

2020 SPECIAL SESSION I
VIRGINIA ACTS OF ASSEMBLY

CHAPTER 56

An Act to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

Approved November 18, 2020

2020 RECONVENED SPECIAL SESSION I

CHAPTER 56

An Act to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

[H 5005]

Approved November 18, 2020

Be it enacted by the General Assembly of Virginia:

1. That Items 43, 50,52, 57, 61, 69, 79, 83, 84, 111, 112, 113, 114, 127, 128, 131, 135, 141, 144, 145, 152, 214, 221, 247, 274, 275, 282, 292, 299, 300, 309, 312, 313, 315, 320, 322, 349, 350, 354, 356, 357, 359, 373, 374, 377, 378, 383, 391, 402, 403, 404, 406, 408, 427, 429, 430, 436, 443, 444, 477, 479, 479.10, C-12.10, C-42, C-61.50, C-66, C-69, C-72.10, C-73, C-74, C-75, §3-1.01, § 3-2.03, § 3-4.01, § 3-5.19, § 3-5.21, §4-0.01, § 4-5.07, § 4-5.11, § 4-8.01 and § 4-14 of Chapter 1289 of the 2020 Acts of Assembly, be hereby amended and reenacted and that the cited chapter be further amended by adding Items 262.80, 482.20 and C-76.10, and that the cited chapter be further amended by striking therefrom Items 42.10, 48.10, 51.10, 75.10, 82.10, 87.10, 106.10, 107.10, 112.10, 118.10, 123.10, 126.10, 128.10, 130.10, 134.10, 143.10, 146.10, 155.10, 159.10, 163.10, 167.10, 170.10, 174.10, 178.10, 182.10, 186.10, 190.10, 195.10, 202.10, 206.10, 213.10, 219.10, 225.10, 230.10, 235.10, 236.10, 240.10, 241.10, 244.10, 248.10, 249.10, 252.10, 253.10, 255.10, 256.10, 257.10, 258.10, 259.10, 260.10, 261.10, 262.10, 262.60, 279.10, 287.10, 293.10, 307.10, 317.10, 321.10, 322.10, 328.10, 338.10, 346.10, 348.10, 361.10, 369.10, 375.10, 380.10, 386.10, 390.10, 402.10, 409.10, 414.30, 417.10, 418.10, 428.10, 429.10, 466.10, 473.10, 482.10, and 497.10.

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

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

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

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

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

	First Year	Second Year	Total
Unreserved Beginning Balance	\$1,185,284,382	\$0	-\$1,185,284,382
	\$2,874,058,799		\$2,874,058,799
Additions to Balance	\$120,137,243	(\$500,000)	-\$119,637,243
	(\$1,284,491,604)	\$29,850,000	(\$1,254,641,604)
Official Revenue Estimates	-\$22,687,832,509	-\$23,538,284,514	\$46,226,117,023
	\$21,353,132,509	\$22,185,484,514	\$43,538,617,023
Transfer	-\$655,758,189	-\$666,158,189	\$1,321,916,378
	\$610,436,934	\$612,358,189	\$1,222,795,123
Total General Fund Resources Available for			
Appropriation	\$24,649,012,323	\$24,203,942,703	\$48,852,955,026
	\$23,553,136,638	\$22,827,692,703	\$46,380,829,341

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

	First Year	Second Year	Total
Balance, June 30, 2020	\$7,596,232,598	\$0	\$7,596,232,598
Official Revenue Estimates	\$38,801,241,971	\$39,604,200,895	\$78,405,442,866

	\$39,404,473,571		\$79,008,674,466
Lottery Proceeds Fund	\$657,959,397	\$666,104,670	\$1,324,064,067
Internal Service Fund	\$2,115,253,639	\$2,231,861,108	\$4,347,114,747
Bond Proceeds	\$2,478,004,162	\$195,123,500	\$2,673,127,662
	\$2,479,504,162		\$2,674,627,662
Total Nongeneral Fund Revenues Available for			
Appropriation	\$51,648,691,767	\$42,697,290,173	\$94,345,981,940
	\$52,253,423,367		\$94,950,713,540
TOTAL PROJECTED			
REVENUES	\$76,297,704,090	\$66,901,232,876	\$143,198,936,966
	\$75,806,560,005	\$65,524,982,876	\$141,331,542,881

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

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

§ 6. When used in this act the term:

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

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

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

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

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

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

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

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

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

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

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

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

	BIENNIUM 2020-22		
	General Fund	Nongeneral Fund	Total
OPERATING EXPENSES	\$48,210,719,520	\$87,561,122,474	\$135,771,841,994
	\$46,078,617,618	\$88,155,431,265	\$134,234,048,883
LEGISLATIVE			
DEPARTMENT	\$212,883,582	\$8,050,998	\$220,934,580
JUDICIAL DEPARTMENT	\$1,068,689,563	\$70,735,744	\$1,139,425,307
		\$74,735,744	\$1,143,425,307

EXECUTIVE DEPARTMENT	\$46,915,591,881	\$85,426,164,830	\$132,341,756,711
	<i>\$44,783,489,979</i>	<i>\$86,016,473,621</i>	<i>\$130,799,963,600</i>
INDEPENDENT AGENCIES	\$13,554,494	\$2,056,170,902	\$2,069,725,396
STATE GRANTS TO			
NONSTATE AGENCIES	\$0	\$0	\$0
CAPITAL OUTLAY			
EXPENSES	\$20,956,290	\$3,279,347,625	\$3,300,303,915
	<i>\$0</i>	<i>\$3,280,847,625</i>	<i>\$3,280,847,625</i>
TOTAL	\$48,231,675,810	\$90,840,470,099	\$139,072,145,909
	<i>\$46,078,617,618</i>	<i>\$91,436,278,890</i>	<i>\$137,514,896,508</i>

§ 8. This chapter shall be known and may be cited as the "2020 Special Session I Amendments to the 2020 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

PART 1: OPERATING EXPENSES

LEGISLATIVE DEPARTMENT

1. Not set out.
2. Not set out.
3. Not set out.
4. Not set out.
5. Not set out.
6. Not set out.
7. Not set out.
8. Not set out.
9. Not set out.
10. Not set out.
11. Not set out.
12. Not set out.
13. Not set out.
14. Not set out.
15. Not set out.
16. Not set out.
17. Not set out.
18. Not set out.
19. Not set out.
20. Not set out.
21. Not set out.
22. Not set out.
23. Not set out.
24. Not set out.
25. Not set out.

ITEM 26.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
26.	Not set out.				
27.	Not set out.				
27.10	Not set out.				
27.20	Not set out.				
27.30	Not set out.				
27.40	Not set out.				
28.	Not set out.				
29.	Not set out.				
30.	Not set out.				
31.	Not set out.				
32.	Not set out.				
33.	Not set out.				
34.	Not set out.				
35.	Not set out.				
	TOTAL FOR LEGISLATIVE DEPARTMENT.....			\$110,440,509	\$110,494,071
	General Fund Positions.....	608.50	618.50		
	Nongeneral Fund Positions.....	32.50	32.50		
	Position Level.....	641.00	651.00		
	Fund Sources: General.....	\$106,415,010	\$106,468,572		
	Special.....	\$3,764,226	\$3,764,226		
	Trust and Agency.....	\$123,679	\$123,679		
	Federal Trust.....	\$137,594	\$137,594		

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

JUDICIAL DEPARTMENT

§ 1-1. SUPREME COURT (111)

- 36. Not set out.
- 37. Not set out.
- 38. Not set out.
- 39. Not set out.
- 40. Not set out.
- 41. Not set out.

General District Courts (114)

- 42. Not set out.

42.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Fund additional district court clerk positions	\$5,732,280	\$7,596,300
Fund additional judgeship for 19th Judicial District	\$323,437	\$323,437
Agency Total	\$6,055,717	\$7,919,737
Total for General District Courts.....		\$129,538,848 \$130,943,333
General Fund Positions.....	1,146.10	1,176.10
Position Level.....	1,146.10	1,176.10
Fund Sources: General.....	\$129,538,848	\$130,943,333

Juvenile and Domestic Relations District Courts (115)

43. Pre-Trial, Trial, and Appellate Processes (32100).....			\$107,875,063	\$107,675,016
Trial Processes (32103).....	\$71,056,587	\$71,056,587		
Other Court Costs And Allowances (Criminal Fund) (32104).....	\$36,553,729	\$36,353,682		
Involuntary Mental Commitments (32105).....	\$264,747	\$264,747		
Fund Sources: General.....	\$107,875,063	\$107,675,016		

ITEM 43.	Item Details(\$)		Appropriations(\$)		
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022	
Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.2-809 through 37.2-813., Code of Virginia.					
A. Out of the amounts in this Item for Trial Processes shall be paid:					
1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, \$158,252 from July 1, 2020 to June 9, 2021, \$ 158,252 from June 10, 2021 to June 30, 2022. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for Juvenile and Domestic Relations District Court Judges.					
2. The salaries of substitute judges and court personnel.					
B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2020, in the appropriation made in Item 42, Chapter 854, Acts of Assembly of 2019, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2021.					
C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 42, 43, 44, and 310, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.					
D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.					
E. Out of the amounts appropriated in this Item, \$310,300 the first year and \$310,300 the second year from the general fund is included to cover the cost of fee changes to mediators appointed in any custody and support or visitation cases.					
F. Notwithstanding the provisions of § 20-124.4, Code of Virginia, the fee paid to mediators shall be \$120 per appointment mediated. For such purpose, \$303,000 the first year and \$303,000 the second year from the general fund is included in the appropriation for this item.					
<i>G. Notwithstanding any other provision of law, during a declared judicial state of emergency as defined in § 17.1-330, Code of Virginia, and for up to 90 days after the declaration has been rescinded or expires, a chief judge may waive the ceremonial requirements pursuant to § 46.2-336, Code of Virginia, or otherwise conduct juvenile licensing ceremonies in an alternative manner prescribed by the court. The judge may mail or otherwise deliver driver's licenses to licensees at the time such licenses are received by the judge. The Chief judge may also coordinate with the Department of Motor Vehicles to have licenses mailed directly to licensees.</i>					
	Total for Juvenile and Domestic Relations District Courts.....			\$107,875,063	\$107,675,016
	General Fund Positions.....	617.10	617.10		
	Position Level.....	617.10	617.10		
	Fund Sources: General.....	\$107,875,063	\$107,675,016		
44.	Not set out.				
45.	Not set out.				
	Grand Total for Supreme Court.....			\$472,963,550	\$473,413,830
	General Fund Positions.....	2,807.71	2,837.71		
	Nongeneral Fund Positions.....	8.00	8.00		
	Position Level.....	2,815.71	2,845.71		
	Fund Sources: General.....	\$462,511,302	\$462,961,582		

ITEM 45.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Special.....	\$303,655	\$303,655		
	Dedicated Special Revenue.....	\$8,833,848	\$8,833,848		
	Federal Trust.....	\$1,314,745	\$1,314,745		

46. Not set out.

47. Not set out.

§ 1-2. INDIGENT DEFENSE COMMISSION (848)

48. Not set out.

48.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding for additional public defenders	\$3,798,726	\$5,698,089
Agency Total	\$3,798,726	\$5,698,089
Total for Indigent Defense Commission.....		\$61,249,487
General Fund Positions.....	660.00	660.00
Position Level.....	660.00	660.00
Fund Sources: General.....	\$61,237,507	\$63,136,870
Special.....	\$11,980	\$11,980

49. Not set out.

§ 1-3. VIRGINIA STATE BAR (117)

50.	Legal Defense (32700).....		\$14,921,912	\$14,921,912
			\$16,921,912	\$16,921,912
	Criminal Indigent Defense Services (32701).....	\$352,500	\$352,500	
	Indigent Defense, Civil (32704).....	\$14,569,412	\$14,569,412	
		\$16,569,412	\$16,569,412	
	Fund Sources: General.....	\$7,571,912	\$7,571,912	
	Special.....	\$7,350,000	\$7,350,000	
		\$8,350,000	\$8,350,000	
	Dedicated Special Revenue.....	\$1,000,000	\$1,000,000	

Authority: § 17.1-278, Code of Virginia.

A. The Virginia State Bar and the Legal Services Corporation of Virginia shall not use funds provided for in this act, and those available from financial institutions pursuant to § 54.1-3916, Code of Virginia, to file lawsuits on behalf of aliens present in the United States in violation of law.

B.1. The amounts for Indigent Defense, Civil, include up to \$75,000 the first year and up to

ITEM 50.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

\$75,000 the second year from the general fund for the Community Tax Law Project, to provide indigent defense services in matters related to taxation disputes, and educational services involving the rights and responsibilities of taxpayers.

2. *The amounts for Indigent Defense, Civil, include up to \$7,125,000 the first year and up to \$7,125,000 the second year from the general fund and \$2,000,000 the first year and \$2,000,000 the second year from nongeneral funds to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice.*

3. The amounts for Indigent Defense, Criminal, include up to \$352,500 the first year and up to \$352,500 the second year from the general fund to provide grants to the Virginia Capital Representation Resource Center for representation to people sentenced to death in Virginia and to promote equal access to justice.

C. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding the status of legal services assistance programs in the Commonwealth. The report shall include, but not be limited to, efforts to maintain and improve the accuracy of caseload data, case opening and case closure information, and program activity levels as it relates to clients.

51. Not set out.

51.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Additional funding to hire additional housing attorneys to combat Virginia's housing crisis	\$1,500,000	\$1,500,000
Agency Total	\$1,500,000	\$1,500,000
Total for Virginia State Bar.....		\$30,643,103 \$32,643,103
Nongeneral Fund Positions.....	178.00	89.00
Position Level.....	178.00	89.00
Fund Sources: General.....	\$7,571,912	\$7,571,912
Special.....	\$7,350,000	\$7,350,000
	\$8,350,000	\$8,350,000
Dedicated Special Revenue.....	\$15,721,191	\$15,721,191
	\$16,721,191	\$16,721,191
TOTAL FOR JUDICIAL DEPARTMENT.....		\$568,537,832 \$570,537,832
General Fund Positions.....	3,480.71	3,510.71
Nongeneral Fund Positions.....	195.00	106.00
Position Level.....	3,675.71	3,616.71
Fund Sources: General.....	\$533,169,960	\$535,519,603

ITEM 51.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Special.....	\$9,498,088 <i>\$10,498,088</i>	\$9,498,088 <i>\$10,498,088</i>		
Dedicated Special Revenue.....	\$24,555,039 <i>\$25,555,039</i>	\$24,555,039 <i>\$25,555,039</i>		
Federal Trust.....	\$1,314,745	\$1,314,745		

ITEM 52.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

EXECUTIVE DEPARTMENT

EXECUTIVE OFFICES

§ 1-4. OFFICE OF THE GOVERNOR (121)

52.	Administrative and Support Services (79900).....			\$6,508,769	\$6,572,269
	General Management and Direction (79901).....	\$6,508,769	\$6,572,269	\$6,808,769	
	Fund Sources: General.....	\$6,508,122	\$6,571,622		
	Federal Trust.....	\$647	\$647		

Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.

A. This appropriation includes \$175,000 the first year and \$175,000 the second year from the general fund to pay the salary of the Governor.

B. Out of the amounts for General Management and Direction, \$75,000 each year is included for the Governor's discretionary expenses.

C. This item includes ~~\$599,192~~ \$899,192 the first year and \$599,192 the second year to fund the Office of the Chief Diversity Officer.

D. This item includes \$599,192 the first year and \$599,192 the second year to fund the Office of the Chief Workforce Advisor.

E. Out of the appropriation for this item \$103,800 from the general fund is provided each year for the Governor's Fellows program. Any balances remaining from the appropriation identified in this paragraph shall be brought forward and made available to support the Governor's Fellows in the subsequent fiscal year. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this paragraph to applicable state agencies as required to execute the purposes of this paragraph.

F. This item includes \$416,000 the first year and \$479,500 the second year from the general fund and four and a half positions to establish the Office of the Children's Ombudsman in the Executive Branch.

