote on the oversight board for the railway. For each year in
 25 which the state contribution to the railway is greater than or equal to the highest contribution from an individual locality, the total
 26 annual subsidy as provided by the member localities used to determine vote weights shall be recalculated to include the Commonwealth
 27 contributing an amount equal to the highest contributing locality. The vote weights shall be recalculated to provide the Chairman of the
 28 Commonwealth Transportation Board or his designee the same weight as the highest contributing locality. The revised vote weights
 29 shall be used in determining the passage of motions before the oversight board.

30 **§ 33.2-2502. Composition of Authority; membership; terms.**

31 The Authority shall consist of 17 members as follows:

32 1. The chief elected officer of the governing body of each county and city embraced by the Authority or, in the discretion of the chief
 33 elected officer, his designee, who shall be a current elected officer of such governing body;

34 2. Two members who reside in different counties or cities embraced by the Authority, appointed by the Speaker of the House who may
 35 be from the membership of the House Committee on Appropriations, the House Committee on Finance, or the House Committee on
 36 Transportation;

37 3. One member of the Senate who resides in a county or city embraced by the Authority, appointed by the Senate Committee on Rules
 38 and, to the extent practicable, from the membership of the Senate Committee on Finance and the Senate Committee on Transportation;

39 4. Two nonlegislative citizen members who reside in different counties or cities embraced by the Authority, appointed by the Governor.
 40 One such gubernatorial appointment shall be a member of the Commonwealth Transportation Board and one shall be a person who has
 41 significant experience in transportation planning, finance, engineering, construction, or management; and

42 5. The following three persons who shall serve as nonvoting ex officio members of the Authority: the Director of the Department of
 43 Rail and Public Transportation, or his designee; the Commissioner of Highways, or his designee; and the chief elected officer of one
 44 town in a county embraced by the Authority to be chosen by the Authority.

45 All members of the Authority shall serve terms coincident with their terms of office, except that the gubernatorial appointee who is not
 46 a member of the Board shall serve for a term of four years. A vacancy occurring other than by expiration of a term shall be filled for the
 47 unexpired term. Vacancies shall be filled in the same manner as the original appointments. The Authority shall appoint a chairman and
 48 vice-chairman from among its members.

49 **4. That the Code of Virginia is amended by adding in Article 1 of Chapter 10 of Title 32.1 sections numbered 32.1-332.01, and**
 50 **32.1-332.02 as follows:**

51 **§ 32.1-331.01. Health Care Coverage Assessment Fund.**

1 A. As used in this section:

2 "Covered hospital" means any in-state private acute care hospital other than a hospital classified as a public hospital, freestanding
3 psychiatric and rehabilitation hospital, children's hospital, long stay hospital, long-term care hospital, or critical access hospital.

4 "Newly eligible adult" means an individual described in 42 U.S.C. § 1396a(a)(10)(A)(i)(VIII).

5 "State Plan" means the state plan for medical assistance under Title XIX (§ 42 U.S.C. § 1396 et seq.) of the Social Security Act.

6 B. There is hereby created in the state treasury a special nonreverting fund to be known as the Health Care Coverage Assessment
7 Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All revenues
8 collected or received as a result of imposition of a health care coverage assessment on covered hospitals and any other such
9 moneys, public or private, received for the administration of the health care coverage assessment shall be paid into the state
10 treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any
11 moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but
12 shall remain in the Fund. Moneys deposited to the Fund shall be used solely for the nonfederal share of the cost of medical
13 assistance for newly eligible adults, the administrative costs of collecting the assessment and implementing and operating the
14 coverage for newly eligible adults. Such moneys shall be appropriated as provided in the general appropriation act. Expenditures
15 and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request
16 signed by the Director of the Department of Medical Assistance Services.

17 **§ 32.1-331.02. Health Care Provider Payment Rate Assessment Fund.**

18 A. As used in this section:

19 "Covered hospital" means any in-state private acute care hospital other than a hospital classified as a public hospital, freestanding
20 psychiatric and rehabilitation hospital, children's hospital, long stay hospital, long-term care hospital, or critical access hospital.

21 "Managed care organization hospital payment gap" means the difference between the amount included in rates for inpatient and
22 outpatient services provided by covered hospitals, based on historical paid claims, and the amount that would be included when
23 hospital services are priced according to the existing State Plan methodology but using 100 percent of the adjustment factors,
24 including the capital reimbursement percentage, and full inflation subject to approval by the Centers for Medicare and Medicaid
25 Services pursuant to 42 C.F.R. § 438.6(c).

26 "State Plan" means the state plan for medical assistance under Title XIX (§ 42 U.S.C. § 1396 et seq.) of the Social Security Act.

27 "Upper payment limit" means the amount equal to the maximum amount of payment for inpatient services for recipients of
28 medical assistance services established in accordance with 42 C.F.R § 447.272 and outpatient services for recipients of medical
29 assistance services pursuant to 42 CFR § 447.321.

30 B. There is hereby created in the state treasury a special nonreverting fund to be known as the Health Care Payment Rate
31 Assessment Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All
32 revenues collected or received as a result of imposition of a health care payment rate assessment on covered hospitals and any
33 other such moneys, public or private, received for the administration of the health care payment assessment shall be paid into the
34 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
35 moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but
36 shall remain in the Fund. Moneys deposited to the Fund shall be used solely for the nonfederal share of the cost of payment rate
37 actions associated with the payment rate assessment as provided in the general appropriation act and the administrative costs of
38 collecting the assessment and of implementing and operating the associated payment rate actions. Such moneys shall be
39 appropriated as provided in the general appropriation act. Expenditures and disbursements from the Fund shall be made by the
40 State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Medical
41 Assistance Services.

42 **5. Effective July 1, 2018, the authority and responsibilities of the Secretary of Technology included in the Code of Virginia**
43 **shall be executed by the Secretary of Administration and the Secretary of Commerce and Trade pursuant to Item 65 and**
44 **Item 102 of this act. Any authority or responsibilities of the Secretary of Technology not referenced in Item 65 and Item**
45 **102 of this act shall be executed by either the Secretary of Administration or the Secretary of Commerce and Trade as**
46 **determined by the Governor.**

47 **6. That § 58.1-638 of the Code of Virginia is amended and reenacted as follows:**

48 **58.1-638. Disposition of state sales and use tax revenue.**

49 A. The Comptroller shall designate a specific revenue code number for all the state sales and use tax revenue collected under the
50 preceding sections of this chapter.

51 1. The sales and use tax revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special Session

1 of the General Assembly shall be paid, in the manner hereinafter provided in this section, to the Transportation Trust Fund as defined in
 2 § 33.2-1524. Of the funds paid to the Transportation Trust Fund, an aggregate of 4.2 percent shall be set aside as the Commonwealth
 3 Port Fund as provided in this section; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund as provided in
 4 this section; and an aggregate of 14.7 percent shall be set aside as the Commonwealth Mass Transit Fund as provided in this section.
 5 The Fund's share of such net revenue shall be computed as an estimate of the net revenue to be received into the state treasury each
 6 month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All payments shall be
 7 made to the Fund on the last day of each month.

8 2. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation
 9 Trust Fund and which shall be known as the Commonwealth Port Fund.

10 a. The Commonwealth Port Fund shall be established on the books of the Comptroller and the funds remaining in such Fund at the end
 11 of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund
 12 and be credited to it. Funds may be paid to any authority, locality or commission for the purposes hereinafter specified.

13 b. The amounts allocated pursuant to this section shall be allocated by the Commonwealth Transportation Board to the Board of
 14 Commissioners of the Virginia Port Authority to be used to support port capital needs and the preservation of existing capital needs of
 15 all ocean, river, or tributary ports within the Commonwealth. Expenditures for such capital needs are restricted to those capital projects
 16 specified in subsection B of § 62.1-132.1.

17 c. Commonwealth Port Fund revenue shall be allocated by the Board of Commissioners to the Virginia Port Authority in order to foster
 18 and stimulate the flow of maritime commerce through the ports of Virginia, including but not limited to the ports of Richmond,
 19 Hopewell, and Alexandria.

20 3. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be part of the Transportation Trust
 21 Fund and which shall be known as the Commonwealth Airport Fund. The Commonwealth Airport Fund shall be established on the
 22 books of the Comptroller and any funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall
 23 remain in the Fund. Interest earned on the funds shall be credited to the Fund. The funds so allocated shall be allocated by the
 24 Commonwealth Transportation Board to the Virginia Aviation Board. The funds shall be allocated by the Virginia Aviation Board to
 25 any Virginia airport which is owned by the Commonwealth, a governmental subdivision thereof, or a private entity to which the public
 26 has access for the purposes enumerated in § 5.1-2.16, or is owned or leased by the Metropolitan Washington Airports Authority
 27 (MWAA), as follows:

28 Any new funds in excess of \$12.1 million which are available for allocation by the Virginia Aviation Board from the Commonwealth
 29 Transportation Fund, shall be allocated as follows: 60 percent to MWAA, up to a maximum annual amount of \$2 million, and 40
 30 percent to air carrier airports as provided in subdivision A 3 a. Except for adjustments due to changes in enplaned passengers, no air
 31 carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision A 3 a than it received in fiscal year
 32 1994-1995.