53. Not set out.

54. Not set out.

55. Not set out.

	Total for Office of the Governor.....			\$7,849,409	\$7,912,909
				\$8,149,409	

	General Fund Positions.....	50.17	50.17		
	Nongeneral Fund Positions.....	1.33	1.33		
	Position Level.....	51.50	51.50		
	Fund Sources: General.....	\$7,684,495	\$7,747,995		
		\$7,984,495			
	Commonwealth Transportation.....	\$164,267	\$164,267		
	Federal Trust.....	\$647	\$647		

56. Not set out.

§ 1-5. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)

ITEM 57.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
57.	Legal Advice (32000).....			\$37,064,003	\$37,064,003
				\$37,133,302	\$37,682,025
	State Agency/Local Legal Assistance and Advice (32002).....	\$37,064,003	\$37,064,003		
		\$37,133,302	\$37,682,025		
	Fund Sources: General.....	\$23,169,033	\$23,169,033		
		\$23,238,332	\$23,787,055		
	Special.....	\$12,644,138	\$12,644,138		
	Federal Trust.....	\$1,250,832	\$1,250,832		

Authority: Title 2.2 Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, \$150,000 the first year and \$150,000 the second year.
2. Expenses of the Attorney General not otherwise reimbursed, \$9,000 each year in equal monthly installments.
3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, \$738,536 the first year and \$738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 479 and § 3-1.01, Paragraph N of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed \$100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch

ITEM 57.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.</p> <p>G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students or recent law school graduates sponsored by a separate institution with a stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory.</p>				
58.	Not set out.			
59.	Not set out.			
60.	Not set out.			
61.	Personnel Management Services (70400).....		\$929,917	\$929,917
	Compliance and Enforcement (70414).....		\$1,044,626	\$1,159,335
	Fund Sources: General.....		\$853,468	\$853,468
	Federal Trust.....		\$968,177	\$1,082,886
			\$76,449	\$76,449
<p>Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.</p>				
Total for Attorney General and Department of Law			\$56,683,118	\$56,683,118
			\$56,867,126	\$57,530,558
	General Fund Positions.....		242.75	242.75
			245.75	253.75
	Nongeneral Fund Positions.....		203.25	203.25
	Position Level.....		446.00	446.00
			449.00	457.00
	Fund Sources: General.....		\$26,248,212	\$26,248,212
			\$26,432,220	\$27,095,652
	Special.....		\$18,504,588	\$18,504,588
	Federal Trust.....		\$11,930,318	\$11,930,318
62.	Not set out.			
Grand Total for Attorney General and Department of Law.....			\$60,037,564	\$60,037,564
			\$60,221,572	\$60,885,004

ITEM 62.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Fund Positions.....	242.75	242.75		
	245.75	253.75		
Nongeneral Fund Positions.....	230.25	230.25		
Position Level.....	473.00	473.00		
	476.00	484.00		
Fund Sources: General.....	\$26,248,212	\$26,248,212		
	\$26,432,220	\$27,095,652		
Special.....	\$21,859,034	\$21,859,034		
Federal Trust.....	\$11,930,318	\$11,930,318		
63. Not set out.				
64. Not set out.				
65. Not set out.				
TOTAL FOR EXECUTIVE OFFICES.....			\$78,343,882	\$78,407,382
			\$78,827,890	\$79,254,822
General Fund Positions.....	339.92	339.92		
	342.92	350.92		
Nongeneral Fund Positions.....	247.58	247.58		
Position Level.....	587.50	587.50		
	590.50	598.50		
Fund Sources: General.....	\$41,905,043	\$41,968,543		
	\$42,389,051	\$42,815,983		
Special.....	\$22,141,424	\$22,141,424		
Commonwealth Transportation.....	\$2,248,113	\$2,248,113		
Dedicated Special Revenue.....	\$118,337	\$118,337		
Federal Trust.....	\$11,930,965	\$11,930,965		

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF ADMINISTRATION

- 66. Not set out.
- 67. Not set out.

§ 1-6. COMPENSATION BOARD (157)

68.	Not set out.			
69.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			\$59,182,111 \$59,199,386 \$56,649,386
	Financial Assistance for Local Jail Per Diem (35601).....	\$27,867,884	\$27,885,159 \$26,686,659	
	Financial Assistance for Regional Jail Per Diem (35604).....	\$31,314,227	\$31,314,227 \$29,962,727	
	Fund Sources: General.....	\$59,182,111	\$59,199,386 \$56,649,386	

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2021, and June 1, 2022, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this Item, the following definitions shall be applicable:

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.
2. Local responsible inmate--(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.
3. State responsible inmate--any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

C. The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.

D. Out of this appropriation, an amount not to exceed \$377,010 the first year and \$377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.

E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1,

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:				
1. For local responsible inmates--\$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate day.				
2. For state responsible inmates--\$12 per inmate day.				
F. For the payment specified in paragraph E.1. of this Item for prisoners in alternative punishment or alternative to incarceration programs:				
1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.				
2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.				
G.1. Except as provided for in paragraph G.2., and notwithstanding any other provisions of this Item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of \$18 per day for local responsible inmates and \$12 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.				
2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.				
H.1. The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this Item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.				
2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.				
3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H.1.				
4. The Compensation Board shall not provide any inmate per diem payments to any local or				

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.

5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H.1. of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.

6. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

7. For a local or regional jail which operates bed space specifically built utilizing federal capital or grant funds for the housing of federal inmates and for which Compensation Board funding has never been authorized for staff for such bed space, the Compensation Board shall allow an exemption from the recovery provided in paragraph H.1. for a defined number of federal prisoners upon certification by the sheriff or superintendent that the federal government has paid for the construction of bed space in the facility or provided a grant for a portion of the capital cost. Such certification shall include specific funding amounts paid by the federal government, localities, and/or regional jail authorities, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal prisoners to be exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of funding paid by the federal government and localities and/or regional jail authorities for the construction of bed space to house federal prisoners to the total funding paid by all sources, including the Commonwealth, for all construction costs for the jail facility in its entirety.

8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program in place for such inmates by agreement with the jail on or before January 1, 2012 and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility.

I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 68 and 69, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

J.1. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Behavioral Health and Developmental Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees.

2. Whenever a person is admitted to a local or regional correctional facility, the staff of the facility shall screen such person for mental illness using a scientifically validated instrument. The Commissioner of Behavioral Health and Developmental Services shall

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

designate the instrument to be used for the screenings and such instrument shall be capable of being administered by an employee of the local or regional correctional facility, other than a health care provider, provided that such employee is trained in the administration of such instrument.

K. Out of the amounts appropriated in this item, \$198,664 the first year and \$215,939 the second year from the general fund is provided for the purpose of reimbursing the County of Nottoway for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail at the expense of the County. Reimbursements by the Board are to be made quarterly, and shall be equal to demonstrated costs incurred by the County of Nottoway for confinement of these individuals, and shall not exceed the amounts provided in this paragraph for each fiscal year. Demonstrated costs may include expenses incurred in the last month of the prior fiscal year if not previously reimbursed. The County of Nottoway, the Virginia Center for Behavioral Rehabilitation, and Piedmont Regional Jail shall upon request provide the Compensation Board any information and assistance it determines is necessary to calculate amounts to be reimbursed to the County of Nottoway.

- 70. Not set out.
- 71. Not set out.
- 72. Not set out.
- 73. Not set out.
- 74. Not set out.
- 75. Not set out.

75-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Establish a minimum of three staff in each Circuit Court Clerk's office	\$358,578	\$391,176
Fund 25 percent of the staffing need in Sheriffs' offices	\$979,399	\$1,113,082
Fund 25 percent of the staffing need in the Commonwealth's Attorneys offices	\$1,350,989	\$1,433,928
Fund position to address agency information technology needs	\$119,775	\$119,775
Provide salary adjustment for Commissioners of Revenue	\$950,656	\$1,037,069
Provide salary adjustment for Treasurers' offices	\$821,028	\$1,642,054
Provide technology funding to Circuit Court Clerks' offices	\$1,000,000	\$1,000,000

ITEM 75.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Additional funding for Statewide Automated Victim Network System (SAVIN)		\$600,000		\$600,000
Adjust salary for circuit court clerks		\$1,820,339		\$1,985,824
Adjust entry-level salary increases for regional jail officers		\$2,668,059		\$2,910,609
Adjust salary of constitutional office staff based on increases in locality population		\$260,230		\$260,230
Agency Total		\$10,929,053		\$12,493,747
Total for Compensation Board.....			\$745,264,213	\$749,100,297 \$746,550,297
General Fund Positions.....	20.00	20.00		
Nongeneral Fund Positions.....	1.00	1.00		
Position Level.....	21.00	21.00		
Fund Sources: General.....	\$728,657,985	\$732,494,069 \$729,944,069		
Trust and Agency.....	\$8,003,370	\$8,003,370		
Dedicated Special Revenue.....	\$8,602,858	\$8,602,858		

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

76.	Not set out.			
77.	Not set out.			
78.	Not set out.			
79.	Physical Plant Management Services (74100).....		\$56,751,163 \$57,834,163	\$57,668,843
	Parking Facilities Management (74105).....	\$5,468,350		\$5,468,350
	Statewide Building Management (74106).....	\$45,215,900 \$46,298,900		\$46,389,195
	Statewide Engineering and Architectural Services (74107).....	\$5,484,480		\$5,228,865
	Seat of Government Mail Services (74108).....	\$582,433		\$582,433
	Fund Sources: General.....	\$1,666,623 \$2,749,623		\$1,316,623
	Special.....	\$5,468,350		\$5,468,350
	Internal Service.....	\$49,616,190		\$50,883,870

Authority: Title 2.2, Chapter 11, Articles 4, 6, and 8; § 58.1-3403, Code of Virginia.

A.1. Out of this appropriation, \$44,645,792 the first year and \$45,819,087 the second year for Statewide Building Management represent a sum sufficient internal service fund which shall be paid from revenues from rental charges assessed to occupants of seat of government buildings controlled, maintained, and operated by the Department of General Services and fees paid for other building maintenance and operation services provided through service agreements and special work orders. The internal service fund shall support the facilities at the seat of government and maintenance and operation of such other state-owned facilities as the Governor or department may direct, as otherwise provided by law.

2. The rent rate for occupants of office space in seat of government facilities operated and maintained by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department, shall be \$17.51 per square foot the first year and \$18.24 the second year.

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

3. On or before September 1 of each year, the Department of General Services shall report to the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Administration, and the Department of Planning and Budget regarding the operations and maintenance costs of all buildings controlled, maintained, and operated by the Department of General Services. The report shall include, but not be limited to, the cost and fund source associated with the following: utilities, maintenance and repairs, security, custodial services, groundskeeping, direct administration and other overhead, and any other operations or maintenance costs for the most recently concluded fiscal year. The amount of unleased space in each building shall also be reported.

4. Further, out of the estimated cost for Statewide Building Management, amounts estimated at \$2,424,879 the first year and \$2,424,879 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for Statewide Building Management, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

	FY 2021	FY 2022
Alcoholic Beverage Control Authority	\$79,698	\$79,698
Department of Motor Vehicles	\$196,017	\$196,017
Department of State Police	\$639	\$639
Department of Transportation	\$186,030	\$186,030
Department for the Blind and Vision Impaired	\$4,630	\$4,630
Science Museum of Virginia	\$17,904	\$17,904
Virginia Employment Commission	\$57,662	\$57,662
Virginia Museum of Fine Arts	\$158,513	\$158,513
Virginia Retirement System	\$42,920	\$42,920
Veterans Services	\$135,180	\$135,180
Workers' Compensation Commission	\$64,116	\$64,116
TOTAL	\$943,309	\$943,309

B.1. Out of this appropriation, \$4,970,398 the first year and \$5,064,783 the second year for Statewide Engineering and Architectural Services provided by the Division of Engineering and Buildings represent a sum sufficient internal service fund which shall be paid from revenues from fees paid by state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects.

2. In administering this internal service fund, the Division of Engineering and Buildings (DEB) shall provide capital project cost review services to state agencies and institutions of higher education and produce capital project cost analysis work products for the Department of Planning and Budget. DEB shall collect fees, consistent with those fees authorized above in paragraph B.1, from state agencies and institutions of higher education for completed capital project cost review services or work products.

3. The hourly rate for engineering and architectural services shall be \$150.00 the first year and \$154.00 the second year, excluding contracted services and other special rates as authorized pursuant to § 4-5.03 of this act.

4. Out of the amounts appropriated in this Item, \$164,082 the first year and \$164,082 the second year from the general fund is provided for the Division of Engineering and Buildings to support the Commonwealth's capital budget and capital pool process for which fees authorized in this paragraph cannot otherwise be assessed.

C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall be added to the fund as earned.

D. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound processing location or locations, and the enhancement of mail security capabilities within these

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

location(s).

E. All new and renovated state-owned facilities, if the renovations are in excess of 50 percent of the structure's assessed value, that are over 5,000 gross square feet shall be designed and constructed consistent with energy performance standards at least as stringent as the U.S. Green Building Council's LEED rating system or the Green Globes rating system.

F. Effective July 1, 2009, the total service charge for the property known as the General Assembly Building and the State Capitol Building shall not exceed \$70,000 per fiscal year.

G. The Director of the Department of General Services shall work with the Commissioner of the Department of Transportation and other agencies to maximize the use of light-emitting diodes (LEDs) instead of traditional incandescent light bulbs when any state agency installs new outdoor lighting fixtures or replaces nonfunctioning light bulbs on existing outdoor lighting fixtures as long as the LEDs lights are determined to be cost effective.

H. Out of this appropriation, \$350,000 the first year from the general fund is designated for the Department of General Services (DGS), with the cooperation of the Department of Behavioral Health and Developmental Services (DBHDS), to review the DBHDS capital outlay, maintenance reserve, maintenance and operations and real estate activities across the DBHDS agency. DGS shall develop system-wide recommendations that are cost effective and promote operational efficiency. DGS shall report its findings and recommendations to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2021.

I. Notwithstanding the provisions of Acts of Assembly 1889, Chapter 24, which is hereby repealed, the Department of General Services, in accordance with the direction and instruction of the Governor, shall remove and store the Robert E. Lee Monument or any part thereof.

80. Not set out.

81. Not set out.

82. Not set out.

82.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
DGS review of DBHDS capital outlay operations	\$350,000	\$0
Agency Total	\$350,000	\$0
Total for Department of General Services.....		\$264,962,491 \$266,045,491
General Fund Positions.....	248.50	248.50

ITEM 82.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Nongeneral Fund Positions.....	435.50	435.50		
Position Level.....	684.00	684.00		
Fund Sources: General.....	\$25,302,532	\$24,724,963		
	\$26,385,532			
Special.....	\$9,121,076	\$9,121,076		
Enterprise.....	\$42,156,754	\$40,948,140		
Internal Service.....	\$181,087,297	\$184,246,593		
Federal Trust.....	\$7,294,832	\$7,294,832		

§ 1-8. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)

83.	Personnel Management Services (70400).....			\$108,932,147	\$108,413,840
	Agency Human Resource Services (70401).....	\$2,365,564	\$2,065,564		
	Human Resource Service Center (70402).....	\$1,176,473	\$1,114,273		
	Equal Employment Services (70403).....	\$725,773	\$725,773		
	Health Benefits Services (70406).....	\$7,096,747	\$7,096,747		
	Personnel Development Services (70409).....	\$406,738	\$382,338		
	Personnel Management Information System (70410)..	\$1,395,087	\$1,263,380		
	Employee Dispute Resolution Services (70416).....	\$1,182,370	\$1,182,370		
	State Employee Program Services (70417).....	\$1,905,191	\$1,905,191		
	State Employee Workers' Compensation Services (70418).....	\$91,463,439	\$91,463,439		
	Administrative and Support Services (70419).....	\$1,214,765	\$1,214,765		
	Fund Sources: General.....	\$5,590,750	\$5,266,350		
	Special.....	\$1,805,051	\$1,742,851		
	Enterprise.....	\$2,596,995	\$2,596,995		
	Internal Service.....	\$7,104,757	\$6,973,050		
	Trust and Agency.....	\$91,834,594	\$91,834,594		

Authority: Title 2.2, Chapters 12 and 28, 29, 30, and 32, Code of Virginia.

A. The Department of Human Resource Management shall report any proposed changes in premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees at least sixty days prior to implementation.

B.1. The Department of Human Resource Management shall operate a human resource service center to support the human resource needs of those agencies identified by the Secretary of Administration in consultation with the Department of Planning and Budget. The agencies identified shall cooperate with the Department of Human Resource Management by transferring such records and functions as may be required.

2. Nothing in this paragraph shall prohibit additional agencies from using the services of the center; however, these additional agencies' use of the human resource service center shall be subject to approval by the affected cabinet secretary and the Secretary of Administration.

3. The cost of the human resource center's services shall be recovered and paid solely from revenues derived from charges for services. The rates required to recover the costs of the human resource service center shall be provided by the Department of Human Resource Management to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.

4. The rates for the human resource service center shall be \$1,306.00 per full-time equivalent and \$483.00 per wage employee the first year and \$1,237.00 per full-time equivalent and \$458.00 per wage employee the second year.

C. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01).

D.1. To ensure fair and equitable performance reviews, the Department of Human Resource Management, within available resources, is directed to provide performance management

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

be paid solely from revenues derived from charges to participating agencies, identified by the Department of Human Resource Management and approved by the Department of Planning and Budget, to support the operation of PMIS and its subsystems authorized in this Item.

2.a. The rate for agencies to support PMIS and its subsystems, operated and maintained by the Department of Human Resource Management, shall be \$10.91 per position the first year and no more than \$10.66 per position the second year. The rate is based upon the higher of the agency's maximum employment level as of July 1, 2019, and filled wage positions as of June 30, 2019, or the total number of filled classified and wage positions as of June 30, 2019.

b. The rates authorized to support the operation of PMIS and its subsystems shall be provided by the Department of Human Resource Management and approved by the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.

3. The State Comptroller shall recover the cost of services provided for the administration of the internal service fund through interagency transactions as determined by the State Comptroller.

K. The Department of Human Resource Management shall work with the Virginia Information Technologies Agency to develop a pilot program, beginning in July of 2019, utilizing a currently available electronic platform, to track and evaluate the productivity contract staff when teleworking or working in an office that is not part of the agency for which they work or for which they have a contract. The Departments shall identify specific executive branch agencies which have a significant number of such contractors and work with these agencies to develop the pilot project. The Departments shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the results of the pilot program by November 15, 2020.

L. Out of the amounts appropriated for this item, \$24,400 from the general fund the first year is provided for the development of a diversity and cultural competency training module, which is to be administered to all state employees employed on or after January 1, 2021.

M. The Director of the Department of Human Resource Management shall communicate to all executive branch agencies the requirement that all employees with state email addresses and state phone numbers include contact information in their email signature, which shall include, at a minimum, an office phone number and/or state cell phone number.

Total for Department of Human Resource Management.....			\$108,932,147	\$108,413,840
General Fund Positions.....	43.90	43.90		
Nongeneral Fund Positions.....	71.10	71.10		
Position Level.....	115.00	115.00		
Fund Sources: General.....	\$5,590,750	\$5,266,350		
Special.....	\$1,805,051	\$1,742,851		
Enterprise.....	\$2,596,995	\$2,596,995		
Internal Service.....	\$7,104,757	\$6,973,050		
Trust and Agency.....	\$91,834,594	\$91,834,594		

Administration of Health Insurance (149)

84.	Personnel Management Services (70400).....			\$2,197,071,067	\$2,301,071,067
	Health Benefits Services (70406).....	\$1,574,195,823	\$1,678,195,823		
	Local Health Benefit Services (70407).....	\$587,455,244	\$587,455,244		
	Health Insurance Benefit Payment Under the Line of Duty Act (70408).....	\$35,420,000	\$35,420,000		
	Fund Sources: Enterprise.....	\$587,455,244	\$587,455,244		
	Internal Service.....	\$1,574,195,823	\$1,678,195,823		
	Trust and Agency.....	\$35,420,000	\$35,420,000		

Authority: § 2.2-2818, § 2.2-1204, and Title 9.1, Chapter 4, Code of Virginia.

ITEM 84.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>A. The appropriation for Health Benefits Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues paid by state agencies to the Department of Human Resource Management.</p> <p>B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.</p> <p>C.1. In the event that the total of all eligible claims exceeds the balance in the state employee medical reimbursement account, there is hereby appropriated a sum sufficient from the general fund of the state treasury to enable the payment of such eligible claims.</p> <p>2. The term "employee medical reimbursement account" means the account administered by the Department of Human Resource Management pursuant to § 125 of the Internal Revenue Code in connection with the health insurance program for state employees (§ 2.2-2818, Code of Virginia).</p> <p>D. Any balances remaining in the reserved component of the Employee Health Insurance Fund shall be considered part of the overall Health Insurance Fund. It is the intent of the General Assembly that future premiums for the state employee health insurance program shall be set in a manner so that the balance in the Health Insurance Fund will be sufficient to meet the estimated Incurred But Not Paid liability for the Fund and maintain a contingency reserve at a level recommended by the Department of Human Resource Management for a self-insured plan subject to the approval of the General Assembly.</p> <p>E. The Department of Human Resource Management shall implement a Medication Therapy Management pilot program for state employees with certain disease states including Type II diabetes. The department shall continue to consult with all provider stakeholders in order to establish program parameters.</p> <p>F. Concurrent with the date the Governor introduces the budget bill, the Directors of the Departments of Planning and Budget and Human Resource Management shall provide to the Chairmen of the House Appropriations and Senate Finance Committees a report detailing the assumptions included in the Governor's introduced budget for the state employee health insurance plan. The report shall include the proposed premium schedule that would be effective for the upcoming fiscal year and any proposed changes to the benefit structure.</p> <p>G. Of money appropriated for the state employee health insurance fund, \$650,000 the first year and \$650,000 the second year shall be held separate and apart from the fund to pay for any required fees due to the Patient-Centered Outcomes Research Institute.</p> <p>H. In addition to such other payments as may be available, the full cost of group health insurance, net of any deductions and credits, for the surviving spouses and dependents of certain public safety officers killed in the line of duty and for certain public safety officers disabled in the line of duty, and the spouses and dependents of such disabled officers, are payable from this Item pursuant to Title 9.1, Chapter 4, Code of Virginia, effective July 1, 2017.</p> <p><i>I. The Department of Human Resource Management (DHRM) shall work with the Joint Legislative Audit and Review Commission (JLARC) to enable the private actuarial firm that contracts with JLARC, to perform a peer review of the actuarial calculations used for the State Health Insurance Program. The review shall (1) review the reasonableness of actuarial methods, and accuracy of reports produced by the actuary; (2) assess the data and methods used to establish rates; (3) review and comment on actuarial models used to estimate the impact of plan changes, develop rates and budget projections, and monitor claims experience; and (4) provide recommendations concerning the appropriate target level of cash balances for the fund. DHRM shall reimburse JLARC for expenses incurred in the review from the balances in the health insurance fund. JLARC shall report the findings by September 30, 2021.</i></p>				
Total for Administration of Health Insurance.....			\$2,197,071,067	\$2,301,071,067
Fund Sources: Enterprise.....	\$587,455,244	\$587,455,244		
Internal Service.....	\$1,574,195,823	\$1,678,195,823		
Trust and Agency.....	\$35,420,000	\$35,420,000		

ITEM 85.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
85.	Not set out.				
	Grand Total for Department of Human Resource Management.....			\$2,307,482,553	\$2,410,964,246
	General Fund Positions.....	44.90	44.90		
	Nongeneral Fund Positions.....	71.10	71.10		
	Position Level.....	116.00	116.00		
	Fund Sources: General.....	\$7,070,089	\$6,745,689		
	Special.....	\$1,805,051	\$1,742,851		
	Enterprise.....	\$590,052,239	\$590,052,239		
	Internal Service.....	\$1,581,300,580	\$1,685,168,873		
	Trust and Agency.....	\$127,254,594	\$127,254,594		

§ 1-9. DEPARTMENT OF ELECTIONS (132)

86.	Electoral Services (72300).....			\$18,858,038	\$16,823,166
	Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302).....	\$1,621,062	\$1,621,062		
	Statewide Voter Registration System and Associated Information Technology Services (72304).....	\$13,422,132	\$11,386,990		
	Campaign Finance Disclosure Administration Services (72309).....	\$178,568	\$178,568		
	Voter Services and Communications (72311).....	\$1,060,726	\$1,060,726		
	Administrative Services (72312).....	\$2,575,550	\$2,575,820		
	Fund Sources: General.....	\$15,805,788	\$13,770,916		
	Special.....	\$52,250	\$52,250		
	Trust and Agency.....	\$3,000,000	\$3,000,000		

Authority: Title 24.2, Chapter 1, Code of Virginia.

A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § 24.2-712, Code of Virginia, will use electronic pollbooks for elections held beginning in November, 2010.

B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be responsible for entering voting credit as provided in § 24.2-668. Additionally, any locality using paper pollbooks for elections held after November, 2010 may be required to reimburse the Department of Elections for state costs associated with providing paper pollbooks.

C. Municipalities will pay all expenses associated with May elections after June 30, 2009, including those costs incurred by the Department of Elections.

D. The State Board of Elections shall by regulation provide for an administrative fee up to \$25 for each non-electronic report filed with the State Board under § 24.2-947.5. The regulation shall provide for waiver of the fee based upon indigence.

E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest, the administrative collection fee and late penalties authorized in the Virginia Debt Collection Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.

F. Out of this appropriation, \$212,687 the first year and \$212,687 the second year from the general fund is provided for voter outreach and education required to inform voters about the photo identification requirements pursuant to Chapter 725 of the Acts of Assembly of 2013. It is the intent of the General Assembly that registration cards containing the voter's photograph and signature be provided free to any eligible voter upon request to the general registrar.

G. Out of this appropriation, \$212,423 the first year and \$212,423 the second year from the general fund is provided for conducting list maintenance mailings as required by the National Voter Registration Act.

H. Out of this appropriation, \$6,800 each year from the general fund is provided to increase

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

the membership of the State Board of Elections from three members to five members, consistent with the provisions of § 24.2-102, Code of Virginia.

I. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS) by July 1, 2022. Out of the amounts included in this item, \$2,035,142 the first year from the general fund shall serve as the state's required match to receive the federal HAVA award.

J. Out of the amounts included in this item, \$96,644 the first year and \$96,644 the second year from the general fund and one position shall support a permanent, full-time director of operations position subject to the Virginia Personnel Act (§ 2.2-2900 et seq.) within the Department.

87. Not set out.

87-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022
Increase funding for the salaries of state-supported local employees	\$2,534,575		\$2,534,575
Agency Total	\$2,534,575		\$2,534,575
Total for Department of Elections.....		\$27,667,991	\$25,633,119
General Fund Positions.....	57.00	57.00	
Position Level.....	57.00	57.00	
Fund Sources: General.....	\$24,615,741	\$22,580,869	
Special.....	\$52,250	\$52,250	
Trust and Agency.....	\$3,000,000	\$3,000,000	

§ 1-10. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)

88. Omitted.

89. Omitted.

90. Not set out.

91. Not set out.

92. Not set out.

93. Not set out.

Total for Virginia Information Technologies Agency.....		\$332,185,763	\$332,375,486
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ITEM 93.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Fund Positions.....	2.00	2.00		
Nongeneral Fund Positions.....	237.40	237.40		
Position Level.....	239.40	239.40		
Fund Sources: General.....	\$282,252	\$282,252		
Special.....	\$10,428,054	\$10,428,054		
Internal Service.....	\$321,475,457	\$321,665,180		
TOTAL FOR OFFICE OF ADMINISTRATION.....			\$3,681,918,697	\$3,788,422,438
			\$3,683,001,697	\$3,785,872,438
General Fund Positions.....	385.40	385.40		
Nongeneral Fund Positions.....	745.00	747.00		
Position Level.....	1,130.40	1,132.40		
Fund Sources: General.....	\$787,682,285	\$788,581,528		
	\$788,765,285	\$786,031,528		
Special.....	\$21,406,431	\$21,344,231		
Enterprise.....	\$632,208,993	\$631,000,379		
Internal Service.....	\$2,086,465,334	\$2,193,340,646		
Trust and Agency.....	\$138,257,964	\$138,257,964		
Dedicated Special Revenue.....	\$8,602,858	\$8,602,858		
Federal Trust.....	\$7,294,832	\$7,294,832		

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF AGRICULTURE AND FORESTRY

94. Not set out.

§ 1-11. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)

95. Not set out.

96. Not set out.

97. Not set out.

98. Not set out.

99. Not set out.

100. Not set out.

101. Not set out.

102. Not set out.

103. Not set out.

104. Not set out.

105. Not set out.

106. Not set out.

~~106-10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Enhance economic growth and food safety in the Commonwealth	\$267,201	\$256,701
Fulfill Virginia's phase III watershed implementation plan	\$240,021	\$185,021
Holiday Lake 4-H Center Improvements Project	\$250,000	\$0
Agency Total	\$757,222	\$441,722
Total for Department of Agriculture and Consumer Services.....		\$80,619,801
General Fund Positions.....	344.00	344.00

\$80,619,801 **\$78,635,573**

ITEM 106.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Nongeneral Fund Positions.....	214.00	214.00		
Position Level.....	558.00	558.00		
Fund Sources: General.....	\$42,378,884	\$40,394,656		
Special.....	\$7,347,613	\$7,347,613		
Trust and Agency.....	\$7,288,394	\$7,288,394		
Dedicated Special Revenue.....	\$10,464,327	\$10,464,327		
Federal Trust.....	\$13,140,583	\$13,140,583		

§ 1-12. DEPARTMENT OF FORESTRY (411)

107. Not set out.

107-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Establish apprenticeship program	\$51,888	\$51,888
Establish hardwood forest habitat program	\$154,000	\$521,842
Fulfill Virginia's phase III watershed implementation plan	\$433,016	\$433,016
Plan for replacement of the agency's mission critical business system	\$44,250	\$0
Agency Total	\$683,154	\$1,006,746
Total for Department of Forestry.....		\$36,508,061
		\$36,831,653

General Fund Positions.....	165.59	165.59
Nongeneral Fund Positions.....	113.41	113.41
Position Level.....	279.00	279.00
Fund Sources: General.....	\$21,094,319	\$21,417,911
Special.....	\$10,927,516	\$10,927,516
Trust and Agency.....	\$106,538	\$106,538
Dedicated Special Revenue.....	\$89,535	\$89,535
Federal Trust.....	\$4,290,153	\$4,290,153

108. Not set out.

109. Not set out.

110. Not set out.

TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			\$121,345,573	\$119,684,937
General Fund Positions.....	512.59	512.59		
Nongeneral Fund Positions.....	337.41	337.41		

ITEM 110.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Position Level.....	850.00	850.00		
Fund Sources: General.....	\$63,991,584	\$62,330,948		
Special.....	\$21,483,784	\$21,483,784		
Trust and Agency.....	\$7,394,932	\$7,394,932		
Dedicated Special Revenue.....	\$11,044,537	\$11,044,537		
Federal Trust.....	\$17,430,736	\$17,430,736		

ITEM 111.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF COMMERCE AND TRADE

§ 1-13. SECRETARY OF COMMERCE AND TRADE (192)

111.	Administrative and Support Services (79900).....			\$1,110,829	\$1,110,829
	General Management and Direction (79901).....	\$1,110,829	\$1,110,829		
	Fund Sources: General.....	\$1,110,829	\$1,110,829		

Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.

A. It is the intent of the General Assembly that state programs providing financial, technical, or training assistance to local governments for economic development projects or directly to businesses seeking to relocate or expand operations in Virginia should not be used to help a company relocate or expand its operations in one or more Virginia communities when the same company is simultaneously closing facilities in other Virginia communities. It is the responsibility of the Secretary of Commerce and Trade to enforce this policy and to inform the Chairmen of the Senate Finance and House Appropriations Committees in writing of the justification to override this policy for any exception.

B. The Secretary shall develop and implement, as a component of the comprehensive economic development policy requirements as established in § 2.2-205, Code of Virginia, a strategic workforce development plan for the Commonwealth.