33 Of the remaining amount:

34 a. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or leased by MWAA, based upon the
 35 percentage of enplanements for each airport to total enplanements at all air carrier airports, except airports owned or leased by MWAA.
 36 No air carrier airport sponsor, however, shall receive less than \$50,000 nor more than \$2 million per year from this provision.

37 b. Sixty percent of the funds shall be allocated as follows:

38 (1) For the first six months of each fiscal year, the funds shall be allocated as follows:

39 (a) Forty percent of the funds shall be allocated by the Aviation Board for air carrier and reliever airports on a discretionary basis,
 40 except airports owned or leased by MWAA; and

41 (b) Twenty percent of the funds shall be allocated by the Aviation Board for general aviation airports on a discretionary basis; and

42 (2) For the second six months of each fiscal year, all remaining funds shall be allocated by the Aviation Board for all eligible airports
 43 on a discretionary basis, except airports owned or leased by MWAA.

44 3a. There is hereby created in the Department of the Treasury a special nonreverting fund that shall be a part of the Transportation
 45 Trust Fund and that shall be known as the Commonwealth Space Flight Fund. The Commonwealth Space Flight Fund shall be
 46 established on the books of the Comptroller and the funds remaining in such Fund at the end of a biennium shall not revert to the
 47 general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

48 a. The amounts allocated to the Commonwealth Space Flight Fund pursuant to § 33.2-1526 shall be allocated by the Commonwealth
 49 Transportation Board to the Board of Directors of the Virginia Commercial Space Flight Authority to be used to support the capital
 50 needs, maintenance, and operating costs of any and all facilities owned and operated by the Virginia Commercial Space Flight
 51 Authority.

- 1 b. Commonwealth Space Flight Fund revenue shall be allocated by the Board of Directors to the Virginia Commercial Space
2 Flight Authority in order to foster and stimulate the growth of the commercial space flight industry in Virginia.
- 3 4. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the
4 Transportation Trust Fund and which shall be known as the Commonwealth Mass Transit Fund.
- 5 a. The Commonwealth Mass Transit Fund shall be established on the books of the Comptroller and any funds remaining in such
6 Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds
7 shall be credited to the Fund.
- 8 b. The amounts allocated pursuant to § 33.2-1526.1 shall be used to support the operating, capital, and administrative costs of
9 public transportation at a state share determined by the Commonwealth Transportation Board, and these amounts may be used to
10 support the capital project costs of public transportation and ridesharing equipment, facilities, and associated costs at a state share
11 determined by the Commonwealth Transportation Board. Capital costs may include debt service payments on local or agency
12 transit bonds.
- 13 c. There is hereby created in the Department of the Treasury a special nonreverting fund known as the Commonwealth Transit
14 Capital Fund. The Commonwealth Transit Capital Fund shall be part of the Commonwealth Mass Transit Fund. The
15 Commonwealth Transit Capital Fund subaccount shall be established on the books of the Comptroller and consist of such moneys
16 as are appropriated to it by the General Assembly and of all donations, gifts, bequests, grants, endowments, and other moneys
17 given, bequeathed, granted, or otherwise made available to the Commonwealth Transit Capital Fund. Any funds remaining in the
18 Commonwealth Transit Capital Fund at the end of the biennium shall not revert to the general fund, but shall remain in the
19 Commonwealth Transit Capital Fund. Interest earned on funds within the Commonwealth Transit Capital Fund shall remain in
20 and be credited to the Commonwealth Transit Capital Fund. Proceeds of the Commonwealth Transit Capital Fund may be paid to
21 any political subdivision, another public entity created by an act of the General Assembly, or a private entity as defined in § 33.2-
22 1800 and for purposes as enumerated in subdivision 7 of § 33.2-1701 or expended by the Department of Rail and Public
23 Transportation for the purposes specified in this subdivision. Revenues of the Commonwealth Transit Capital Fund shall be used
24 to support capital expenditures involving the establishment, improvement, or expansion of public transportation services through
25 specific projects approved by the Commonwealth Transportation Board. The Commonwealth Transit Capital Fund shall not be
26 allocated without requiring a local match from the recipient.
- 27 B. The sales and use tax revenue generated by a one percent sales and use tax shall be distributed among the counties and cities of
28 the Commonwealth in the manner provided in subsections C and D.
- 29 C. The localities' share of the net revenue distributable under this section among the counties and cities shall be apportioned by the
30 Comptroller and distributed among them by warrants of the Comptroller drawn on the Treasurer of Virginia as soon as practicable
31 after the close of each month during which the net revenue was received into the state treasury. The distribution of the localities'
32 share of such net revenue shall be computed with respect to the net revenue received into the state treasury during each month, and
33 such distribution shall be made as soon as practicable after the close of each such month.
- 34 D. The net revenue so distributable among the counties and cities shall be apportioned and distributed upon the basis of the latest
35 yearly estimate of the population of cities and counties ages five to 19, provided by the Weldon Cooper Center for Public Service
36 of the University of Virginia. Such population estimate produced by the Weldon Cooper Center for Public Service of the
37 University of Virginia shall account for persons who are domiciled in orphanages or charitable institutions or who are dependents
38 living on any federal military or naval reservation or other federal property within the school division in which the institutions or
39 federal military or naval reservation or other federal property is located. Such population estimate produced by the Weldon
40 Cooper Center for Public Service of the University of Virginia shall account for members of the military services who are under
41 20 years of age within the school division in which the parents or guardians of such persons legally reside. Such population
42 estimate produced by the Weldon Cooper Center for Public Service of the University of Virginia shall account for individuals
43 receiving services in state hospitals, state training centers, or mental health facilities, persons who are confined in state or federal
44 correctional institutions, or persons who attend the Virginia School for the Deaf and the Blind within the school division in which
45 the parents or guardians of such persons legally reside. Such population estimate produced by the Weldon Cooper Center for
46 Public Service of the University of Virginia shall account for persons who attend institutions of higher education within the school
47 division in which the student's parents or guardians legally reside. To such estimate, the Department of Education shall add the
48 population of students with disabilities, ages two through four and 20 through 21, as provided to the Department of Education by
49 school divisions. The revenue so apportionable and distributable is hereby appropriated to the several counties and cities for
50 maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the operation of the public
51 schools, which shall be considered as funds raised from local resources. In any county, however, wherein is situated any
52 incorporated town constituting a school division, the county treasurer shall pay into the town treasury for maintenance, operation,
53 capital outlays, debt and interest payments, or other expenses incurred in the operation of the public schools, the proper
54 proportionate amount received by him in the ratio that the school population of such town bears to the school population of the
55 entire county. If the school population of any city or of any town constituting a school division is increased by the annexation of
56 territory since the last estimate of school population provided by the Weldon Cooper Center for Public Service, such increase
57 shall, for the purposes of this section, be added to the school population of such city or town as shown by the last such estimate
58 and a proper reduction made in the school population of the county or counties from which the annexed territory was acquired.

1 E. Beginning July 1, 2000, of the remaining sales and use tax revenue, the revenue generated by a two percent sales and use tax, up to
 2 an annual amount of \$13 million, collected from the sales of hunting equipment, auxiliary hunting equipment, fishing equipment,
 3 auxiliary fishing equipment, wildlife-watching equipment, and auxiliary wildlife-watching equipment in Virginia, as estimated by the
 4 most recent U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of Commerce, Bureau of the Census
 5 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, shall be paid into the Game Protection Fund established
 6 under § 29.1-101 and shall be used, in part, to defray the cost of law enforcement. Not later than 30 days after the close of each quarter,
 7 the Comptroller shall transfer to the Game Protection Fund the appropriate amount of collections to be dedicated to such Fund. At any
 8 time that the balance in the Capital Improvement Fund, established under § 29.1-101.01, is equal to or in excess of \$35 million, any
 9 portion of sales and use tax revenues that would have been transferred to the Game Protection Fund, established under § 29.1-101, in
 10 excess of the net operating expenses of the Board, after deduction of other amounts which accrue to the Board and are set aside for the
 11 Game Protection Fund, shall remain in the general fund until such time as the balance in the Capital Improvement Fund is less than \$35
 12 million.

13 F. 1. Of the net revenue generated from the one-half percent increase in the rate of the state sales and use tax effective August 1, 2004,
 14 pursuant to enactments of the 2004 Special Session I of the General Assembly, the Comptroller shall transfer from the general fund of
 15 the state treasury to the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-
 16 638.1 an amount equivalent to one-half of the net revenue generated from such one-half percent increase as provided in this
 17 subdivision. The transfers to the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund under this
 18 subdivision shall be for one-half of the net revenue generated (and collected in the succeeding month) from such one-half percent
 19 increase for the month of August 2004 and for each month thereafter.

20 2. Beginning July 1, 2013, of the remaining sales and use tax revenue, an amount equal to the revenue generated by a 0.125 percent
 21 sales and use tax shall be distributed to the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund
 22 established under § 58.1-638.1, and be used for the state's share of Standards of Quality basic aid payments.

23 3. For the purposes of the Comptroller making the required transfers under subdivision 1 and 2, the Tax Commissioner shall make a
 24 written certification to the Comptroller no later than the twenty-fifth of each month certifying the sales and use tax revenues generated
 25 in the preceding month. Within three calendar days of receiving such certification, the Comptroller shall make the required transfers to
 26 the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund.

27 G. (Contingent expiration date — see note) Beginning July 1, 2013, of the remaining sales and use tax revenue, an amount equal to the
 28 following percentages of the revenue generated by a one-half percent sales and use tax, such as that paid to the Transportation Trust
 29 Fund as provided in subdivision A 1, shall be paid to the Highway Maintenance and Operating Fund established pursuant to § 33.2-
 30 1530:

31 1. For fiscal year 2014, an amount equal to 10 percent;

32 2. For fiscal year 2015, an amount equal to 20 percent;

33 3. For fiscal year 2016, an amount equal to 30 percent; and

34 4. For fiscal year 2017 and thereafter, an amount equal to 35 percent.

35 The Highway Maintenance and Operating Fund's share of the net revenue distributable under this subsection shall be computed as an
 36 estimate of the net revenue to be received into the state treasury each month, and such estimated payment shall be adjusted for the
 37 actual net revenue received in the preceding month. All payments shall be made to the Fund on the last day of each month.

38 H. (Contingent expiration date — see note) 1. The additional revenue generated by increases in the state sales and use tax from
 39 Planning District 8 pursuant to §§ 58.1-603.1, 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited by the Comptroller in the fund
 40 established under § 33.2-2509.

41 2. The additional revenue generated by increases in the state sales and use tax from Planning District 23 pursuant to §§ 58.1-603.1,
 42 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited by the Comptroller in the fund established under § 33.2-2600.

43 3. The additional revenue generated by increases in the state sales and use tax in any other Planning District pursuant to §§ 58.1-603.1,
 44 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited into special funds that shall be established by appropriate legislation.

45 4. The net revenues distributable under this subsection shall be computed as an estimate of the net revenue to be received by the state
 46 treasury each month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All
 47 payments shall be made to the appropriate funds on the last day of each month.

48 I. (For contingent expiration date, see Acts 2018, c. 850) The additional revenue generated by increases in the state sales and use tax
 49 from the Historic Triangle pursuant to § 58.1-603.2 shall be deposited by the Comptroller as follows: (i) 50 percent shall be deposited
 50 into the Historic Triangle Marketing Fund established pursuant to subsection E of § 58.1-603.2; and (ii) 50 percent shall be deposited in
 51 the special fund created pursuant to subdivision D 2 of § 58.1-603.2 and distributed to the localities in which the revenues were
 52 collected. The net revenues distributable under this subsection shall be computed as an estimate of the net revenues to be received by

- 1 the state treasury each month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding
2 month. All payments shall be made to the appropriate funds on the last day of each month.
- 3 ~~J. Beginning July 1, 2020, the first \$40 million of sales and use taxes remitted by online retailers with a physical nexus established~~
4 ~~pursuant to subsection D of § 58.1-612 shall be deposited into the Major Headquarters Workforce Grant Fund established pursuant~~
5 ~~to § 59.1-284.31.~~
- 6 ~~K. If errors are made in any distribution, or adjustments are otherwise necessary, the errors shall be corrected and adjustments~~
7 ~~made in the distribution for the next quarter or for subsequent quarters.~~
- 8 ~~L. The term "net revenue," as used in this section, means the gross revenue received into the general fund or the Transportation~~
9 ~~Trust Fund of the state treasury under the preceding sections of this chapter, less refunds to taxpayers."~~
- 10 **7. That §§ 58.1-601 and 58.1-602, as they are currently effective, 58.1-604, as it is currently effective and as it may become**
11 **effective, 58.1-605, as it is currently effective, 58.1-612, 58.1-615, as it is currently effective, 58.1-625, as it is currently**
12 **effective and as it shall become effective, and 58.1-635, as it is currently effective, of the Code of Virginia are amended and**
13 **reenacted and that the Code of Virginia is amended by adding a section numbered 58.1-612.1 as follows:**
- 14 § 58.1-601. (Contingent expiration date) Administration of chapter.
- 15 A. The Tax Commissioner shall administer and enforce the assessment and collection of the taxes and penalties imposed by this
16 chapter, including the collection of state and local sales and use taxes from remote sellers.
- 17 B. In administering the collection of state and local sales and use taxes from remote sellers, the Tax Commissioner shall:
- 18 1. Provide adequate information to remote sellers to enable them to identify state and local sales and use tax rates and exemptions;
19 2. Provide adequate information to software providers to enable them to make software and services available to remote sellers;
20 3. Ensure that if the Department requires a periodic audit the remote seller may complete a single audit that covers the state and
21 local sales and use taxes in all localities; and
22 4. Require no more than one sales and use tax return per month be filed with the Department by any remote seller or any software
23 provider on behalf of such remote seller.
- 24 C. For purposes of evaluating the fiscal, economic and policy impact of sales and use tax exemptions, the Tax Commissioner may
25 require from any person information relating to the evaluation of exempt purchases or sales, information relating to the
26 qualification for exempt purchases, and information relating to direct or indirect government financial assistance that the person
27 receives. Such information shall be filed on forms prescribed by the Tax Commissioner.
- 28 § 58.1-602. (Contingent expiration date) Definitions.
- 29 As used in this chapter, unless the context clearly shows otherwise:
- 30 "Advertising" means the planning, creating, or placing of advertising in newspapers, magazines, billboards, broadcasting and other
31 media, including, without limitation, the providing of concept, writing, graphic design, mechanical art, photography and
32 production supervision. Any person providing advertising as defined in this section shall be deemed to be the user or consumer of
33 all tangible personal property purchased for use in such advertising.
- 34 "Amplification, transmission and distribution equipment" means, but is not limited to, production, distribution, and other
35 equipment used to provide Internet-access services, such as computer and communications equipment and software used for
36 storing, processing and retrieving end-user subscribers' requests.
- 37 "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or
38 advantage, either directly or indirectly.
- 39 "Cost price" means the actual cost of an item or article of tangible personal property computed in the same manner as the sales
40 price as defined in this section without any deductions therefrom on account of the cost of materials used, labor, or service costs,
41 transportation charges, or any expenses whatsoever.
- 42 "Custom program" means a computer program that is specifically designed and developed only for one customer. The combining
43 of two or more prewritten programs does not constitute a custom computer program. A prewritten program that is modified to any
44 degree remains a prewritten program and does not become custom.
- 45 "Distribution" means the transfer or delivery of tangible personal property for use, consumption, or storage by the distributee, and
46 the use, consumption, or storage of tangible personal property by a person that has processed, manufactured, refined, or converted
47 such property, but does not include the transfer or delivery of tangible personal property for resale or any use, consumption, or
48 storage otherwise exempt under this chapter.