C. Notwithstanding any contrary provision of law, the authority and responsibilities of the Secretary of Technology referenced in § 2.2-205, § 2.2-2221, § 2.2-2221.1, § 2.2-2233.1, § 2.2-2240.1, § 2.2-2485, § 2.2-2698, § 2.2-2699.1, § 2.2-2738, § 15.2-2425, § 23.1-2911.1, § 23.1-3102, § 23.1-3132, § 58.1-322.02, and § 58.1-402, Code of Virginia, shall be executed by the Secretary of Commerce and Trade. Notwithstanding any contrary provision of law, the authority and responsibilities of the Secretary of Technology referenced in § 2.2-225, Code of Virginia, shall be divided between the Secretary of Administration and the Secretary of Commerce and Trade as determined by the Governor.

D.1. The Chief Workforce Development Advisor and Secretary of Commerce and Trade are hereby directed to study the development, implementation and costs of a statewide paid family and medical leave program for all employers including the Commonwealth of Virginia. In conducting this study, the designated executive branch officials shall: (i) research other states that have fully implemented paid family and medical leave; (ii) quantify economic impact on businesses and workers if a paid family and medical leave was implemented; (iii) develop an operating plan which includes designated agency or entity, staffing needs, technology requirements, implementation timeline and business practices; (iv) identify resources needed to implement a statewide program; and (v) research start up loans for paid leave programs in other states and loan payback. Such study shall be reported to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on or before September 30, 2020.

2. In completing the study required in paragraph D.1. of this item, the Chief Workforce Development Advisor and Secretary of Commerce and Trade shall convene a workgroup of industry stakeholders. Such stakeholders may include, but not be limited to, representatives from small business owners, chambers of commerce, the insurance industry, labor, and health care.

E.1. The Commonwealth's Chief Workforce Advisor to the Governor shall convene a workgroup to review the Commonwealth's state public works payment process to contractor employees to identify whether misclassification of workers is a prevalent problem. If the findings reveal such misclassification, the workgroup shall identify and make process improvement recommendations to correct any identified issues.

2. The workgroup shall consist of the Commonwealth's Chief Workforce Advisor to the Governor, Secretary of Finance, Secretary of Administration, and Secretary of Commerce and Trade, or their designees, staff from the House Appropriations and Senate Finance and Appropriations Committees, representatives from Virginia public colleges and universities and state agencies, two representatives from labor organizations that can bring forth to the

ITEM 111.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

workgroup documented situations where such misclassification has occurred on Commonwealth public work projects, two representatives from the general contractor business community with experience in providing construction services to the Commonwealth, and representatives from the Department of General Services, Department of Small Business and Supplier Diversity, Department of Labor and Industry, and Department of Taxation. The membership of this workgroup shall not exceed 20 individuals.

3. The Chief Workforce Advisor shall report initial findings and recommendations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than December 15, 2020. A final report to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee will be submitted no later than April 15, 2021.

Total for Secretary of Commerce and Trade.....			\$1,110,829	\$1,110,829
General Fund Positions.....	9.00	9.00		
Position Level.....	9.00	9.00		
Fund Sources: General.....	\$1,110,829	\$1,110,829		

Economic Development Incentive Payments (312)

112. Economic Development Services (53400).....			\$77,898,533	\$55,528,283
			\$71,491,733	\$51,830,483
Financial Assistance for Economic Development (53410).....	\$77,898,533	\$55,528,283		
	\$71,491,733	\$51,830,483		
Fund Sources: General.....	\$77,118,533	\$55,117,283		
	\$71,341,733	\$51,680,483		
<i>Special</i>	\$630,000	\$261,000		
	\$0	\$0		
Dedicated Special Revenue.....	\$150,000	\$150,000		

Authority: Discretionary Inclusion.

A.1. Out of the appropriation for this Item, \$19,750,000 the first year and \$19,750,000 the second year from the general fund shall be deposited to the Commonwealth's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects to locate or expand in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is of regional or statewide interest and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Commonwealth's Development Opportunity Fund required by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p><i>FG.</i> Out of the appropriation for this Item, \$500,000 the first year and \$500,000 the second year from the general fund may be provided to the Virginia Economic Development Partnership to facilitate additional domestic and international marketing and trade missions approved by the Governor. The Director, Department of Planning and Budget, is authorized to provide these funds to the Virginia Economic Development Partnership upon written approval of the Governor.</p>			
	<p><i>GH.</i> Out of the appropriation for this Item, \$20,000,000 the first year from the general fund shall be deposited to the Semiconductor Manufacturing Grant Fund for the award of grants to a qualified semiconductor manufacturing company in a qualified locality in accordance with § 59.1-284.32, Code of Virginia, and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.</p>			
	<p><i>HI.</i> Out of the appropriation in this Item, \$8,000,000 the first year and \$8,000,000 second year from the general fund shall be deposited to the Advanced Shipbuilding Production Facility Grant Fund for grants to be paid in accordance with § 59.1-284.29, Code of Virginia.</p>			
	<p><i>IJ.</i> Out of the appropriation in this Item, \$5,310,000 the first year and \$2,900,000 the second year from the general fund shall be deposited to the Special Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.30, Code of Virginia.</p>			
	<p><i>JK.</i> Out of the appropriation in this Item, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified truck manufacturing company in a qualified locality in accordance with § 59.1-284.33, Code of Virginia. legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.</p>			
	<p><i>KE.1.</i> Out of the appropriation in this Item, \$730,000 \$3,230,000 the first year and \$2,993,750 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants in accordance with § 59.1-284.36, Code of Virginia. legislation to be considered by the 2020 General Assembly.</p>			
	<p>2. Of the amounts deposited to the fund, \$2,500,000 the first year and \$2,500,000 the second year may be awarded as grants to a qualified pharmaceutical company in a qualified locality pursuant to §§ 59.1-284.35 and 59.1-284.36, Code of Virginia. the legislation and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.</p>			
	<p>3. Of the amounts deposited to the fund, \$730,000 the first year and \$493,750 the second year may be awarded as grants to a comprehensive community college and a baccalaureate public institution of higher education in or near the eligible county pursuant to § 59.1-284.37, Code of Virginia. the legislation.</p>			
	<p><i>LM.</i> Out of the appropriation in this Item, \$500,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified advanced production company in a qualified locality in accordance with § 59.1-284.34, Code of Virginia. legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.</p>			
	<p><i>MN.1.</i> Out of the amounts in this item, \$425,000 the first year and \$825,000 the second year from the general fund shall be deposited to the Governor's New Airline Service Incentive Fund to assist in the provision of marketing, advertising, or promotional activities by airlines in connection with the launch of new air passenger service at Virginia airports, and to incentivize airlines that have committed to commencing new air passenger service in Virginia, pursuant to the provisions of § 2.2-2320.1, Code of Virginia.</p>			
	<p>2. Notwithstanding the provisions of § 2.2-2320.1, Code of Virginia, 25 percent of the annual appropriation to the Governor's New Airline Service Incentive Fund shall be set aside for projects in Virginia commercial airports with less than 400,000 enplanements per calendar year for the purposes of economic development in these areas. Enplanement data shall come from the Federal Aviation Administration.</p>			

ITEM 112.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

112.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022	
Provide additional funding for the Governor's Motion Picture Opportunity Fund		\$1,000,000		\$1,000,000
Support the Virginia Jobs Investment Program		\$2,000,000		\$2,000,000
Agency Total		\$3,000,000		\$3,000,000
Total for Economic Development Incentive Payments.....			\$77,898,533 \$71,491,733	\$55,528,283 \$51,830,483
Fund Sources: General.....	\$77,118,533	\$55,117,283		
	\$71,341,733	\$51,680,483		
Special.....	\$630,000	\$261,000		
	\$0	\$0		
Dedicated Special Revenue.....	\$150,000	\$150,000		
Grand Total for Secretary of Commerce and Trade....			\$79,009,362 \$72,602,562	\$56,639,112 \$52,941,312
General Fund Positions.....	9.00	9.00		
Position Level.....	9.00	9.00		
Fund Sources: General.....	\$78,229,362	\$56,228,112		
	\$72,452,562	\$52,791,312		
Special.....	\$630,000	\$261,000		
	\$0	\$0		
Dedicated Special Revenue.....	\$150,000	\$150,000		

§ 1-14. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)

113.	Housing Assistance Services (45800).....			\$130,060,089 \$155,060,089	\$126,060,089
	Housing Assistance (45801).....	\$61,370,766	\$59,370,766		
		\$86,370,766			
	Homeless Assistance (45804).....	\$16,477,905	\$16,477,905		
	Financial Assistance for Housing Services (45805).....	\$52,211,418	\$50,211,418		
	Fund Sources: General.....	\$50,975,897	\$48,975,897		
		\$75,975,897			
	Special.....	\$349,976	\$349,976		
	Dedicated Special Revenue.....	\$100,000	\$100,000		
	Federal Trust.....	\$78,634,216	\$76,634,216		

Authority: Title 36, Chapters 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia.

A. Out of the amounts in this Item, \$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the first year and

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>\$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the second year shall be provided to support services for persons at risk of or experiencing homelessness and housing for populations with special needs, and \$4,050,000 the first year and \$4,050,000 the second year from the general fund shall be provided for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each year for program administration. The amounts allocated for services for persons at risk of or experiencing homelessness may be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2021, and June 30, 2022, shall not revert to the general fund but shall be carried forward and reappropriated.</p>			
	<p>B. The department shall report to the Chairmen of the Senate Finance, the House Appropriations Committees, and the Director, Department of Planning and Budget, by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) the number of homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program in the first year. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the department shall consult with localities and community-based groups.</p>			
	<p>C. Out of the amounts in this Item, \$1,100,000 the first year and \$1,100,000 the second year from the general fund shall be provided for rapid re-housing efforts. In keeping with the specific goals of the Balance of State Continuum of Care, \$200,000 of this amount in each year shall be focused on ensuring that no veteran is homeless or in a shelter for more than 30 days. These funds shall be used to supplement other state and federal programs, shall be directed to areas throughout the state where federal funds are not available, and shall be used to serve those veterans ineligible for federal benefits.</p>			
	<p>D. The department shall continue to collaborate with the Department of Veteran Services to ensure coordinated efforts towards reducing homelessness among veterans.</p>			
	<p>E.1. Out of the amounts in this Item, \$30,000,000 \$55,000,000 the first year and \$30,000,000 the second year from the general fund shall be deposited to the Virginia Housing Trust Fund, established pursuant to § 36-142 et seq., Code of Virginia. Notwithstanding § 36-142, Code of Virginia, when awarding grants through eligible organizations for targeted efforts to reduce homelessness, priority consideration shall be given to efforts to reduce the number of homeless youth and families and to expand permanent supportive housing. Notwithstanding § 36-142, Code of Virginia, the department may use funds appropriated in paragraph E.1. of this Item to address housing issues resulting from the COVID-19 pandemic, <i>with the exception of monies provided for the continuation of the Virginia Rent and Mortgage Relief Program in paragraph E.2.</i></p>			
	<p><i>2. Out of the amounts appropriated in paragraph E.1., \$12,500,000 in the first year from the general fund is hereby designated to continue the Virginia Rent and Mortgage Relief Program when monies allocated from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) expire. In addition to the amounts designated in this paragraph, it is the intent of the General Assembly that the Department use additional funds, if necessary, from the amounts appropriated in paragraph E.1. to sustain the Virginia Rent and Mortgage Relief Program, during the declared state of emergency pursuant to § 44-146.17, Code of Virginia, in response to a communicable disease of public health threat as defined in § 44-146.16, Code of Virginia.</i></p>			
	<p>32. As part of the plan required by § 36-142 E., Code of Virginia, the department shall also report on the impact of the loans and grants awarded through the fund, including but not limited to: (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments and/or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the fund, and (iv) the progress in expanding</p>			

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

2. The resources provided in J.1. may be used to facilitate the development of a statement of tenant rights and responsibilities and implement the provisions of § 36-139 and § 55.1-1204, Code of Virginia.

K. Out of the amounts in this item, \$2,000,000 the first year from the general fund is provided to establish an affordable housing pilot program in the City of Falls Church, for the purpose of providing grants or loans for the development or preservation of affordable housing units for individuals and families meeting income requirements. The department, with the cooperation of the Virginia Housing Development Authority, shall develop guidelines and procedures for administering the pilot program.

114.	Community Development Services (53300).....		\$115,532,362	\$111,082,362
			\$130,532,362	
	Community Development and Revitalization (53301).....	\$58,017,794 \$73,017,794	\$58,017,794	
	Financial Assistance for Regional Cooperation (53303).....	\$39,338,251	\$34,888,251	
	Financial Assistance for Community Development (53305).....	\$18,176,317	\$18,176,317	
	Fund Sources: General.....	\$86,061,590 \$101,061,590	\$81,611,590	
	Special.....	\$5,221,893	\$5,221,893	
	Trust and Agency.....	\$150,000	\$150,000	
	Federal Trust.....	\$24,098,879	\$24,098,879	

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia.

A. Out of the amounts in this Item, \$351,930 the first year and \$351,930 the second year from the general fund is provided for annual membership dues to the Appalachian Regional Commission. These dues are payable from the amounts for Financial Assistance for Regional Cooperation.

B. The department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.

C. Out of the amounts in this Item shall be paid from the general fund in four equal quarterly installments each year:

1. To the Lenowisco Planning District Commission, \$89,971 the first year and \$89,971 the second year, which includes \$38,610 the first year and \$38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.
2. To the Cumberland Plateau Planning District Commission, \$89,971 the first year and \$89,971 the second year, which includes \$42,390 the first year and \$42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.
3. To the Mount Rogers Planning District Commission, \$89,971 the first year and \$89,971 the second year.
4. To the New River Valley Planning District Commission, \$89,971 the first year and \$89,971 the second year.
5. To the Roanoke Valley-Alleghany Regional Commission, \$89,971 the first year and \$89,971 the second year.
6. To the Central Shenandoah Planning District Commission, \$89,971 the first year and \$89,971 the second year.
7. To the Northern Shenandoah Valley Regional Commission, \$89,971 the first year and

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
G.	Out of the amounts in this Item, \$171,250 the first year and \$171,250 the second year from the general fund shall be provided to support The Crooked Road: Virginia's Heritage Music Trail.			
H.	Out of the amounts in this Item, \$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund to support industrial site revitalization. Out of the amounts in this paragraph, \$1,000,000 each year from the general fund is designated for removing, renovating or modernizing port-related buildings and facilities in the cities of Portsmouth, Norfolk, Newport News, Richmond or Front Royal.			
I.	Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the Virginia Main Street Program. This amount shall be in addition to other appropriations for this activity.			
J.	Of the general fund amounts provided for the Virginia Main Street Program, the Indoor Plumbing Rehabilitation Program, and the water and wastewater planning and construction projects in Southwest Virginia, the department is authorized to use up to two percent of the appropriation in each year for program administration.			
K.1.	Out of the amounts in this Item, \$875,000 the first year and \$875,000 the second year from the general fund shall be provided for the Southwest Virginia Cultural Heritage Foundation.			
2.	The foundation shall report by September 1 of each year to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the expenditures of the foundation and its ongoing efforts to generate revenues sufficient to sustain operations.			
L.1.	Out of the amounts in this Item, \$34,725,000 \$49,725,000 the first year and \$34,725,000 the second year from the general fund is provided for the Virginia Telecommunication Initiative. The funds shall be used for providing financial assistance to supplement construction costs by private sector broadband service providers to extend service to areas that presently are unserved by any broadband provider. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2021, and June 30, 2022, shall not revert to the general fund but shall be carried forward and reappropriated.			
2.	The department shall develop appropriate criteria and guidelines for the use of the funding provided to the Virginia Telecommunication Initiative. Such criteria and guidelines shall: (i) facilitate the extension of broadband networks by the private sector and shall focus on unserved areas; (ii) attempt to identify the most cost-effective solutions, given the proposed technology and speed that is desired; (iii) give consideration to proposals that are public-private partnerships in which the private sector will own and operate the completed project; (iv) consider the number of locations where the applicant states that service will be made available, in addition to whether customers take the service in both evaluating applications and in establishing completion and accountability requirements; and, (v) require investment from the private sector partner in the project prior to making any award from the fund at an appropriate level determined by the Department. The department shall encourage additional assistance from the local governments in areas designated to receive funds to lower the overall cost and further assist in the timely completion of construction, including assistance with permits, rights of way, easement and other issues that may hinder or delay timely construction and increase the cost.			
3.	The department shall post electronic copies of all submitted applications to the department's website after the deadline for application submissions has passed but before project approval, and shall establish a process for providers to challenge applications where providers assert the proposed area is served by another broadband provider.			
4.	The department shall consult with the Broadband Advisory Council to designate the unserved areas to receive funds. The department shall report annually to the Governor's Broadband Advisory Council on the progress by the private sector on the designated projects.			

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>5. <i>The Broadband Advisory Council shall assess updating the Virginia Telecommunication Initiative (VATI) to allow for public broadband authorities to apply directly for VATI funds without investment from the private sector. The Department of Housing and Community Development on behalf of the Council shall submit feedback on the potential impacts of this policy change to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on or before the start of the 2021 General Assembly Session.</i></p>				
<p>M. Out of the amounts in this item, \$1,158,647 the first year and \$1,158,647 the second year from the general fund is provided for administrative support for the the Virginia Telecommunications Initiative.</p>				
<p>N.1. Out of the amounts in this Item, \$34,450,000 the first year and \$30,000,000 the second year from the general fund shall be deposited to the Virginia Growth and Opportunity Fund to encourage regional cooperation among business, education, and government on strategic economic and workforce development efforts in accordance with § 2.2-2487, Code of Virginia.</p>				
<p>2. Of the amounts provided in this paragraph, the appropriation shall be distributed as follows: (i) \$2,250,000 the first year and \$2,250,000 the second year from the general fund shall be allocated to qualifying regions to support organizational and capacity building activities, which, notwithstanding § 2.2-2489, Code of Virginia, may not require matching funds if a waiver is granted by the Virginia Growth and Opportunity Board to a qualifying region upon request; (ii) \$16,900,000 the first year and \$16,900,000 the second year from the general fund shall be allocated to qualifying regions based on each region's share of the state population; and (iii) \$15,300,000 the first year and \$10,850,000 the second year from the general fund shall be awarded to regional councils on a competitive basis.</p>				
<p>3. The Virginia Growth and Opportunity Board may allocate monies among the distributions outlined in paragraph N.2. of this item to meet demonstrated demand for funds. However, only those regional councils whose allocation is less than \$1,000,000 in a fiscal year based the region's share of state population shall be eligible to receive an additional allocation, and the amount shall be limited such that the total allocation does not exceed \$1,000,000 in a fiscal year.</p>				
<p>4. The Chairman of the Virginia Growth and Opportunity Board shall convene a broadband telecommunications advisory workgroup in cooperation with the Secretary of Commerce and Trade and the Commonwealth Chief Broadband Advisor, including representatives of the Department of Housing and Community Development, the Center for Innovative Technology, Virginia Economic Development Partnership, Mid-Atlantic Broadband Communities Corporation, staff from the House Appropriations Committee and Senate Finance Committee, and representatives from the broadband telecommunications industry, to develop a framework for policies related to broadband telecommunications across the Commonwealth of Virginia. The framework shall be used to provide guidance on statewide policies for commercial and economic planning and project development, including regional solutions, to improve access to and utilization of broadband to support economic development goals, including those developed by qualifying regions and those areas of the Commonwealth recognized as having high unemployment. Such framework shall include, but not be limited to, the following principles: (i) potential broadband telecommunications development and deployment solutions must be technology-neutral in order to leverage all available or emerging technologies to identify the most cost-effective plan; (ii) solutions that utilize speeds greater than the minimum technology standards as prescribed by the Virginia Telecommunications Initiative for unserved areas; (iii) maximize opportunities for private sector driven models related to construction, operations, and maintenance and open access to private-sector Internet Service Providers where public ownership of infrastructure may be proposed; (iv) facilitate broadband development and deployment-friendly polices at the regional and local level to expedite implementation of plans and projects, as well as mitigate costs, and (v) opportunities to leverage new and existing broadband infrastructure, including transoceanic and transcontinental backbone lines, to encourage new private sector job creation and investment in the Commonwealth.</p>				
<p>5. The Virginia Growth and Opportunity Board may approve grants for assessments of commercial economic development demand and current access, and to advance the planning and engineering of broadband infrastructure that are aligned with the framework</p>				

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

recommended by the working group, and shall give priority consideration for broadband technology development and deployment to facilitate the connectivity or upgrade of services to current and proposed business-ready sites in areas of high unemployment in qualifying regions.

6. The department shall report one month after the close of each calendar quarter to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on grant awards and expenditures from the Virginia Growth and Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, total expenditures from the fund, cash balances, and balances available for future commitments. The report shall further summarize such amounts by the allocations provided in paragraph N.2. of this item, including amounts allocated to support organizational and capacity building activities, amounts allocated to regional councils based on each region's share of the state population, and amounts to be awarded on a competitive basis.

- 115. Not set out.
- 116. Not set out.
- 117. Not set out.
- 118. Not set out.

118.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Increase funding for Enterprise Zone Grants	\$250,000	\$250,000
Affordable Housing Pilot Program	\$2,000,000	\$0
Increase support for Planning District Commissions	\$294,000	\$294,000
Establish an Eviction Prevention and Diversion Pilot Program	\$3,300,000	\$3,300,000
Increase funding for the Southeast Rural Community Assistance Project	\$600,000	\$600,000
Increase funding for the Virginia Housing Trust Fund	\$23,000,000	\$23,000,000
Increase support for the Virginia Telecommunication Initiative (VATI) for broadband deployment	\$16,000,000	\$16,000,000
Industrial Revitalization Fund	\$500,000	\$500,000
Agency Total	\$45,944,000	\$43,944,000
Total for Department of Housing and Community Development.....		
		\$267,537,822
		\$307,537,822
		\$259,087,822

ITEM 118.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Fund Positions.....	73.25	73.25		
Nongeneral Fund Positions.....	60.75	60.75		
Position Level.....	134.00	134.00		
Fund Sources: General.....	\$155,986,878	\$149,536,878		
	\$195,986,878			
Special.....	\$8,267,849	\$8,267,849		
Trust and Agency.....	\$150,000	\$150,000		
Dedicated Special Revenue.....	\$400,000	\$400,000		
Federal Trust.....	\$102,733,095	\$100,733,095		

§ 1-15. DEPARTMENT OF LABOR AND INDUSTRY (181)

- 119. Not set out.
- 120. Not set out.
- 121. Not set out.
- 122. Not set out.
- 123. Not set out.

123-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding to support compliance positions in the Virginia Occupational Safety and Health program	\$1,483,850	\$1,483,850
Agency Total	\$1,483,850	\$1,483,850
Total for Department of Labor and Industry.....		
		\$21,078,050
General Fund Positions.....	134.55	134.55
Nongeneral Fund Positions.....	73.45	73.45
Position Level.....	208.00	208.00
Fund Sources: General.....	\$12,989,331	\$13,736,269
Special.....	\$1,974,282	\$1,974,282
Federal Trust.....	\$6,114,437	\$6,114,437

§ 1-16. DEPARTMENT OF MINES, MINERALS AND ENERGY (409)

- 124. Not set out.
- 125. Not set out.

ITEM 126.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

126. Not set out.

126.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022
Establish office of offshore wind	\$387,500		\$387,500
Agency Total	\$387,500		\$387,500
Total for Department of Mines, Minerals and Energy.....		\$38,986,116	\$38,986,116
General Fund Positions.....	162.43	162.43	
Nongeneral Fund Positions.....	74.57	74.57	
Position Level.....	237.00	237.00	
Fund Sources: General.....	\$14,424,823	\$14,424,823	
Special.....	\$7,664,914	\$7,664,914	
Trust and Agency.....	\$525,000	\$525,000	
Dedicated Special Revenue.....	\$1,089,283	\$1,089,283	
Federal Trust.....	\$15,282,096	\$15,282,096	

§ 1-17. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)

127. Regulation of Professions and Occupations (56000).....		\$25,028,025	\$25,026,017
Licensure, Certification, and Registration of Professions and Occupations (56046).....	\$7,894,327	\$7,892,319	
Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	\$8,220,393	\$8,220,393	
Administrative Services (56048).....	\$8,913,305	\$8,913,305	
Fund Sources: Special.....	\$1,328,410	\$1,328,410	
Dedicated Special Revenue.....	\$23,364,615	\$23,362,607	
Federal Trust.....	\$335,000	\$335,000	

Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 15, 18, 20.1, 20.2, 21, 22, 22.1, 23, 23.1, 23.2, 23.3, and 23.4; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.

A. Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.

B. Any fund balances currently held in the Dedicated Special Revenue Fund (0900), the Common Interest Community Management Information Fund (0259) and the Special Revenue Fund (0200) shall be held in reserve and may not be disbursed by the Department of Professional and Occupational Regulation, but shall be applied to offset the anticipated, future costs of restructuring its organization, including additional staffing needs and the replacement or upgrade of the Department's information technology systems requirements that may be implemented pursuant to recommendations identified in assessments required in Item 119, paragraphs B. and C., Chapter 854, 2019 Acts of Assembly. Such reserve funds shall be disbursed only to cover expenses of the Department or its regulatory boards

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

as provided in § 54.1-308.

C. The Department is authorized to provide electronic credentials to persons regulated by the Department or its regulatory boards. An "electronic credential" means an electronic method by which a person may display or transmit to another person information that verifies information about a person such as their certification, licensure, registration, or permit. Any statutory or regulatory requirement to display, post, or produce a credential issued by a Department regulatory board or the Department may be satisfied by the proffer of an electronic credential. The Department may use a third-party electronic credential system that is not maintained by the agency. Such electronic credential system shall include a verification system that is operated by the agency or its agent on its behalf for the purpose of verifying the authenticity and validity of electronic credentials issued by the Department. No funds are appropriated for this purpose.

D. The COVID-19 Phase 3 or later Personal Care and Personal Grooming Services guidelines authorize any individual licensed to practice under Chapter 7 of Title 54.1 of the Code of Virginia to provide services effectively and safely. The guidelines may require enhanced safety precautions in the absence of a customer face covering, including requiring the licensee to wear a face shield and/or utilize some other similar barrier.

Total for Department of Professional and Occupational Regulation.....			\$25,028,025	\$25,026,017
Nongeneral Fund Positions.....	204.00	204.00		
Position Level.....	204.00	204.00		
Fund Sources: Special.....	\$1,328,410	\$1,328,410		
Dedicated Special Revenue.....	\$23,364,615	\$23,362,607		
Federal Trust.....	\$335,000	\$335,000		

§ 1-18. DEPARTMENT OF SMALL BUSINESS AND SUPPLIER DIVERSITY (350)

128.	Economic Development Services (53400).....			\$7,401,214	\$7,771,779
	Minority Business Enterprise Certification (53414)....	\$1,918,318	\$1,918,318		
	Business Information Services (53418).....	\$1,847,190	\$2,217,755		
	Administrative Services (53422).....	\$1,394,137	\$1,394,137		
	Financial Services for Economic Development (53423).....	\$2,241,569	\$2,241,569		
	Fund Sources: General.....	\$4,758,407	\$5,128,972		
	Special.....	\$837,232	\$837,232		
	Commonwealth Transportation.....	\$1,640,575	\$1,640,575		
	Trust and Agency.....	\$100,000	\$100,000		
	Dedicated Special Revenue.....	\$65,000	\$65,000		

Authority: Title 2.2, Chapters 16.1 and 22, Code of Virginia.

A. The Department of Small Business and Supplier Diversity, in conjunction with the Department of General Services, the Virginia Employment Commission, and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities, or private industry in the acquisition of goods and services. The department also is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this effort.

B. By April 1 of each year, the department shall report to the Governor and the Secretary of Commerce and Trade the expenditures of the Small Business Jobs Grant Fund and anticipated needs for small business development in order to monitor the effective use of these funds.

C.1. Out of the amounts in this Item, \$819,753 the first year and \$819,753 the second year

ITEM 128.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

from the general fund shall be deposited to the Small Business Investment Grant Fund pursuant to § 2.2-1616, Code of Virginia. The department shall aggressively market the program and shall report to the Governor and the Secretary of Commerce and Trade on the status of the program by November 1 of each year.

2. In administering the funds allocated in paragraphs B.1. and B.2. of Item 479.10 of this act for the Rebuild Virginia Grant program, the Department shall reexamine its program eligibility criteria and maximum grant award to ensure deployment of funds prior to the expiration of the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136). At a minimum, the Department shall expand the eligibility criteria to include small businesses: that have already received CARES Act funding from any federal, state, regional or local agency or authority, meet the small business definition of § 2.2-1604 of the Code of Virginia, and are Virginia-based recreation and related tourism small businesses.

D. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to support the Business One-Stop Program.

E.1. Out of the amounts in this Item, \$170,591 from the general fund and \$1,002,232 from nongeneral funds the first year and \$170,591 from the general fund and \$1,002,232 from nongeneral funds the second year shall be provided for the Virginia Small Business Financing Authority. The general fund amount shall be used to support operating expenses of the authority.

2. To meet changing financing needs of small businesses, the Executive Director, Virginia Small Business Financing Authority, with the approval of the Director, Department of Small Business and Supplier Diversity, may transfer moneys between funds managed by the authority. These include the Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund (§ 2.2-2309, Code of Virginia); and the Insurance or Guarantee Fund (§ 2.2-2290, Code of Virginia). The Executive Director, Virginia Small Business Financing Authority, shall report, by fund, the transfers made by January 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees.

3. The Virginia Small Business Financing Authority is authorized to insure additional loans for eligible small businesses, pursuant to § 2.2-2290, Code of Virginia, up to an aggregate amount not to exceed four times the principal amount in the Insurance or Guarantee Fund, or up to an aggregate amount of \$15,000,000. In the event that the authority is called upon to pay on guaranties of loans of more than 10 percent of the aggregate amount of all outstanding insured loans, the authority shall not insure any further loans and shall immediately notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees. Pursuant to § 4-1.03 of this act, the Director, Department of Planning and Budget, is authorized to transfer a sum sufficient to the Insurance or Guarantee Fund in the event the amount in the fund falls below the amount needed to honor any guarantee.

4. For the I-95 HOV/HOT Lanes project as evidenced by the Comprehensive Agreement approved pursuant to the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2285 and 2.2-2291, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed \$25,000 per annum.

F. The Department of Small Business and Supplier Diversity shall include employment services organizations within the development and operation of any state procurement program or program goal and targets for small, women-owned, and minority-owned businesses consistent with requirements in the Code of Virginia requiring the Department to certify employment service organizations.

G. Notwithstanding any other provision of law, any business certified on or after July 1, 2017, by the Virginia Department of Small Business and Supplier Diversity as a small, women-owned, or minority-owned business, shall be certified for a period of five years unless (i) the certification is revoked before the end of the five-year period, (ii) the business ceases operation, or (iii) the business no longer qualifies as a small, women- or minority-owned business.

ITEM 128.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

H. Beginning with the calendar quarter ending September 30, 2018, the Director of the Department of Small Business and Supplier Diversity shall report to the Secretary of Commerce and Trade and the Chairmen of the House Appropriations and Senate Finance Committees on the agency's efforts to maximize job creation and retention among the Commonwealth's small businesses. The report shall include, at a minimum, measures of (i) the effectiveness of programs administered by the Small Business Financing Authority in assisting borrowers to create jobs and enable increased capital investment; (ii) the efficiency and effectiveness of Small, Women-owned, and Minority-owned Business and Disadvantaged Business Enterprise programs; (iii) the success of the agency's outreach and technical assistance activities; and, (iv) the number of businesses certified, and the average number of business days to process a certification application each month. The report shall be in a format prescribed by the Secretary, but shall include specific data breakouts for rural areas and service disabled veteran businesses currently certified in the SWaM certification, and shall be due within thirty days of the close of each calendar quarter.