- 1 "Gross proceeds" means the charges made or voluntary contributions received for the lease or rental of tangible personal property or for
 2 furnishing services, computed with the same deductions, where applicable, as for sales price as defined in this section over the term of
 3 the lease, rental, service, or use, but not less frequently than monthly. "Gross proceeds" does not include finance charges, carrying
 4 charges, service charges, or interest from credit extended on the lease or rental of tangible personal property under conditional lease or
 5 rental contracts or other conditional contracts providing for the deferred payments of the lease or rental price.
- 6 "Gross sales" means the sum total of all retail sales of tangible personal property or services as defined in this chapter, without any
 7 deduction, except as provided in this chapter. "Gross sales" does not include the federal retailers' excise tax or the federal diesel fuel
 8 excise tax imposed in § 4091 of the Internal Revenue Code if the excise tax is billed to the purchaser separately from the selling price
 9 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.
- 10 "Import" and "imported" are words applicable to tangible personal property imported into the Commonwealth from other states as well
 11 as from foreign countries, and "export" and "exported" are words applicable to tangible personal property exported from the
 12 Commonwealth to other states as well as to foreign countries.
- 13 "In this Commonwealth" or "in the Commonwealth" means within the limits of the Commonwealth of Virginia and includes all
 14 territory within these limits owned by or ceded to the United States of America.
- 15 "Integrated process," when used in relation to semiconductor manufacturing, means a process that begins with the research or
 16 development of semiconductor products, equipment, or processes, includes the handling and storage of raw materials at a plant site, and
 17 continues to the point that the product is packaged for final sale and either shipped or conveyed to a warehouse. Without limiting the
 18 foregoing, any semiconductor equipment, fuel, power, energy, supplies, or other tangible personal property shall be deemed used as
 19 part of the integrated process if its use contributes, before, during, or after production, to higher product quality, production yields, or
 20 process efficiencies. Except as otherwise provided by law, "integrated process" *does* not mean general maintenance or administration.
- 21 "Internet" means collectively, the myriad of computer and telecommunications facilities, which comprise the interconnected worldwide
 22 network of computer networks.
- 23 "Internet service" means a service that enables users to access proprietary and other content, information electronic mail, and the
 24 Internet as part of a package of services sold to end-user subscribers.
- 25 "Lease or rental" means the leasing or renting of tangible personal property and the possession or use thereof by the lessee or renter for
 26 a consideration, without transfer of the title to such property.
- 27 "Manufacturing, processing, refining, or conversion" includes the production line of the plant starting with the handling and storage of
 28 raw materials at the plant site and continuing through the last step of production where the product is finished or completed for sale and
 29 conveyed to a warehouse at the production site, and also includes equipment and supplies used for production line testing and quality
 30 control."Manufacturing" also includes the necessary ancillary activities of newspaper and magazine printing when such activities are
 31 performed by the publisher of any newspaper or magazine for sale daily or regularly at average intervals not exceeding three months.
- 32 The determination of whether any manufacturing, mining, processing, refining or conversion activity is industrial in nature shall be
 33 made without regard to plant size, existence or size of finished product inventory, degree of mechanization, amount of capital
 34 investment, number of employees or other factors relating principally to the size of the business. Further, "industrial in nature"
 35 includes, but is not limited to, those businesses classified in codes 10 through 14 and 20 through 39 published in the Standard Industrial
 36 Classification Manual for 1972 and any supplements issued thereafter.
- 37 "Modular building" means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent
 38 additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other
 39 than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.) as regulated by the
 40 Virginia Department of Housing and Community Development, and shipped with most permanent components in place to the site of
 41 final assembly. For purposes of this chapter, "modular building" does not include a mobile office as defined in § 58.1-2401 or any
 42 manufactured building subject to and certified under the provisions of the National Manufactured Housing Construction and Safety
 43 Standards Act of 1974 (42 U.S.C. § 5401 et seq.).
- 44 "Modular building manufacturer" means a person that owns or operates a manufacturing facility and is engaged in the fabrication,
 45 construction and assembling of building supplies and materials into modular buildings, as defined in this section, at a location other
 46 than at the site where the modular building will be assembled on the permanent foundation and may or may not be engaged in the
 47 process of affixing the modules to the foundation at the permanent site.
- 48 "Modular building retailer" means any person that purchases or acquires a modular building from a modular building manufacturer, or
 49 from another person, for subsequent sale to a customer residing within or outside of the Commonwealth, with or without installation of
 50 the modular building to the foundation at the permanent site.
- 51 "Motor vehicle" means a "motor vehicle" as defined in § 58.1-2401, taxable under the provisions of the Virginia Motor Vehicles Sales
 52 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.
- 53 "Occasional sale" means a sale of tangible personal property not held or used by a seller in the course of an activity for which ~~he~~ it is

- 1 required to hold a certificate of registration, including the sale or exchange of all or substantially all the assets of any business and
 2 the reorganization or liquidation of any business, provided that such sale or exchange is not one of a series of sales and exchanges
 3 sufficient in number, scope and character to constitute an activity requiring the holding of a certificate of registration.
- 4 "Open video system" means an open video system authorized pursuant to 47 U.S.C. § 573 and, for purposes of this chapter only,
 5 also includes Internet service regardless of whether the provider of such service is also a telephone common carrier.
- 6 "Person" includes any individual, firm, copartnership, cooperative, nonprofit membership corporation, joint venture, association,
 7 corporation, estate, trust, business trust, trustee in bankruptcy, receiver, auctioneer, syndicate, assignee, club, society, or other
 8 group or combination acting as a unit, body politic or political subdivision, whether public or private, or quasi-public, and the
 9 plural of "person" means the same as the singular.
- 10 "Prewritten program" means a computer program that is prepared, held or existing for general or repeated sale or lease, including a
 11 computer program developed for in-house use and subsequently sold or leased to unrelated third parties.
- 12 "Railroad rolling stock" means locomotives, of whatever motive power, autocars, railroad cars of every kind and description, and
 13 all other equipment determined by the Tax Commissioner to constitute railroad rolling stock.
- 14 "Remote seller" means any dealer deemed to have sufficient activity within the Commonwealth to require registration under §
 15 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
 16 dealer.
- 17 "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
 18 property or services taxable under this chapter, and shall include any such transaction as the Tax Commissioner upon investigation
 19 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
 20 dealer making a sale for resale which is not in strict compliance with such regulations shall be personally liable for payment of the
 21 tax.
- 22 The terms "retail sale" and a "sale at retail" specifically include the following: (i) the sale or charges for any room or rooms,
 23 lodgings, or accommodations furnished to transients for less than 90 continuous days by any hotel, motel, inn, tourist camp, tourist
 24 cabin, camping grounds, club, or any other place in which rooms, lodging, space, or accommodations are regularly furnished to
 25 transients for a consideration; (ii) sales of tangible personal property to persons for resale when because of the operation of the
 26 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
 27 of business in which to keep records, or the lack of adequate records, or because such persons are minors or transients, or because
 28 such persons are engaged in essentially service businesses, or for any other reason there is likelihood that the Commonwealth will
 29 lose tax funds due to the difficulty of policing such business operations; (iii) the separately stated charge made for automotive
 30 refinish repair materials that are permanently applied to or affixed to a motor vehicle during its repair; and (iv) the separately
 31 stated charge for equipment available for lease or purchase by a provider of satellite television programming to the customer of
 32 such programming. Equipment sold to a provider of satellite television programming for subsequent lease or purchase by the
 33 customer of such programming shall be deemed a sale for resale. The Tax Commissioner is authorized to promulgate regulations
 34 requiring vendors of or sellers to such persons to collect the tax imposed by this chapter on the cost price of such tangible personal
 35 property to such persons and may refuse to issue certificates of registration to such persons. The terms "retail sale" and a "sale at
 36 retail" also specifically include the separately stated charge made for supplies used during automotive repairs whether or not there
 37 is transfer of title or possession of the supplies and whether or not the supplies are attached to the automobile. The purchase of
 38 such supplies by an automotive repairer for sale to the customer of such repair services shall be deemed a sale for resale.
- 39 The term "transient" does not include a purchaser of camping memberships, time-shares, condominiums, or other similar contracts
 40 or interests that permit the use of, or constitute an interest in, real estate, however created or sold and whether registered with the
 41 Commonwealth or not. Further, a purchaser of a right or license which entitles the purchaser to use the amenities and facilities of a
 42 specific real estate project on an ongoing basis throughout its term shall not be deemed a transient, provided, however, that the
 43 term or time period involved is for seven years or more.
- 44 The terms "retail sale" and "sale at retail" do not include a transfer of title to tangible personal property after its use as tools,
 45 tooling, machinery or equipment, including dies, molds, and patterns, if (i) at the time of purchase, the purchaser is obligated,
 46 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
 47 the person for whom the purchaser manufactures goods.
- 48 "Retailer" means every person engaged in the business of making sales at retail, or for distribution, use, consumption, or storage to
 49 be used or consumed in the Commonwealth.
- 50 "Sale" means any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner
 51 or by any means whatsoever, of tangible personal property and any rendition of a taxable service for a consideration, and includes
 52 the fabrication of tangible personal property for consumers who furnish, either directly or indirectly, the materials used in
 53 fabrication, and the furnishing, preparing, or serving for a consideration of any tangible personal property consumed on the
 54 premises of the person furnishing, preparing, or serving such tangible personal property. A transaction whereby the possession of
 55 property is transferred but the seller retains title as security for the payment of the price shall be deemed a sale.

1 "Sales price" means the total amount for which tangible personal property or services are sold, including any services that are a part of
 2 the sale, valued in money, whether paid in money or otherwise, and includes any amount for which credit is given to the purchaser,
 3 consumer, or lessee by the dealer, without any deduction therefrom on account of the cost of the property sold, the cost of materials
 4 used, labor or service costs, losses or any other expenses whatsoever. "Sales price" does not include (i) any cash discount allowed and
 5 taken; (ii) finance charges, carrying charges, service charges or interest from credit extended on sales of tangible personal property
 6 under conditional sale contracts or other conditional contracts providing for deferred payments of the purchase price; (iii) separately
 7 stated local property taxes collected; (iv) that portion of the amount paid by the purchaser as a discretionary gratuity added to the price
 8 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
 9 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
 10 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
 11 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
 12 used articles.

13 "Semiconductor cleanrooms" means the integrated systems, fixtures, piping, partitions, flooring, lighting, equipment, and all other
 14 property used to reduce contamination or to control airflow, temperature, humidity, vibration, or other environmental conditions
 15 required for the integrated process of semiconductor manufacturing.

16 "Semiconductor equipment" means (i) machinery or tools or repair parts or replacements thereof; (ii) the related accessories,
 17 components, pedestals, bases, or foundations used in connection with the operation of the equipment, without regard to the proximity to
 18 the equipment, the method of attachment, or whether the equipment or accessories are affixed to the realty; (iii) semiconductor wafers
 19 and other property or supplies used to install, test, calibrate or recalibrate, characterize, condition, measure, or maintain the equipment
 20 and settings thereof; and (iv) equipment and supplies used for quality control testing of product, materials, equipment, or processes; or
 21 the measurement of equipment performance or production parameters regardless of where or when the quality control, testing, or
 22 measuring activity takes place, how the activity affects the operation of equipment, or whether the equipment and supplies come into
 23 contact with the product.