128.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding to establish a statewide strategic sourcing unit	\$370,565	\$741,130
Agency Total	\$370,565	\$741,130
Total for Department of Small Business and Supplier Diversity.....		\$7,401,214
General Fund Positions.....	33.00	33.00
Nongeneral Fund Positions.....	24.00	24.00
Position Level.....	57.00	57.00
Fund Sources: General.....	\$4,758,407	\$5,128,972
Special.....	\$837,232	\$837,232
Commonwealth Transportation.....	\$1,640,575	\$1,640,575
Trust and Agency.....	\$100,000	\$100,000
Dedicated Special Revenue.....	\$65,000	\$65,000

129. Not set out.

§ 1-19. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)

130. Not set out.

130.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending

ITEM 130.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.				
		FY 2021		FY 2022
Expand the Virginia Business Ready Sites Program		\$12,500,000		\$0
Expand the Custom Workforce Incentive Program		\$0		\$4,679,613
Agency Total		\$12,500,000		\$4,679,613
Total for Virginia Economic Development Partnership.....			\$47,302,309	\$39,481,922
Fund Sources: General.....	\$47,302,309	\$39,481,922		

§ 1-20. VIRGINIA EMPLOYMENT COMMISSION (182)

131.	Workforce Systems Services (47000).....			\$555,338,468	\$552,133,812
	Job Placement Services (47001).....	\$31,718,264	\$31,718,264		
	Unemployment Insurance Services (47002).....	\$522,735,822	\$519,531,166		
	Workforce Development Services (47003).....	\$884,382	\$884,382		
	Fund Sources: Special.....	\$8,931,271	\$8,931,271		
	Trust and Agency.....	\$546,407,197	\$543,202,541		

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to make payment of any interest owed on loans from the U.S. Treasury for payment of unemployment compensation benefits; 2) to support essential services of the Commission, particularly in the event of reductions in federal funding; 3) to finance the cost of capital projects; and 4) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.

B.1. Reed Act funds distributed by the Employment Security Financing Act of 1954 with respect to the federal fiscal years 1956, 1957, and 1958 and credited to the agency from the proceeds related to the sale of agency property with federal equity are hereby appropriated (up to \$600,000) to maintain service levels in the agency's local offices.

2. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission, and shall not be subject to the requirements of § 60.2-305, Code of Virginia. Reed Act funds from the Balanced Budget Act are hereby appropriated (up to \$2.2 million, not to exceed the balance of said Reed Act funds) to pay for upgrading the information technology systems at the Virginia Employment Commission.

C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the \$51,067,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, to include staff costs. This appropriation is subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.

D. Notwithstanding any other provision of law, all fees incurred by the Virginia Employment Commission with respect to the collection of debts authorized to be collected

ITEM 131.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
under § 2.2-4806 of the Code of Virginia, using the Treasury Offset Program of the United States, shall become part of the debt owed the Commission and may be recovered accordingly.				
E. Workforce development programs shall give priority to assisting Medicaid enrollees who are required to participate in the Training, Education, Employment and Opportunity Program to the extent allowed by federal law.				
F. The Governor shall have the authority to alter the administration of the provisions of the Virginia Unemployment Compensation Act, Title 60.2 of the Code of Virginia, to meet the exigencies of a health emergency crisis.				
<i>G. The Virginia Employment Commission shall establish and maintain one dedicated full-time customer service position responsible for investigating and responding to legislative inquiries.</i>				
132.	Not set out.			
133.	Not set out.			
	Total for Virginia Employment Commission.....		\$558,430,056	\$555,225,400
	Nongeneral Fund Positions.....	865.00	865.00	
	Position Level.....	865.00	865.00	
	Fund Sources: Special.....	\$9,471,331	\$9,471,331	
	Trust and Agency.....	\$548,958,725	\$545,754,069	

§ 1-21. VIRGINIA TOURISM AUTHORITY (320)

134. Not set out.

134.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Increase funding for the Virginia Coalfield Regional Tourism Authority	\$100,000	\$100,000
Provide funding for Birthplace of Country Music expansion	\$50,000	\$0
Agency Total	\$150,000	\$100,000
Total for Virginia Tourism Authority.....		
	\$21,143,272	\$21,093,272
Fund Sources: General.....	\$21,143,272	\$21,093,272

§ 1-22. VIRGINIA INNOVATION PARTNERSHIP AUTHORITY (309)

135. Economic Development Services (53400)..... **\$25,700,000** \$39,700,000
\$50,700,000

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Economic Development Services (53412).....	\$25,700,000 \$50,700,000	\$39,700,000		
Fund Sources: General.....	\$25,700,000	\$39,700,000		
Special.....	\$25,000,000	\$0		

Authority: Discretionary Inclusion.

A. The appropriation in this item shall be used for the purpose of and in accordance with the terms and conditions specified in legislation to be considered by the 2020 General Assembly to establish the Virginia Innovation Partnership Authority to serve as a consolidated entity for innovation and new technology-based economic development in the Commonwealth. When viewed holistically, the activities, programs, and centers of excellence of the Virginia Innovation Partnership Authority within this item shall focus on outcomes of job creation, new company formation, investment in applied research projects, and capital investment in Virginia companies.

B. The Virginia Innovation Partnership Authority (VIPA) is hereby authorized to transfer funds in this appropriation to an established managing non-profit to expend said funds for realizing the statutory purposes of the Authority, by contracting with governmental and private entities, notwithstanding the provisions of § 4-1.05 b of this act.

C. This appropriation shall be disbursed in twelve equal monthly disbursements each fiscal year. The Director, Department of Planning and Budget, may authorize an increase in disbursements for any month not to exceed the total appropriation for the fiscal year if such an advance is necessary to meet payment obligations.

D.1. No later than June 15 of each year, the Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Commerce and Trade, and the Director, Department of Planning and Budget, a report of its operating plan for each year of the biennium. No later than September 30 of each year, the Authority shall submit to the same entities a detailed expenditure report for the concluded fiscal year. Both reports shall be prepared in the formats as approved by the Director, Department of Planning and Budget, and include, but not be limited, to the following:

- a. All planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources of both the Authority and the managing non-profit entity;
- b. By activity or program, total grants made and investments awarded for each grant and investment program;
- c. By activity or program, recoveries of previous grants or investments and sales of equity positions;
- d. Cash balances by funding source, and a report, by program, of available, committed and projected expenditures of all cash balance; and,
- e. Private investment activity related to the fund of funds established in P. of this item.

2. The President of the managing non-profit entity shall report quarterly to the entity's board of directors, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Commerce and Trade, and the Director, Department of Planning and Budget, in a format approved by the Board the following:

- a. The quarterly financial performance, determined by comparing the budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year;
- b. All investments and grants executed compared to projected investment closings, return on prior investments and grants, including all gains and losses; and
- c. The financial and programmatic performance of all operating entities owned by the managing non-profit entity.
- d. The timeline and associated activities for the transition into the new Authority including

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>the appointment of a new board, the development of a new brand and name, the creation of guidelines and policies for funds and divisions managed directly by VIPA, the disbursement of funds contained in this item, and other such organizational change management strategies as deemed appropriate by the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee.</p>			
	<p>E.1. By November 1 of each year, the President of the Authority shall report to the Governor and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the Secretary of Commerce and Trade, and to the Director, Department of Planning and Budget, on key programs and funds managed directly by VIPA. The report shall summarize performance on the outcomes of public and private research investment in applied research projects, capital investment in Virginia companies, job creation, and new company formation.</p>			
	<p>2. To the extent possible, the annual performance report shall contain information on the metrics outlined below.</p>			
	<p>a. For activities associated with the Growth Accelerator Program (GAP): (i) the number of companies receiving investments from the fund, (ii) the state investment and amount of privately leveraged investments per company, (iii) the estimated number of jobs created, (iv) the estimated tax revenue generated, (v) the number of companies who have received investments from the GAP fund still operating in Virginia, (vi) return on investment, to include the value of proceeds from the sale of equity in companies that received support from the program and economic benefits to the Commonwealth, (vii) the number of state investments that failed and the state investment associated with failed investments, (viii) the number of new companies created or expanded and the number of patents filed, and (ix) the geographic distribution of investments.</p>			
	<p>b. For activities associated with the Regional Innovation Fund: (i) the type and number of capacity building projects, (ii) the total state investment per project, (iii) the anticipated results of the investment, (iv) number of jobs created, (v) number of businesses founded, (vi) additional sources of investment in the projects receiving support from the fund, and (vii) the geographic distribution of the investments.</p>			
	<p>c. For activities associated with the Commonwealth Commercialization Fund: (i) the number of research grants awarded by domain area, (ii) the state investment per research project, (iii) the number of eminent researchers attracted and retained, (iv) additional research dollars leveraged as a result of the state investment, (v) number of new products completed/released to production, (vi) start-ups created from the research investment, (vii) new licenses granted to companies within Virginia, (viii) new licenses granted to companies outside Virginia, and (ix) the geographic distribution of the investments.</p>			
	<p>3. Such report shall include the prior fiscal year outcomes as well as the outcomes of each program managed directly by VIPA since inception. In addition, the report shall also include program changes anticipated in the subsequent fiscal year.</p>			
	<p>F.1. Out of the appropriation in this item, \$3,100,000 the first year and \$3,100,000 the second year from the general fund shall be allocated to the Division of Investment to support the Commonwealth Growth Accelerator Program fund and other indirect investment mechanisms to foster the development of Virginia-based technology companies.</p>			
	<p>2. Funds returned, including proceeds received due to the sale of a company that previously received a GAP investment, shall remain in the program and be used to make future early stage financing investments consistent with the goals of the program. The managing non-profit may recover the direct costs incurred associated with securing the return of such funds from the moneys returned.</p>			
	<p>G. A total of \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be allocated to the Entrepreneurial Ecosystems Division and Regional Innovation Fund to support and promote technology-based entrepreneurial activities in the Commonwealth as specified in § 2.2-2357, Code of Virginia. Out of these amounts, \$1,000,000 the first year and \$1,000,000 the second year shall be used to co-fund entrepreneurial ecosystem projects identified by the Virginia Initiative for Growth and Opportunity in Each Region (GO Virginia) Board.</p>			

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
H.	A total of \$5,000,000 the second year from the general fund shall be allocated to the Commonwealth Commercialization Fund to foster innovative and collaborative research, development, and commercialization efforts in the Commonwealth in projects and programs with a high potential for economic development and job creation as specified in § 2.2-2359, Code of Virginia.			
I.	A total of \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be allocated to the Technology Industry Development Services to support strategic initiatives to advance the Authority's public purpose. These initiatives may include: (i) seeking, or supporting others in seeking, federal grants, contracts, or other funding sources; (ii) assuming responsibility for strategic initiatives and partnerships with federal and local governments; (iii) taking a lead role in defining, promoting, and implementing policies that advance innovation and entrepreneurial activity; and (iv) contracting with federal and private entities to further innovation, commercialization, and entrepreneurship in the Commonwealth.			
J.	Out of the appropriation in this item, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be made available for the Virginia Center for Unmanned Systems. The Center shall serve as a catalyst for growth of unmanned and autonomous systems vehicles and technologies in Virginia. The Center will establish collaboration between businesses, investors, universities, entrepreneurs and government organizations to increase the Commonwealth's position as a leader of the Autonomous Systems community.			
K.1.	Out of the appropriation in this item, \$3,750,000 the first year and \$3,750,000 the second year from the general fund <i>and \$5,000,000 the first year from nongeneral funds</i> shall be provided for the Virginia Biosciences Health Research Corporation (VBHRC), a non-stock corporation research consortium initially comprised of the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, George Mason University and the Eastern Virginia Medical School. The consortium will contract with private entities, foundations and other governmental sources to capture and perform research in the biosciences, as well as promote the development of bioscience infrastructure tools which can be used to facilitate additional research activities. The Department of Planning and Budget is authorized to provide these funds to the non-stock corporation research consortium referenced in this paragraph upon request filed with the Department of Planning and Budget by VBHRC.			
2.	Of the amounts provided in K.1. for the research consortium, up to \$3,750,000 the first year and \$3,750,000 the second year may be used to develop or maintain investments in research infrastructure tools to facilitate bioscience research.			
3.	The remaining funding shall be used to capture and perform research in the biosciences and must be matched at least dollar-for-dollar by funding provided by such private entities, foundations and other governmental sources. No research will be funded by the consortium unless at least two of the participating institutions, including the five founding institutions and any other institutions choosing to join, are actively and significantly involved in collaborating on the research. No research will be funded by the consortium unless the research topic has been vetted by a scientific advisory board and holds potential for high impact near-term success in generating other sponsored research, creating spin-off companies or otherwise creating new jobs. The consortium will set guidelines to disburse research funds based on advisory board findings. The consortium will have near-term sustainability as a goal, along with corporate-sponsored research gains, new Virginia company start-ups, and job creation milestones.			
4.	Other publicly-supported institutions of higher education in the Commonwealth may choose to join the consortium as participating institutions. Participation in the consortium by the five founding institutions and by other participating institutions choosing to join will require a cash contribution from each institution in each year of participation of at least \$50,000.			
5.	Of these funds, up to \$500,000 the first year and \$500,000 the second year may be used to pay the administrative, promotional and legal costs of establishing and administering the consortium, including the creation of intellectual property protocols, and the publication of research results.			

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
6. VHBRC, in consultation with the publicly-supported institutions of higher education in the Commonwealth participating in the consortium, shall provide to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA by October 1 of each year a written report summarizing the activities of the consortium, including, but not limited to, a summary of how any funds disbursed to the consortium during the previous fiscal year were spent, and the consortium's progress during the fiscal year in expanding upon existing research opportunities and stimulating new research opportunities in the Commonwealth.				
7. The accounts and records of the consortium shall be made available for review and audit by the Auditor of Public Accounts upon request.				
8. Up to \$2,500,000 of the funds managed by the Commonwealth Health Research Board (CHRB), created pursuant to § 32.1-162.23, Code of Virginia, shall be directed toward collaborative research projects, approved by the boards of the VBHRC and CHRB, to support Virginia's core bioscience strengths, improve human health, and demonstrate commercial viability and a high likelihood of creating new companies and jobs in Virginia.				
<i>9.a. The VBHRC shall administer a one-time grant program designed to support the acceleration of clinical testing of a therapeutic drug that treats clinical symptoms caused by COVID-19. VBHRC shall consult with subject matter experts in the healthcare industry or academia to develop criteria for awarding funds provided in paragraph P.3. of this item. At a minimum, these criteria must include: (i) the company was founded in and is headquartered in Virginia; and (ii) the company is actively conducting a Phase 1 or Phase 2 clinical trial of a therapeutic drug approved by the United States Food and Drug Administration ("FDA") to treat life-threatening symptoms caused by COVID-19. In awarding these funds, the board of directors of the VBHRC may waive the requirements that (i) two of the participating institutions are actively and significantly involved in collaborating on the research, and (ii) funding be matched at least dollar-for-dollar by funding provided by private entities, foundations and other governmental sources.</i>				
<i>b. In awarding these funds, VBHRC may, in consultation with the President and CEO of the Virginia Innovation Partnership Authority's managing nonprofit, the Center for Innovative Technology, and individuals with investment expertise in the area of pharmaceutical drug development: (i) require the grantee to offer to conduct subsequent clinical trials of its drug in hospitals located in Virginia, provided the hospitals have the capacity to participate in the trial in a timely manner that is consistent with and does not delay the company's clinical trial schedule; (ii) require the grantee to give a preference to qualified Virginia pharmaceutical manufacturers for production of the grantee's COVID-19 therapeutic drug, provided the manufacturers have the capacity to produce the drug in a timely manner that is consistent with and does not delay the company's production schedule; and, (iii) seek a reasonable amount of equity interest in the grantee company in return for the grant.</i>				
L.1. Out of the appropriation in this item, \$1,925,000 the first year and \$925,000 the second year from the general fund shall be made available to the Commonwealth Center for Advanced Manufacturing (CCAM) for rent, operating support, and maintenance. These funds shall not revert back to the general fund at the end of the fiscal year.				
2. Out of the appropriation in this item, VIPA shall provide \$1,100,000 the first year and \$1,100,000 the second year from the general fund to CCAM for the purpose of providing private sector incentive grants to industry members of the CCAM as follows: (i) incentive grants for new industry members with no prior membership at CCAM; (ii) incentive grants to small manufacturing members who locate their primary job center in the Commonwealth, as determined by VEDP, in order to mitigate inaugural, industry membership costs associated with joining CCAM; (iii) grants dedicated to CCAM industry members to be used exclusively for research project costs and require a minimum one-to-one match in funds to conduct additional directed research at the CCAM facility after their base amount of directed research is programmed; and (iv) grants dedicated to matching funds for the purpose of attracting federal funds for research projects related to the COVID-19 pandemic to be conducted at the CCAM facility on a one to one basis.				
3. Out of the appropriation in this item, VIPA shall provide \$600,000 the first year and				

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>\$600,000 the second year from the general fund to CCAM for university research grants requiring a minimum one-to-one match in funds that bring in external research funds from federal or private organizations for research to be conducted at the CCAM facility. All project approvals are contingent upon each university partner entering into a memorandum of understanding (MOU) with CCAM that includes specific details about the university's anticipated commitment of financial and human resources, as well as programming and academic credentialing plans, to the CCAM facility.</p>			
	<p>4. No grant funds shall be disbursed until the conditions of paragraph L.2 of this Item have been met and approval from VIPA has been granted.</p>			
	<p>5. CCAM shall submit a report on October 1 of each year to the Secretary of Finance, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and VIPA containing a status update of all new incentive programs, including but not limited to the following: (i) MOUs it has entered into with each university partner; (ii) funds disbursed to both university and private sector partners of CCAM, as well as any other recipients; (iii) any other agreements CCAM has entered into with representatives of the public and private sectors that may impact current and future incentive fund disbursements; and (iv) any additional information requested by the Secretary of Finance, or the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.</p>			
	<p>M.1. Out of the appropriation in this item, \$5,000,000 the first year and \$10,000,000 the second year from the general fund is provided to scale the Commonwealth Cyber Initiative (CCI) and provide resources for faculty recruiting at both the Hub, Virginia Polytechnic Institute and State University, and Node sites. The Hub and certified Node sites will have the ability to seek matching funds for faculty recruitment and support for renovations and equipment. Certified institutions shall submit their funding request application to VIPA for review and evaluation from an investment from the Commonwealth Commercialization Fund. After completing its review, VIPA shall approve or deny the request for an allocation of funds. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.</p>			
	<p>2. Out of the appropriation in this item, \$2,500,000 the first year and \$7,500,000 the second year from the general fund is provided for the leasing of space and establishment of the Hub by the anchoring institution and for the establishment of research faculty, entrepreneurship programs, student internships and educational programming, and operations of the Hub. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.</p>			
	<p>3. CCI shall submit a report by October 1st of each year to the the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA detailing the use and leverage of the investment in this item in strengthening the state's cyber economy. The state report shall contain information on: (i) external research grants attracted to support the work of CCI, (ii) research grants awarded from the funds contained in this item, (iii) research faculty recruited, (iv) results of entrepreneurship and workforce programming, (v) collaborative partnerships and projects, (vi) correlated economic outcomes (jobs and new business formation), and (vii) the geographic distribution of awards from the funding contained in this item.</p>			
	<p>N.1. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is designated for the Commonwealth Center for Advanced Logistics (CCALS) to provide seed money for collaborative public sector projects with partners, such as the Port of Virginia, Department of Corrections, and the Virginia Department of Transportation.</p>			
	<p>2. CCALS shall submit a report by October 1st of each year to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA to include (i) all planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources for CCALS, (ii) the research activities of CCALS, and (iii) relevant economic outcomes as a result of the CCALS' work in each fiscal year.</p>			

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>O. Out of this appropriation, \$125,000 the first year and \$125,000 the second year is designated for the Virginia Academy of Engineering, Science and Medicine to provide technical assistance to VIPA.</p>				
<p>P.1. Out of the amounts transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$10,000,000 the first year shall be allocated to the Commonwealth Commercialization Fund to foster innovative and collaborative research, development, and commercialization efforts in the Commonwealth in projects and programs with a high potential for economic development and job creation as specified in § 2.2-2359, Code of Virginia.</p>				
<p>2. Out of the amounts transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$5,000,000 the first year shall be allocated to scale the Commonwealth Cyber Initiative (CCI) for activities at the Hub, Virginia Polytechnic Institute and State University, and Node sites and \$5,000,000 the first year shall be allocated for the leasing of space and establishment of the Hub by the anchoring institution.</p>				
<p>3. <i>Out of the amounts transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$5,000,000 the first year shall be allocated to the Virginia Biosciences Health Research Corporation to administer the program outlined in paragraph K.9. of this item. The funds provided in this paragraph shall be transferred to the Virginia Biosciences Health Research Corporation within 30 days of the passage of this act.</i></p>				
<p>43.Excluding the amounts in paragraph P.1., and P.2., and P.3. of this item, any additional funds transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly may be used: (1) to enable the establishment of a fund of funds that will permit the Commonwealth to invest in one or more syndicated private investment funds; (2) to enhance direct investment programs by placing additional investments in partnership with Virginia accelerators and university technology commercialization programs; and (3) to enable the establishment of a sustainable program to enhance discovery of, and early investment in, technologies aligned with the Virginia Innovation Index. Decisions to invest in private funds shall be subject to approval by the Board of Directors. Investments in such funds shall be monitored by the Board of Directors.</p>				
<p><i>Q. Until such time the VIPA Board of Directors is fully appointed, the President and CEO of the Authority's managing nonprofit, the Center for Innovative Technology shall have the authority to approve the funds provided for centers of excellence in this item. Centers of Excellence include Virginia Center for Unmanned Systems, Virginia Biosciences Health Research Corporation, Commonwealth Center for Advanced Manufacturing, and Commonwealth Cyber Initiative.</i></p>				
Total for Virginia Innovation Partnership Authority....			\$25,700,000 \$50,700,000	\$39,700,000
Fund Sources: General.....	\$25,700,000	\$39,700,000		
<i>Special</i>	\$25,000,000	\$0		
TOTAL FOR OFFICE OF COMMERCE AND TRADE.....			\$1,097,790,900 \$1,156,384,100	\$1,071,011,102 \$1,067,313,302
General Fund Positions.....	412.23	412.23		
Nongeneral Fund Positions.....	1,301.77	1,301.77		
Position Level.....	1,714.00	1,714.00		
Fund Sources: General.....	\$366,709,056	\$345,504,922		
	\$400,932,256	\$342,068,122		
Special.....	\$30,174,018	\$29,805,018		
	\$54,544,018	\$29,544,018		
Commonwealth Transportation.....	\$1,640,575	\$1,640,575		
Trust and Agency.....	\$549,733,725	\$546,529,069		
Dedicated Special Revenue.....	\$25,068,898	\$25,066,890		
Federal Trust.....	\$124,464,628	\$122,464,628		

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF EDUCATION

136. Not set out.

§ 1-23. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)

137. Not set out.

138. Not set out.

139. Not set out.

140. Not set out.

141.	Technology Assistance Services (18600).....			\$7,832,258	\$14,963,258
	Instructional Technology (18601).....	\$637,928	\$637,928		
	Distance Learning and Electronic Classroom (18602).....	\$7,194,330	\$14,325,330		
	Fund Sources: General.....	\$6,997,304	\$14,128,304		
	Special.....	\$105,000	\$105,000		
	Trust and Agency.....	\$674,678	\$674,678		
	Federal Trust.....	\$55,276	\$55,276		

Authority: Instructional Technology: §§ 22.1-20.1, 22.1-70.2, 22.1-199.1, 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 107-110, Federal Code.

Distance Learning and Electronic Classroom: § 22.1-212.2, Code of Virginia.

A. This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the general fund for statewide digital content development, online learning, and related support services, as prescribed through contract with the Department of Education. All digital content produced and delivery of online learning shall meet criteria established by the Department of Education, meet or exceed applicable Standards of Learning, and be correlated to such state standards.

B. In developing the deliverables for each contract, the Department of Education shall consult with division superintendents or their designated representatives to assess school divisions' needs for digital content, online learning, teacher training, and support services that advance technology integration into the K-12 classroom, as well as for additional educational resources that may be made available to school divisions throughout the Commonwealth.

C. Virtual Virginia Payments

1. From appropriations in this Item, the Department of Education shall provide assistance for the Virtual Virginia program.

2. This appropriation includes \$498,000 the first year and \$498,000 the second year from the general fund to support the Virtual Virginia full-time program for 200 students in grades nine through 12.

3. This appropriation includes \$330,000 the first year and \$330,000 the second year from the general fund to support the virtual mathematics outreach program.

4. The local share of costs associated with the operation of the Virtual Virginia program shall be computed using the composite index of local ability-to-pay.

5. The Department of Education shall develop a plan to establish a per-student, per-course fee schedule for local school divisions to participate in Virtual Virginia (VVA) coursework for elementary, middle, and high school students. Such fee schedule plan shall provide (i) an allotment of slots, determined by the Department, per course to a school

ITEM 141.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

division free of charge, and (ii) for any slots a school division wishes to use beyond the free slots, a per-course, per-student fee that may include discounts for school divisions based upon the composite index of local ability to pay. The department shall also include in its plan the current student participation enrollment by grade level in each VVA course, the number of students enrolled in VVA courses that a fee of any kind is charged and how such fee is currently paid for in each participating school division. The department shall submit its Virtual Virginia Plan to the Chairmen of House Appropriations and Senate Finance Committee upon completion of developing such plan.

D. Virginia Learner Equitable Access Platform (VA LEAP)

1. Out of this appropriation, \$7,131,000 the second year from the general fund is provided for the implementation of the VA LEAP statewide learning management system.

2. The Superintendent of Public Instruction shall convene a workgroup to develop a plan for the implementation of VA LEAP, including representatives of the Department of Education, school divisions with and without existing learning management systems, learning management system providers, eMediaVA, Virtual Virginia, and other appropriate stakeholders. The plan shall (i) address the integration of existing school division learning management systems into a statewide system, (ii) address the integration of VA LEAP with existing state investments, including eMediaVA, Virtual Virginia and #GoOpenVA, (iii) consider integrating these systems into a single sign-on system, (iv) include a cost-benefit analysis of various approaches to implementing a statewide learning management system, and (v) provide an update on the estimated costs to implement a learning management system based on anticipated local school division participation and technical requirements. Such plan shall be submitted to the Governor and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee no later than December 1, 2020.

E. Virginia Initiative to Support Internet Outside of School Networks (VISION) program.

To support technology needs and internet access for virtual learning as a result of extended school closures and modified school schedules through the VISION program, \$26,900,000 in federal relief funds are provided from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), including \$18,000,000 in Governor's Education Emergency Relief (GEER) funds previously announced for this purpose and \$8,900,000 in GEER funds previously announced to support longer-term internet access initiatives.

142. Not set out.

143. Not set out.

~~143-10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Address increased workload in the Office of Teacher Education and Licensure	\$136,514	\$136,514
Develop the Virginia Learner Equitable Access Platform (VA LEAP)	\$0	\$7,131,000
Increase support for Virginia Preschool Initiative class observations and	\$650,000	\$650,000

ITEM 143.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
professional development				
Support annual Education Equity Summer Institute		\$135,000		\$135,000
Agency Total		\$921,514		\$8,052,514
Total for Department of Education, Central Office Operations.....			\$131,667,988	\$314,325,715
General Fund Positions.....	151.00	153.50		
Nongeneral Fund Positions.....	185.50	335.50		
Position Level.....	336.50	489.00		
Fund Sources: General.....	\$74,250,381	\$78,891,881		
Special.....	\$5,269,257	\$5,269,257		
Commonwealth Transportation.....	\$279,612	\$279,612		
Trust and Agency.....	\$679,678	\$679,678		
Federal Trust.....	\$51,189,060	\$229,205,287		

Direct Aid to Public Education (197)

144.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$45,771,554	\$44,194,141
	Financial Assistance for Supplemental Education (14304).....	\$45,771,554	\$44,194,141		
	Fund Sources: General.....	\$45,771,554	\$44,194,141		

Authority: Discretionary Inclusion.

**Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs
(14300)**

Supplemental Education Assistance Programs (14304)	FY 2021	FY 2022
Achievable Dream	\$500,000	\$500,000
Active Learning Grants	\$250,000	\$0
American Civil War Museum	\$1,000,000	\$0
Black History Museum and Cultural Center of Virginia	\$1,300,000	\$0
Blue Ridge PBS	\$500,000	\$500,000
Bonder and Amanda Johnson Community Development Corporation	\$100,000	\$0
Brooks Crossing Innovation and Opportunity Center	\$250,000	\$250,000
Career and Technical Education Regional Centers	\$660,000	\$660,000
Career and Technical Education Resource Center	\$298,021	\$298,021
Career Council at Northern Neck Career & Technical Center	\$60,300	\$60,300
Chesterfield Recovery High School	\$250,000	\$250,000
College Partnership Laboratory School	\$50,000	\$50,000
Communities in Schools (CIS)	\$2,004,400	\$2,004,400
Computer Science Teacher Training	\$550,000	\$550,000
Early Childhood Educator Incentive	\$3,000,000	\$5,000,000
Emil and Grace Shihadeh Innovation Center	\$250,000	\$0
Great Aspirations Scholarship Program (GRASP)	\$500,000	\$500,000

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Jobs for Virginia Graduates (JVG)	\$2,243,776			\$2,243,776
Literacy Lab - VPI Minority Educator Fellowship	\$300,000			\$0
National Board Certification Program	\$5,021,609			\$5,009,196
Newport News Aviation Academy - STEM Program	\$100,000			\$0
Newport News - Soundscapes	\$90,000			\$0
Petersburg Executive Leadership Recruitment Incentives	\$350,000			\$350,000
Positive Behavioral Interventions & Support (PBIS)	\$1,598,000			\$1,598,000
Power Scholars Academy - YMCA BELL	\$1,000,000			\$1,000,000
Praxis and Virginia Communication and Literacy Assessment Assistance for Provisionally Licensed Minority Teachers	\$50,000			\$50,000
Project Discovery	\$962,500			\$962,500
School Program Innovation	\$500,000			\$500,000
Small School Division Assistance	\$145,896			\$145,896
Southside Virginia Regional Technology Consortium	\$108,905			\$108,905
Southwest Virginia Public Education Consortium	\$124,011			\$124,011
STEM Program / Research Study (VA Air & Space Center)	\$681,975			\$681,975
STEM Competition Team Grants	\$200,000			\$200,000
Targeted Extended/Enriched School Year and Year-round School Grants	\$7,763,312			\$7,763,312
Teach for America	\$500,000			\$500,000
Teacher Improvement Funding Initiative	\$15,000			\$15,000
Teacher Recruitment & Retention Grant Programs	\$2,181,000			\$2,181,000
Teacher Residency Program	\$1,750,000			\$1,750,000
Van Gogh Outreach Program	\$71,849			\$71,849
Virginia Early Childhood Foundation (VECF)	\$6,250,000			\$6,250,000
Virginia Reading Corps	\$600,000			\$600,000
Virginia Student Training and Refurbishment (VA STAR) Program	\$300,000			\$300,000
Vision Screening Grants	\$391,000			\$391,000
Vocational Lab Pilot	\$175,000			\$0
Western Virginia Public Education Consortium	\$50,000			\$50,000
Wolf Trap Model STEM Program	\$725,000			\$725,000
Total	\$45,771,554			\$44,194,141

A. Out of this appropriation, the Department of Education shall provide \$2,243,776 the first year and \$2,243,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B. Out of this appropriation, the Department of Education shall provide \$124,011 the first year and \$124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional \$71,849 the first year and \$71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C. This appropriation includes \$108,905 the first year and \$108,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.				
D. An additional state payment of \$145,896 the first year and \$145,896 the second year from the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division.				
E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.				
F. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification from the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000 the first year of the certificate and \$2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at \$5,021,609 the first year and \$5,009,196 the second year from the general fund for the purpose of paying these bonuses. By October 15 of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year that hold such certification.				
G. This appropriation includes \$2,181,000 the first year and \$2,181,000 the second year from the general fund for grants, scholarships, and incentive payments to attract, recruit, and retain high-quality teachers and fill critical teacher shortage disciplines in Virginia's public schools.				
1. Out of this appropriation, \$708,000 the first year and \$708,000 the second year from the general fund is provided for teaching scholarship loans. These scholarships shall be for undergraduate students in college with a cumulative grade point average of at least 2.7 on a 4.0 scale or its equivalent, who are nominated by their Virginia regionally accredited college or university, and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia, except as provided herein. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for the top ten critical teacher shortage disciplines, however minority students may be enrolled in any content area for teacher preparation. Upon program completion, scholarship recipients may fulfill the scholarship loan obligation by teaching in the public schools of the Commonwealth in the first full academic year after becoming eligible for a renewable teaching license in the appropriate endorsement area and teaching for at least two years in a school division (i) in one of the critical teacher shortage disciplines as established by the Board of Education; or (ii) in a Virginia public school with 50 percent or more of the students eligible for free or reduced price lunch; or (iii) in a school division designated critical shortage subject area, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship recipients who only complete one year of the teaching obligation shall be forgiven for one-half of the scholarship loan amount. Scholarship amounts are based on up to \$10,000 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.				
a. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.				
b. The Department of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation.				
c. Within the fiscal year, any funds not awarded from this program may be applied toward				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the other teacher preparation, recruitment, and retention programs under paragraph G.