24 "Storage" means any keeping or retention of tangible personal property for use, consumption or distribution in the Commonwealth, or
 25 for any purpose other than sale at retail in the regular course of business.

26 "Tangible personal property" means personal property that may be seen, weighed, measured, felt, or touched, or is in any other manner
 27 perceptible to the senses. "Tangible personal property" does not include stocks, bonds, notes, insurance or other obligations or
 28 securities. "Tangible personal property" includes (i) telephone calling cards upon their initial sale, which shall be exempt from all other
 29 state and local utility taxes, and (ii) manufactured signs.

30 "Use" means the exercise of any right or power over tangible personal property incident to the ownership thereof, except that it does
 31 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,
 32 including use, distribution, or storage, over any tangible personal property sold to a nonresident donor for delivery outside of the
 33 Commonwealth to a nonresident recipient pursuant to an order placed by the donor from outside the Commonwealth via mail or
 34 telephone. "Use" does not include any sale determined to be a gift transaction, subject to tax under § 58.1-604.6.

35 "Use tax" refers to the tax imposed upon the use, consumption, distribution, and storage as defined in this section.

36 "Used directly," when used in relation to manufacturing, processing, refining, or conversion, refers to those activities that are an
 37 integral part of the production of a product, including all steps of an integrated manufacturing or mining process, but not including
 38 ancillary activities such as general maintenance or administration. When used in relation to mining, "used directly" refers to the
 39 activities specified in this definition and, in addition, any reclamation activity of the land previously mined by the mining company
 40 required by state or federal law.

41 "Video programmer" means a person that provides video programming to end-user subscribers.

42 "Video programming" means video and/or information programming provided by or generally considered comparable to programming
 43 provided by a cable operator, including, but not limited to, Internet service.

44 § 58.1-604. (Contingent expiration date) Imposition of use tax.

45 There is hereby levied and imposed, in addition to all other taxes and fees now imposed by law, a tax upon the use or consumption of
 46 tangible personal property in this Commonwealth, or the storage of such property outside the Commonwealth for use or consumption in
 47 this Commonwealth, in the amount of 4.3 percent:

48 1. Of the cost price of each item or article of tangible personal property used or consumed in this Commonwealth. Tangible personal
 49 property that has been acquired for use outside this Commonwealth and subsequently becomes subject to the tax imposed hereunder
 50 shall be taxed on the basis of its cost price if such property is brought within this Commonwealth for use within six months of its
 51 acquisition; but if so brought within this Commonwealth six months or more after its acquisition, such property shall be taxed on the
 52 basis of the current market value (but not in excess of its cost price) of such property at the time of its first use within this
 53 Commonwealth. Such tax shall be based on such proportion of the cost price or current market value as the duration of time of use
 54 within this Commonwealth bears to the total useful life of such property (but it shall be presumed in all cases that such property will

- 1 remain within this Commonwealth for the remainder of its useful life unless convincing evidence is provided to the contrary).
- 2 2. Of the cost price of each item or article of tangible personal property stored outside this Commonwealth for use or consumption
3 in this Commonwealth.
- 4 3. A transaction taxed under § 58.1-603 shall not also be taxed under this section, nor shall the same transaction be taxed more
5 than once under either section.
- 6 4. The use tax shall not apply with respect to the use of any article of tangible personal property brought into this Commonwealth
7 by a nonresident individual, visiting in Virginia, for his personal use, while within this Commonwealth.
- 8 § 58.1-604. (Contingent effective date) Imposition of use tax.
- 9 There is hereby levied and imposed, in addition to all other taxes and fees now imposed by law, a tax upon the use or consumption
10 of tangible personal property in this Commonwealth, or the storage of such property outside the Commonwealth for use or
11 consumption in this Commonwealth, in the amount of three and one-half percent through midnight on July 31, 2004, and four
12 percent beginning on and after August 1, 2004:
- 13 1. Of the cost price of each item or article of tangible personal property used or consumed in this Commonwealth. Tangible
14 personal property which has been acquired for use outside this Commonwealth and subsequently becomes subject to the tax
15 imposed hereunder shall be taxed on the basis of its cost price if such property is brought within this Commonwealth for use
16 within six months of its acquisition; but if so brought within this Commonwealth six months or more after its acquisition, such
17 property shall be taxed on the basis of the current market value (but not in excess of its cost price) of such property at the time of
18 its first use within this Commonwealth. Such tax shall be based on such proportion of the cost price or current market value as the
19 duration of time of use within this Commonwealth bears to the total useful life of such property (but it shall be presumed in all
20 cases that such property will remain within this Commonwealth for the remainder of its useful life unless convincing evidence is
21 provided to the contrary).
- 22 2. Of the cost price of each item or article of tangible personal property stored outside this Commonwealth for use or consumption
23 in this Commonwealth.
- 24 3. A transaction taxed under § 58.1-603 shall not also be taxed under this section, nor shall the same transaction be taxed more
25 than once under either section.
- 26 4. The use tax shall not apply with respect to the use of any article of tangible personal property brought into this Commonwealth
27 by a nonresident individual, visiting in Virginia, for his personal use, while within this Commonwealth.
- 28 § 58.1-605. (Contingent expiration date) To what extent and under what conditions cities and counties may levy local sales taxes;
29 collection thereof by Commonwealth and return of revenue to each city or county entitled thereto.
- 30 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
31 authorized by this section.
- 32 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
33 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 §§
34 58.1-603 and 58.1-604 and shall be subject to all the provisions of this chapter and the rules and regulations published with respect
35 thereto. No discount under § 58.1-622 shall be allowed on a local sales tax.
- 36 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
37 so by the adoption of an ordinance stating its purpose and referring to this section, and providing that such ordinance shall be
38 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
39 Tax Commissioner so that it will be received within five days after its adoption.
- 40 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
41 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
42 quarter. Failure to provide notice pursuant to this section shall require the Commonwealth and the locality to apply the preceding
43 effective rate until 30 days after notification is provided.
- 44 D. Any local sales tax levied under this section shall be administered and collected by the Tax Commissioner in the same manner
45 and subject to the same penalties as provided for the state sales tax.
- 46 E. All local sales tax moneys collected by the Tax Commissioner under this section shall be paid into the state treasury to the
47 credit of a special fund which is hereby created on the Comptroller's books under the name "Collections of Local Sales Taxes."
48 Such local sales tax moneys shall be credited to the account of each particular city or county levying a local sales tax under this
49 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
50 Department and certified by it monthly to the Comptroller, namely, the city or county of location of each place of business of
51 every dealer paying the tax to the Commonwealth without regard to the city or county of possible use by the purchasers. If a

1 dealer has any place of business located in more than one political subdivision by reason of the boundary line or lines passing through
 2 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
 3 purposes of this section as follows: one-half shall be assignable to each political subdivision where two are involved, one-third where
 4 three are involved, and one-fourth where four are involved.

5 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,
 6 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
 7 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
 8 special fund created by this section. If errors are made in any such payment, or adjustments are otherwise necessary, whether
 9 attributable to refunds to taxpayers, or to some other fact, the errors shall be corrected and adjustments made in the payments for the
 10 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
 11 payment shall include a refund of amounts erroneously not paid to the city or county and not previously refunded during the three years
 12 preceding the discovery of the error. A correction and adjustment in payments described in this subsection due to the misallocation of
 13 funds by the dealer shall be made within three years of the date of the payment error.

14 G. Such payments to counties are subject to the qualification that in any county wherein is situated any incorporated town constituting a
 15 special school district and operated as a separate school district under a town school board of three members appointed by the town
 16 council, the county treasurer shall pay into the town treasury for general governmental purposes the proper proportionate amount
 17 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
 18 school age population of any town constituting a separate school district is increased by the annexation of territory since the last
 19 estimate of school age population provided by the Weldon Cooper Center for Public Service, such increase shall, for the purposes of
 20 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
 21 school age population of the county or counties from which the annexed territory was acquired.

22 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
 23 county wherein is situated any incorporated town not constituting a separate special school district which has complied with its charter
 24 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
 25 sales tax ordinance, the county treasurer shall pay into the town treasury of each such town for general governmental purposes the
 26 proper proportionate amount received by him in the ratio that the school age population of each such town bears to the school age
 27 population of the entire county, based on the latest estimate provided by the Weldon Cooper Center for Public Service. The preceding
 28 requirement pertaining to the time interval between compliance with election provisions and adoption of the sales tax ordinance shall
 29 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
 30 the annexation of territory or otherwise since the last estimate of school age population provided by the Weldon Cooper Center for
 31 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
 32 last such estimate and a proper reduction made in the school age population of the county or counties from which the annexed territory
 33 was acquired.

34 I. Notwithstanding the provisions of subsection H, the board of supervisors of a county may, in its discretion, appropriate funds to any
 35 incorporated town not constituting a separate school district within such county which has not complied with the provisions of its
 36 charter relating to the elections of its council and mayor, an amount not to exceed the amount it would have received from the tax
 37 imposed by this chapter if such election had been held.

38 J. It is further provided that if any incorporated town which would otherwise be eligible to receive funds from the county treasurer
 39 under subsection G or H of this section be located in a county which does not levy a general retail sales tax under the provisions of this
 40 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
 41 to all the provisions of this section generally applicable to cities and counties. Any tax levied under the authority of this subsection shall
 42 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
 43 within which such town is located.

44 § 58.1-612. Tax collectible from dealers; "dealer" defined; jurisdiction.

45 A. The tax levied by §§ 58.1-603 and 58.1-604 shall be collectible from all persons that are dealers, as defined in this section, and that
 46 have sufficient contact with the Commonwealth to qualify under (i) subsections B and C or (ii) subsections B and D.

47 B. As used in this chapter, "dealer" includes every person that:

48 1. Manufactures or produces tangible personal property for sale at retail, for use, consumption, or distribution, or for storage to be used
 49 or consumed in this Commonwealth;

50 2. Imports or causes to be imported into this Commonwealth tangible personal property from any state or foreign country, for sale at
 51 retail, for use, consumption, or distribution, or for storage to be used or consumed in this Commonwealth;

52 3. Sells at retail, or that offers for sale at retail, or that has in its possession for sale at retail, or for use, consumption, or distribution, or
 53 for storage to be used or consumed in this Commonwealth, tangible personal property;

54 4. Has sold at retail, used, consumed, distributed, or stored for use or consumption in this Commonwealth, tangible personal property

- 1 and that cannot prove that the tax levied by this chapter has been paid on the sale at retail, the use, consumption, distribution, or
2 storage of such tangible personal property;
- 3 5. Leases or rents tangible personal property for a consideration, permitting the use or possession of such property without
4 transferring title thereto;
- 5 6. Is the lessee or rentee of tangible personal property and that pays to the owner of such property a consideration for the use or
6 possession of such property without acquiring title thereto;
- 7 7. As a representative, agent, or solicitor, of an out-of-state principal, solicits, receives and accepts orders from persons in this
8 Commonwealth for future delivery and whose principal refuses to register as a dealer under § 58.1-613; or
- 9 8. Becomes liable to and owes this Commonwealth any amount of tax imposed by this chapter, whether it holds, or is required to
10 hold, a certificate of registration under § 58.1-613.
- 11 C. A dealer shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-613 if it:
- 12 1. Maintains or has within this Commonwealth, directly or through an agent or subsidiary, an office, warehouse, or place of
13 business of any nature;
- 14 2. Solicits business in this Commonwealth by employees, independent contractors, agents or other representatives;
- 15 3. Advertises in newspapers or other periodicals printed and published within this Commonwealth, on billboards or posters located
16 in this Commonwealth, or through materials distributed in this Commonwealth by means other than the United States mail;
- 17 4. Makes regular deliveries of tangible personal property within this Commonwealth by means other than common carrier. A
18 person shall be deemed to be making regular deliveries hereunder if vehicles other than those operated by a common carrier enter
19 this Commonwealth more than 12 times during a calendar year to deliver goods sold by him;
- 20 5. Solicits business in this Commonwealth on a continuous, regular, seasonal, or systematic basis by means of advertising that is
21 broadcast or relayed from a transmitter within this Commonwealth or distributed from a location within this Commonwealth;
- 22 6. Solicits business in this Commonwealth by mail, if the solicitations are continuous, regular, seasonal, or systematic and if the
23 dealer benefits from any banking, financing, debt collection, or marketing activities occurring in this Commonwealth or benefits
24 from the location in this Commonwealth of authorized installation, servicing, or repair facilities;
- 25 7. Is owned or controlled by the same interests which own or control a business located within this Commonwealth;
- 26 8. Has a franchisee or licensee operating under the same trade name in this Commonwealth if the franchisee or licensee is required
27 to obtain a certificate of registration under § 58.1-613;
- 28 9. Owns tangible personal property that is for sale located in this Commonwealth, or that is rented or leased to a consumer in this
29 Commonwealth, or offers tangible personal property, on approval, to consumers in this Commonwealth;
- 30 10. Receives more than \$100,000 in gross revenue, or other minimum amount as may be required by federal law, from retail sales
31 in the Commonwealth in the previous or current calendar year, provided that in determining the amount of a dealer's gross
32 revenues, the sales made by all commonly controlled persons as defined in subsection D shall be aggregated; or
- 33 11. Engages in 200 or more separate retail sales transactions, or other minimum amount as may be required by federal law, in the
34 Commonwealth in the previous or current calendar year, provided that in determining the total number of a dealer's retail sales
35 transactions, the sales made by all commonly controlled persons as defined in subsection D shall be aggregated.
- 36 D. A dealer is presumed to have sufficient activity within the Commonwealth to require registration under § 58.1-613 (unless the
37 presumption is rebutted as provided herein) if any commonly controlled person maintains a distribution center, warehouse,
38 fulfillment center, office, or similar location within the Commonwealth that facilitates the delivery of tangible personal property
39 sold by the dealer to its customers. The presumption in this subsection may be rebutted by demonstrating that the activities
40 conducted by the commonly controlled person in the Commonwealth are not significantly associated with the dealer's ability to
41 establish or maintain a market in the Commonwealth for the dealer's sales. For purposes of this subsection, a "commonly
42 controlled person" means any person that is a member of the same "controlled group of corporations," as defined in § 1563(a)
43 of the Internal Revenue Code of 1954, as amended or renumbered, as the dealer or any other entity that, notwithstanding its form of
44 organization, bears the same ownership relationship to the dealer as a corporation that is a member of the same "controlled group
45 of corporations," as defined in § 1563(a) of the Internal Revenue Code of 1954, as amended or renumbered.
- 46 E. Notwithstanding any other provision of this section, the following shall not be considered to determine whether a person that
47 has contracted with a commercial printer for printing in the Commonwealth is a "dealer" and whether such person has sufficient
48 contact with the Commonwealth to be required to register under § 58.1-613:
- 49 1. The ownership or leasing by that person of tangible or intangible property located at the Virginia premises of the commercial

- 1 printer which is used solely in connection with the printing contract with the person;
- 2 2. The sale by that person of property of any kind printed at and shipped or distributed from the Virginia premises of the commercial
3 printer;
- 4 3. Activities in connection with the printing contract with the person performed by or on behalf of that person at the Virginia premises
5 of the commercial printer; and
- 6 4. Activities in connection with the printing contract with the person performed by the commercial printer within Virginia for or on
7 behalf of that person.
- 8 F. In addition to the jurisdictional standards contained in subsections C and D, nothing contained in this chapter other than in
9 subsection E shall limit any authority that this Commonwealth may enjoy under the provisions of federal law or an opinion of the
10 United States Supreme Court to require the collection of sales and use taxes by any dealer that regularly or systematically solicits sales
11 within this Commonwealth. Furthermore, nothing contained in subsection C shall require any broadcaster, printer, outdoor advertising
12 firm, advertising distributor, or publisher which broadcasts, publishes, or displays or distributes paid commercial advertising in this
13 Commonwealth which is intended to be disseminated primarily to consumers located in this Commonwealth to report or impose any
14 liability to pay any tax imposed under this chapter solely because such broadcaster, printer, outdoor advertising firm, advertising
15 distributor, or publisher accepted such advertising contracts from out-of-state advertisers or sellers.
- 16 § 58.1-612.1. Tax collectible from marketplace facilitators; "marketplace facilitator" defined.
- 17 A. As used in this chapter:
- 18 "Marketplace facilitator" means a person that contracts with a marketplace seller to facilitate, for consideration and regardless of
19 whether such consideration is deducted as fees from transactions, the sale of such marketplace seller's products through a physical or
20 electronic marketplace operated by such person. "Marketplace facilitator" does not include a payment processor business appointed by
21 a merchant to handle payment transactions from various channels, such as credit cards and debit cards, and whose sole activity with
22 respect to marketplace sales is to handle transactions between two parties. "Marketplace facilitator" does not include a platform or
23 forum that exclusively provides internet advertising services, including any advertisements that may list products for sale, so long as
24 such platform or forum does not also engage directly or indirectly through one or more commonly controlled persons, as defined in
25 subsection D of § 58.1-612, in the activities described in subsection C.
- 26 "Marketplace seller" means a person that is not a commonly controlled person, as defined in subsection D of § 58.1-612, to a
27 marketplace facilitator and that makes sales through any physical or electronic marketplace operated by such marketplace facilitator,
28 even if such seller would not have been required to collect and remit sales and use tax had the sale not been made through such
29 marketplace.
- 30 B. The tax levied under this chapter shall be collectible from all persons that are marketplace facilitators that have sufficient contact
31 with Virginia to require registration under subsection C.
- 32 C. A marketplace facilitator shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-
33 613 if it meets at least one requirement in each of subdivisions 1, 2, and 3:
- 34 1. It engages, either directly or indirectly, through a commonly controlled person as defined in subsection D of § 58.1-612 in any of the
35 following activities:
- 36 a. Transmitting or communicating an offer or acceptance between a purchaser and a marketplace seller;
- 37 b. Owning or operating the infrastructure, whether electronic or physical, or technology that brings purchasers and marketplace sellers
38 together; or
- 39 c. Providing a virtual currency that purchasers are allowed or required to use to purchase products from the marketplace seller;
- 40 2. It engages in any of the following activities with respect to a marketplace seller's products:
- 41 a. Payment processing;
- 42 b. Fulfillment or storage;
- 43 c. Listing products for sale;
- 44 d. Setting prices;
- 45 e. Branding sales as those of the marketplace facilitator; or
- 46 f. Providing customer service or accepting or assisting with returns or exchanges; and
- 47 3. It establishes economic nexus through either of the following activities:

- 1 a. Facilitating sales in Virginia that, in the aggregate, generate more than \$100,000 in gross revenue, or other minimum amount as
 2 may be required by federal law, for such marketplace facilitator. A marketplace facilitator may exceed this threshold based on
 3 sales for either the previous or current calendar year. In determining the amount of a marketplace facilitator's gross revenues, the
 4 sales made by all commonly controlled persons, as defined in subsection D of § 58.1-612, shall be aggregated; or
- 5 b. Facilitating 200 or more separate retail sale transactions, or other minimum amount as may be required by federal law, in the
 6 Commonwealth in the previous or current calendar year. In determining the total number of retail sales transactions attributable to
 7 a marketplace facilitator, the sales made by all commonly controlled persons, as defined in subsection D of § 58.1-612, shall be
 8 aggregated.
- 9 D. 1. A marketplace facilitator shall be considered a dealer for purposes of this chapter and shall collect the tax imposed by this
 10 chapter on all transactions that it facilitates through its marketplace.
- 11 2. No marketplace seller shall collect sales and use tax on a transaction made through a marketplace facilitator's marketplace.
- 12 3. Notwithstanding the provisions of subdivisions 1 and 2, the Department shall allow for a waiver from the requirements of
 13 subdivisions 1 and 2 if a marketplace facilitator demonstrates, to the satisfaction of the Commissioner, that either (i) all of its
 14 marketplace sellers already are registered dealers under § 58.1-613 or (ii) the marketplace seller has sufficient nexus to require
 15 registration under § 58.1-613 and that collection of the tax by the marketplace facilitator for such marketplace seller would create
 16 an undue burden or hardship for either party. If such waiver is granted, the tax levied under this chapter shall be collectible from
 17 the marketplace seller. The Department shall develop guidelines that establish (a) the criteria for obtaining a waiver pursuant to
 18 this section, (b) the process and procedure for a marketplace facilitator to apply for a waiver, and (c) the process for providing
 19 notice to an affected marketplace facilitator and marketplace seller of a waiver obtained pursuant to this subdivision.
- 20 E. A market place facilitator shall be relieved from liability, including penalties and interest, for the incorrect collection or
 21 remittance of sales and use tax on transactions it facilitates or for which it is the seller if the error is due to reasonable reliance on
 22 (i) an invalid exemption certificate provided by the marketplace seller or the purchaser; (ii) incorrect or insufficient information
 23 provided by the Commonwealth; or (iii) incorrect or insufficient information provided by the marketplace seller or purchaser
 24 regarding the tax classification or proper sourcing of an item or transaction, provided that the marketplace facilitator can
 25 demonstrate it made a reasonable effort to obtain accurate information from the marketplace seller or purchaser. The relief from
 26 liability afforded to the marketplace facilitator pursuant to this subsection shall not exceed the total amount of tax due from the
 27 marketplace facilitator on the incorrect transaction independent of any penalties or interest that would have otherwise applied.
 28 Any deficiency resulting from incorrect information provided by the marketplace seller or as the result of an audit shall be the
 29 liability of the marketplace seller.
- 30 F. A marketplace facilitator is the sole entity subject to audit by the Department for sales and use tax collection for all transactions
 31 facilitated by the marketplace facilitator unless (i) the marketplace facilitator can demonstrate that its failure to collect the proper
 32 tax was due to incorrect information provided by the marketplace seller or (ii) the marketplace seller is subject to a waiver granted
 33 pursuant to subdivision D 3.
- 34 G. If a marketplace facilitator lacks physical presence in the Commonwealth and has both facilitated and made direct sales into the
 35 Commonwealth, both types of sales shall be considered in determining whether it has established economic nexus.
- 36 H. When a marketplace seller that is not otherwise required to register for the collection of the tax under any of the provisions
 37 contained in subdivisions C 1 through 9 of § 58.1-612 makes both direct sales and sales on a marketplace facilitator's marketplace,
 38 only the marketplace seller's direct sales shall be considered in determining whether the marketplace seller is required to register
 39 for the collection of the tax under subdivision C 10 or 11 of § 58.1-612.
- 40 I. No class action shall be brought against a marketplace facilitator in any court of the Commonwealth on behalf of customers
 41 arising from or in any way related to an overpayment of sales and use tax collected on sales facilitated by the marketplace
 42 facilitator, regardless of whether such claim is characterized as a tax refund claim. Nothing in this subsection shall affect a
 43 customer's right to seek a refund on an individual basis.
- 44 § 58.1-615. (Contingent expiration date) Returns by dealers.
- 45 A. Every dealer required to collect or pay the sales or use tax shall, on or before the twentieth day of the month following the
 46 month in which the tax shall become effective, transmit to the Tax Commissioner a return showing the gross sales, gross proceeds,
 47 or cost price, as the case may be, arising from all transactions taxable under this chapter during the preceding calendar month, and
 48 thereafter a like return shall be prepared and transmitted to the Tax Commissioner by every dealer on or before the twentieth day
 49 of each month, for the preceding calendar month. In the case of dealers regularly keeping books and accounts on the basis of an
 50 annual period which varies 52 to 53 weeks, the Tax Commissioner may make rules and regulations for reporting consistent with
 51 such accounting period.
- 52 Notwithstanding any other provision of this chapter, a dealer may be required by the Tax Commissioner to file sales or use tax
 53 returns on an accounting period less frequent than monthly when, in the opinion of the Tax Commissioner, the administration of
 54 the taxes imposed by this chapter would be enhanced. If a dealer is required to file other than monthly, each such return shall be

1 due on or before the twentieth day of the month following the close of the period. Each such return shall contain all information
2 required for monthly returns.

3 A sales or use tax return shall be filed by each registered dealer even though the dealer is not liable to remit to the Tax Commissioner
4 any tax for the period covered by the return.

5 The Tax Commissioner shall not require that more than one sales and use tax return per month be filed with the Department by any
6 remote seller or any software provider on behalf of such remote seller.

7 B. [Expired.]

8 C. Any return required to be filed with the Tax Commissioner under this section shall be deemed to have been filed with the Tax
9 Commissioner on the date that such return is delivered by the dealer to the commissioner of the revenue or the treasurer for the locality
10 in which the dealer is located and receipt is acknowledged by the commissioner of the revenue or treasurer. The commissioner of the
11 revenue or the treasurer shall stamp such date on the return, and shall mail the return to the Tax Commissioner no later than the
12 following business day. The commissioner of the revenue or the treasurer may collect from the dealer the cost of postage for such
13 mailing.

14 D. Every dealer that elects to file a consolidated sales tax return for any taxable period and that is required to remit payment by
15 electronic funds transfer pursuant to subsection B of § 58.1-202.1 beginning on and after July 1, 2010, shall file its monthly return
16 using an electronic medium prescribed by the Tax Commissioner. A waiver of this requirement may be granted if the Tax
17 Commissioner determines that it creates an unreasonable burden on the dealer.

18 § 58.1-625. (Effective until July 1, 2022) Collection of tax.

19 A. The tax levied by this chapter shall be paid by the dealer, but the dealer shall separately state the amount of the tax and add such tax
20 to the sales price or charge. Thereafter, such tax shall be a debt from the purchaser, consumer, or lessee to the dealer until paid and shall
21 be recoverable at law in the same manner as other debts. No action at law or suit in equity under this chapter may be maintained in this
22 Commonwealth by any dealer that is not registered under § 58.1-613 or is delinquent in the payment of the taxes imposed under this
23 chapter.

24 B. Notwithstanding any exemption from taxes which any dealer now or hereafter may enjoy under the Constitution or laws of this or
25 any other state, or of the United States, such dealer shall collect such tax from the purchaser, consumer, or lessee and shall pay the
26 same over to the Tax Commissioner as herein provided.

27 C. Any dealer collecting the sales or use tax on transactions exempt or not taxable under this chapter shall transmit to the Tax
28 Commissioner such erroneously or illegally collected tax unless or until it can affirmatively show that the tax has since been refunded
29 to the purchaser or credited to its account.

30 D. 1. Any dealer that neglects, fails, or refuses to collect such tax upon every taxable sale, distribution, lease, or storage of tangible
31 personal property made by it, its agents, or employees shall be liable for and pay the tax itself, and such dealer shall not thereafter be
32 entitled to sue for or recover in this Commonwealth any part of the purchase price or rental from the purchaser until such tax is paid.
33 Moreover, any dealer that neglects, fails, or refuses to pay or collect the tax herein provided, either by itself or through its agents or
34 employees, is guilty of a Class 1 misdemeanor.

35 2. Notwithstanding subdivision 1, any remote seller or marketplace facilitator that has collected an incorrect amount of sales and use
36 tax shall be relieved from liability for such amount, including any penalty or interest, if the error is a result of the remote seller's or
37 marketplace facilitator's reasonable reliance on information provided by the Commonwealth.

38 E. All sums collected by a dealer as required by this chapter shall be deemed to be held in trust for the Commonwealth.

39 F. Notwithstanding the foregoing provisions of this section, any dealer is authorized during the period of time set forth in §§ 58.1-611.2
40 and 58.1-611.3 or subdivision 18 of § 58.1-609.1 not to collect the tax levied by this chapter or levied under the authority granted in §§
41 58.1-605 and 58.1-606 from the purchaser, and to absorb such tax itself. A dealer electing to absorb such taxes shall be liable for
42 payment of such taxes to the Tax Commissioner in the same manner as it is for tax collected from a purchaser pursuant to this section.

43 §58.1-625. (Effective July 1, 2022) Collection of tax.

44 A. The tax levied by this chapter shall be paid by the dealer, but the dealer shall separately state the amount of the tax and add such tax
45 to the sales price or charge. Thereafter, such tax shall be a debt from the purchaser, consumer, or lessee to the dealer until paid and shall
46 be recoverable at law in the same manner as other debts. No action at law or suit in equity under this chapter may be maintained in this
47 Commonwealth by any dealer that is not registered under § 58.1-613 or is delinquent in the payment of the taxes imposed under this
48 chapter.

49 B. Notwithstanding any exemption from taxes which any dealer now or hereafter may enjoy under the Constitution or laws of this or
50 any other state, or of the United States, such dealer shall collect such tax from the purchaser, consumer, or lessee and shall pay the
51 same over to the Tax Commissioner as herein provided.

- 1 C. Any dealer collecting the sales or use tax on transactions exempt or not taxable under this chapter shall transmit to the Tax
2 Commissioner such erroneously or illegally collected tax unless or until it can affirmatively show that the tax has since been
3 refunded to the purchaser or credited to its account.
- 4 D. 1. Any dealer that neglects, fails, or refuses to collect such tax upon every taxable sale, distribution, lease, or storage of tangible
5 personal property made by it, its agents, or employees shall be liable for and pay the tax itself, and such dealer shall not thereafter
6 be entitled to sue for or recover in this Commonwealth any part of the purchase price or rental from the purchaser until such tax is
7 paid. Moreover, any dealer that neglects, fails, or refuses to pay or collect the tax herein provided, either by itself or through its
8 agents or employees, is guilty of a Class 1 misdemeanor.
- 9 2. Notwithstanding subdivision 1, any remote seller or marketplace facilitator that has collected an incorrect amount of sales and
10 use tax shall be relieved from liability for such amount, including any penalty or interest, if the error is a result of the remote
11 seller's or marketplace facilitator's reasonable reliance on information provided by the Commonwealth.
- 12 E. All sums collected by a dealer as required by this chapter shall be deemed to be held in trust for the Commonwealth.
- 13 F. Notwithstanding the foregoing provisions of this section, any dealer is authorized during the period of time set forth in § 58.1-
14 611.2 not to collect the tax levied by this chapter or levied under the authority granted in §§ 58.1-605 and 58.1-606 from the
15 purchaser, and to absorb such tax itself. A dealer electing to absorb such taxes shall be liable for payment of such taxes to the Tax
16 Commissioner in the same manner as it is for tax collected from a purchaser pursuant to this section.
- 17 § 58.1-635. (Contingent expiration date) Failure to file return; fraudulent return; civil penalties.
- 18 A. When any dealer fails to make any return and pay the full amount of the tax required by this chapter, there shall be imposed, in
19 addition to other penalties provided herein, a specific penalty to be added to the tax in the amount of six percent if the failure is for
20 not more than one month, with an additional six percent for each additional month, or fraction thereof, during which the failure
21 continues, not to exceed 30 percent in the aggregate. In no case, however, shall the penalty be less than \$10 and such minimum
22 penalty shall apply whether or not any tax is due for the period for which such return was required. If such failure is due to
23 providential or other good cause shown to the satisfaction of the Tax Commissioner, such return with or without remittance may
24 be accepted exclusive of penalties. In the case of a false or fraudulent return where willful intent exists to defraud the
25 Commonwealth of any tax due under this chapter, or in the case of a willful failure to file a return with the intent to defraud the
26 Commonwealth of any such tax, a specific penalty of 50 percent of the amount of the proper tax shall be assessed. All penalties
27 and interest imposed by this chapter shall be payable by the dealer and collectible by the Tax Commissioner in the same manner
28 as if they were a part of the tax imposed.
- 29 B. It shall be prima facie evidence of intent to defraud the Commonwealth of any tax due under this chapter when any dealer
30 reports its gross sales, gross proceeds or cost price, as the case may be, at 50 percent or less of the actual amount.
- 31 C. Interest at a rate determined in accordance with § 58.1-15, shall accrue on the tax until the same is paid, or until an assessment
32 is made, pursuant to § 58.1-15, after which interest shall accrue as provided therein.
- 33 D. Notwithstanding any other provision of this section, any remote seller or marketplace facilitator that has collected an incorrect
34 amount of sales and use tax shall be relieved from liability for such amount, including any penalty or interest, if the error is a
35 result of the remote seller's or marketplace facilitator's reasonable reliance on information provided by the Commonwealth.
- 36 **8. That the provisions of Chapter 766 of the Acts of Assembly of 2013 amending §§ 58.1-601, 58.1-602, 58.1-605, 58.1-606,**
37 **58.1-612, 58.1-615, and 58.1-635, as they may become effective, of the Code of Virginia are repealed.**
- 38 **9. That the fourth enactment of Chapter 766 of the Acts of Assembly of 2013 is amended and reenacted as follows:**
- 39 **4. That Article 22 (§§ 58.1-540 through 58.1-549) of Chapter 3 of Title 58.1 of the Code of Virginia, § 58.1-2289, as it may**
40 **become effective, 58.1-2290, and 58.1-2701, as it may become effective, of the Code of Virginia and the second enactment of**
41 **Chapter 822 of the Acts of Assembly of 2009, as amended by Chapter 535 of the Acts of Assembly of 2012, are repealed.**
- 42 **10. That the seventh and fifteenth enactments of Chapter 766 of the Acts of Assembly of 2013 and the twelfth enactment of**
43 **Chapter 684 of the Acts of Assembly of 2015, as amended by Chapters 854 and 856 of the Acts of Assembly of 2018, are**
44 **repealed.**
- 45 **11. That nothing in this act shall be construed to appropriate or transfer any transportation revenues for**
46 **nontransportation purposes pursuant to the twenty-second enactment of Chapter 896 of the Acts of Assembly of 2007 or**
47 **the fourteenth enactment of Chapter 766 of the Acts of Assembly of 2013.**
- 48 **12. That the provisions of this act requiring remote sales and use tax collection by remote sellers and marketplace**
49 **facilitators shall not apply to any retail sales transactions occurring before July 1, 2019; however, transactions occurring**
50 **before July 1, 2019, may be included in the calculation of gross revenue or retail transactions pursuant to the provisions of**
51 **subdivisions C 10 and 11 of § 58.1-612 of the Code of Virginia, as amended by this act. Notwithstanding the sixth**
52 **enactment clause of House Bill 1722, 2019 Acts of Assembly, and the sixth enactment clause of Senate Bill 1083, 2019 Acts**

- 1 of Assembly, the Department of Taxation is not permitted to temporarily suspend or delay the collection or reporting
2 requirements, or both, of a marketplace facilitator.
- 3 13. That the Department of Taxation shall develop guidelines implementing the provisions of the seventh and twelfth enactment
4 clauses of this act, including guidelines implementing the provisions of subsection D of § 58.1-612.1 of the Code of Virginia, as
5 created by this act, creating a waiver. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§
6 2.2-4000 et seq. of the Code of Virginia).
- 7 14. That should any portion of this act be held unconstitutional by a court of competent jurisdiction, the remaining portions of
8 this act shall remain in effect.
- 9 15. That the provisions of the seventh enactment of this Act shall apply beginning July 1, 2019.
- 10 16. That § 58.1-638.2 of the Code of Virginia is repealed.
- 11 17. *That the fifth enactment of Chapter 17 of the Acts of Assembly of 2019 and the fifth enactment of Chapter 18 of the Acts of*
12 *Assembly of 2019, are repealed.*
- 13 ~~17.~~ 18. That the provisions of the first, second and fifth enactments of this act shall expire at midnight on June 30, 2020. The
14 provisions of the third, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, and
15 sixteenth, *and seventeenth* enactments shall have no expiration date.

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