2. Out of this appropriation, \$808,000 the first year and \$808,000 the second year from the general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and high schools experiencing difficulty in recruiting qualified teachers. Eligible teachers must (i) be employed full-time in a Virginia school division or school with more than 40 percent of the students eligible for free or reduced price lunch; (ii) be entering their first, second, or third year of teaching experience; and (iii) hold a five- or ten-year valid Virginia teaching license with an endorsement in Middle Education 6-8: Mathematics, Mathematics-Algebra-I, Mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science, Physics, Engineering, or Technology Education and be assigned to a teaching position in a corresponding STEM subject area. Selected eligible teachers will receive a \$5,000 incentive award after the completion of each year of full-time teaching experience, up to three consecutive years under the grant, in an eligible school division or school with a satisfactory performance evaluation and a written commitment to return in the same school division for the following school year. The maximum incentive award for each eligible teacher is \$15,000. Eligibility for these incentives shall be determined through an application process whereby school divisions shall apply to the Department of Education. Priority for distribution of these incentives shall be to school divisions experiencing the most acute difficulties in recruiting qualified teachers, as determined using Department of Education criteria. For the purpose of the award of the additional \$1,000 to individuals who received funds under this program prior to July 1, 2018, the criteria provided in Chapter 1, 2018 Acts of Assembly, Special Session I, shall continue to apply through fiscal year 2021. For individuals who received funds under this program prior to July 1, 2020, the criteria provided in Chapter 854, 2019 Acts of Assembly, shall continue to apply. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

3. Out of this appropriation, \$415,000 the first year and \$415,000 the second year from the general fund is provided to help school divisions recruit and retain qualified middle-school mathematics teachers. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

4. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided for tuition scholarships to be specifically allocated solely for licensed public high school teachers pursuing additional credentialing requirements necessary to be considered faculty who are qualified to teach dual enrollment courses in high schools in their local school division. The Department of Education shall make payments on behalf of the scholarship recipients directly to the *regionally accredited* Virginia institution of higher education where the scholarship recipient is enrolled ~~full-time or part-time in an approved undergraduate or graduate teacher education program~~ *in courses for credit* applicable to dual enrollment course curriculum available for public high school students. The lifetime maximum dual enrollment tuition scholarship award for each approved eligible teacher is \$7,500. Eligibility for access to these dual enrollment tuition scholarship awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such dual enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that shall be offered by the scholarship recipient's high school and taught by the recipient upon the recipient's successful completion of required coursework for appropriate credentialing to teach such dual enrollment courses, and iii) the projected student enrollment in the recipient taught public high school dual enrollment courses. The Department of Education shall compile and report the application information for each applying school division, and shall also report the number of recipients and amount of tuition awarded to each school division, the institution of higher education receiving tuition, the credentialing area pursued by recipients, and dual enrollment courses offered after the recipient's successful completion of the pursued credentialing. The Department shall submit the report by June 30, 2020, and annually thereafter, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health.

H. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

general fund shall be distributed to the Great Aspirations Scholarship Program (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.

I. Out of this appropriation, the Department of Education shall provide \$2,004,400 the first year and \$2,004,400 the second year from the general fund to Communities in Schools. These funds shall be used to strengthen and sustain existing programming in Hampton Roads, Northern Virginia, Petersburg, Richmond City, and Southwest Virginia and to expand programming to new schools. Further, Communities in Schools is directed to assist the Community School organization with developing opportunities to establish a Community School program in interested school divisions.

J. Out of this appropriation, the Department of Education shall provide \$962,500 the first year and \$962,500 the second year from the general fund for Project Discovery. These funds are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Fredericksburg/Spotsylvania, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery. The Department of Education shall administer the Project Discovery funding distributions to each community action agency. Distributions to each community action agency shall be based on performance measures established by the Board of Directors of Project Discovery. The contract with Project Discovery should specify the allocations to each local program and require the submission of a financial and budget report and program evaluation performance measures.

2. Each participating community action agency shall submit annual performance metrics for services provided through the Project Discovery program that provide measurable evaluations and outcomes of participating students. Such performance metrics shall include evidenced-based data that effectively measure academic improvement outcomes. In addition, the performance metrics shall also include evidenced-based data to evaluate the specific effectiveness of the program for participating students on a longitudinal basis. Further, the performance metrics shall include the coordination and collaboration efforts the program staff regularly have with the school-based personnel, such as teachers and guidance counselors, that support and maximize opportunities of participating students to successfully graduate from high school and then to enroll and graduate from an institution of higher learning. Project Discovery shall submit a comprehensive and cumulative program performance metrics evaluation to the Department of Education no later than October 1 each year.

K. Out of this appropriation, the Department of Education shall provide \$300,000 the first year and \$300,000 the second year from the general fund for the Virginia Student Training and Refurbishment Program.

L. Out of this appropriation, \$1,598,000 the first year and \$1,598,000 the second year from the general fund is provided to expand the number of schools implementing a system of positive behavioral interventions and supports with the goal of improving school climate and reducing disruptive behavior in the classroom. Such a system may be implemented as part of a tiered system of supports that utilizes evidence-based, system-wide practices to provide a response to academic and behavioral needs. Any school division which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school-year in which the program is to be implemented. The proposal must define student outcome objectives including, but not limited to, reductions in disciplinary referrals and out-of-school suspension rates. In making the competitive grant awards, the Department of Education shall give priority to school divisions proposing to serve schools identified by the Department as having high suspension rates. No funds awarded to a school division under this grant may be used to supplant funding for schools already implementing the program.

M. Targeted Extended/Enriched School Year and Year-round School Grants Payments

1. Out of this appropriation, \$7,150,000 the first year and \$7,150,000 the second year from the general fund is provided for a targeted extended/enriched school year or year-round

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>school incentive in order to improve student achievement. Annual start-up grants of up to \$300,000 per school may be awarded for a period of up to two years after the initial implementation year. The per school amount may be up to \$400,000 in the case of schools that have an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators, or schools that had an Accredited with Conditions status and were rated at Level Three in two or more Academic Achievement for All Students school quality indicators when the initial application was made. Schools that qualified for the per school grant up to \$400,000 under the previous Standards of Accreditation Denied Accreditation status remain eligible for funding for the initial three year period; after that period, such schools are subject to eligibility under the current Standards of Accreditation. After the third consecutive year of successful participation, an eligible school's grant amount shall be based on a shared split of the grant between the state and participating school division's local composite index. Such continuing schools shall remain eligible to receive a grant based on the 2012 JLARC Review of Year Round Schools' researched base findings.</p>				
<p>2. Except for school divisions with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status, any other school division applying for such a grant shall be required to provide a twenty percent local match to the grant amount received from either an extended/enriched school year or year-round school start-up or planning grant.</p>				
<p>3. In the case of any school division with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status that apply for funds, the school division shall also consult with the Superintendent of Public Instruction or designee on all recommendations regarding instructional programs or instructional personnel prior to submission to the local board for approval.</p>				
<p>4. Out of this appropriation, \$613,312 the first year and \$613,312 the second year from the general fund is provided for planning grants of no more than \$50,000 each for local school divisions pursuing the creation of new extended/enriched school year or year-round school programs for divisions or individual schools in support of the findings from the 2012 JLARC Review of Year Round Schools. School divisions must submit applications to the Department of Education by August 1 of each year. Priority shall be given to schools based on need, relative to the state accreditation ratings or similar federal designations. Applications shall include evidence of commitment to pursue implementation in the upcoming school year. If balances exist, existing extended school year programs may be eligible to apply for remaining funds.</p>				
<p>5. A school division that has been awarded an extended/enriched school year or year-round school start-up grant or planning grant for the development of an extended/enriched school year or year-round school program may spend the awarded grant over two consecutive fiscal years.</p>				
<p>6. a) Any such school division receiving funding from a Targeted Extended/Enriched School Year and Year-round School grant shall provide an annual progress report to the Department of Education that evaluates end of year success of the extended/enriched school year or year-round school model implemented as compared to the prior school year performance as measured by an appropriate evaluation matrix no later than September 1 each year.</p>				
<p>b) The Department of Education shall develop such evaluation matrix that would be appropriate for a comprehensive evaluation for such models implemented. Further, the Department of Education is directed to submit the annual progress reports from the participating school divisions and an executive summary of the program's overall status and levels of measured success to the Chairmen of House Appropriations and Senate Finance Committees no later than November 1 each year.</p>				
<p>7. Any funds remaining in this paragraph following grant awards may be disbursed by the Department of Education as grants to school divisions to support innovative approaches to instructional delivery or school governance models.</p>				
<p>N. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the</p>				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>general fund is provided through grants or contracts for the cost of fees and financial incentives associated with hiring teachers in challenged schools. These funds may be used for grants or contracts awarded and expenses associated with supporting the Teach for America program. School divisions or their partners may apply for those funds through applications submitted to the Department of Education. Applications must be submitted to the Department of Education by September 1 each year. Within the fiscal year, any unobligated balance may be used for the Teacher Residency program.</p>			
	<p>O. Out of this appropriation, \$725,000 the first year and \$725,000 the second year from the general fund is provided for the Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools to continue or initiate STEM and early literacy model programs for preschool, kindergarten, and first grade students. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support further expansion in rural divisions from Regions 3, 6, or 8, based on need. Each developed model will focus on enhancing children's learning experiences through the arts.</p>			
	<p>P. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Achievable Dream partnership with Newport News School Division.</p>			
	<p>Q. Out of this appropriation, \$1,750,000 the first year and \$1,750,000 the second year from the general fund is provided for grants for teacher residency partnerships between university teacher preparation programs and the Petersburg, Norfolk, and Richmond City school divisions and any other university teacher preparation programs and hard-to-staff school divisions to help improve new teacher training and retention for hard-to-staff schools. The grants will support a site-specific residency model program for preparation, planning, development and implementation, including possible stipends in the program to attract qualified candidates and mentors. Applications must be submitted to the Department of Education by August 1 each year.</p>			
	<p>Partner school divisions shall provide at least one-third of the cost of each program and shall provide data requested by the university partner in order to evaluate program effectiveness by the mutually agreed upon timelines. Each university partner shall report annually, no later than June 30, to the Department of Education on available outcome measures, including student performance indicators, as well as additional data needs requested by the Department of Education. The Department of Education shall provide, directly to the university partners, relevant longitudinal data that may be shared. The Department of Education shall consolidate all submissions from the participating university partners and school divisions and submit such consolidated annual report to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1 each year.</p>			
	<p>R. Out of this appropriation, \$60,300 the first year and \$60,300 the second year from the general fund is provided to the Northern Neck Regional Technical Center to expand the workforce readiness education and industry based skills and certification development efforts supporting that region in the state. These funds support the Center's programs that serve high school students from the surrounding counties of Essex, Lancaster, Northumberland, Rappahannock, Westmoreland and Colonial Beach.</p>			
	<p>S. Out of this appropriation, \$6,250,000 the first year and \$6,250,000 the second year from the general fund is provided to the Virginia Early Childhood Foundation.</p>			
	<p>1. Of this amount, \$250,000 the first year and \$250,000 the second year is provided for general operations of the Foundation's grant program to strengthen the capacity of local communities to promote school readiness for young children through innovative regional partnerships.</p>			
	<p>2. Of this amount, \$1,000,000 the first year and \$1,000,000 the second year is provided to operate a scholarship program to increase the skills of Virginia's early education workforce.</p>			
	<p>3. Of this amount, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided for a pilot initiative to support public-private delivery of pre-</p>			

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the Department of Education. The local applicant(s) selected to conduct this systemic approach to school reform, in consultation with the Department of Education, will develop and plan or implement innovative approaches to engage and to motivate students through personalized learning and instruction leading to demonstrated mastery of content, as well as skills development of career readiness. Essential elements of school innovation include: (1) student centered learning, with progress based on student demonstrated proficiency; (2) 'real-world' connections that promote alignment with community work-force needs and emphasize transition to college and/or career; and (3) varying models for educator supports and staffing. Individual school divisions or consortia will be invited to apply on a competitive basis by submitting a grant application that includes descriptions of key elements of innovations, a detailed budget, expectations for outcomes and student achievement benefits, evaluation methods, and plans for sustainability. The Department of Education will make the final determination of which individual school divisions or consortia of divisions will receive the year-long planning grant for public pre-kindergarten through Grade 12 School Innovation or a grant to implement an Elementary, Middle, and/or High School Program Innovation plan previously approved by the Department of Education. Any school division or consortium of divisions which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school year in which the planning or implementation for systemic school innovation is to take place.

U. Out of this appropriation, \$100,000 the first year from the general fund is provided to support the Newport News Aviation Academy's four-year high school STEM program, which focuses on piloting, aircraft maintenance, engineering, computers, and electronics.

V. Out of this appropriation, \$15,000 the first year and \$15,000 the second year is provided for grants to school divisions of up to \$5,000 each to explore alternative teacher compensation approaches that move away from tenure-based step increases toward compensation systems based on teacher performance and student progress. Priority will be given to school divisions that have not previously explored alternative compensation approaches and have schools not achieving full accreditation, or that have high numbers of at-risk students needing qualified teachers in hard-to-staff subjects.

W. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided for STEM Competition Team Grants. Notwithstanding § 22.1-362, Code of Virginia, Paragraph B, grants may not exceed \$5,000 each.

X. Out of this appropriation, \$681,975 the first year and \$681,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study, via the Virginia Air & Space Center.

Y. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided for executive leadership incentives in the Petersburg City Public Schools to strengthen the impact of division and school level executive leadership on student achievement in the school division. Such incentives may include, but not be limited to, supplements to locally funded salaries, deferred salary compensation, bonuses, housing and commuting supplements, and professional development supplements. The Department of Education shall provide such executive management incentive payments directly to the Petersburg City Public Schools accounts pursuant to a Memorandum of Understanding entered into between the Board of Education and the Petersburg City School Board, which shall cover no less than both years of the biennium and may be amended with the consent of both parties. Such Agreement shall include operational and student achievement metrics and include provisions for the achievement of such metrics as a condition of payment of the incentive funds by the Department of Education. The Department of Education shall provide updates on the Agreement to the Chairmen of the Senate Finance and House Appropriations Committees.

Z. Out of this amount, \$600,000 the first year and \$600,000 the second year from the general fund shall be reserved for school divisions to partner with the Virginia Reading Corps program. The implementation partner shall determine and select partner school divisions. The Virginia Reading Corps shall report annually to the school divisions and Department of Education on the outcomes of this program.

AA. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	early childhood centers, and provide metrics on the success of participants entering the educator pipeline either through employment or a teacher preparation program.			
	RR. Out of this appropriation, \$90,000 the first year from the general fund is provided to Newport News Public Schools for the Soundscapes social intervention programs.			
	SS. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided to support pilot-public partnerships between local school divisions and the Greater Richmond and Central Virginia affiliates of the Virginia Alliance of YMCAs to expand student participation opportunities in existing summer Power Scholars Academies in such partnered school divisions.			
145.	State Education Assistance Programs (17800).....		\$7,827,549,539	\$8,016,751,006
			\$7,827,533,432	\$7,923,143,959
	Standards of Quality for Public Education (SOQ) (17801).....			
	\$6,715,643,181	\$6,760,121,905		
	\$6,620,415,451	\$6,666,530,687		
	Financial Incentive Programs for Public Education (17802).....			
	\$399,412,674	\$534,660,025		
	\$494,624,297	\$534,644,196		
	Financial Assistance for Categorical Programs (17803).....			
	\$54,534,287	\$55,864,406		
	Distribution of Lottery Funds (17805).....			
	\$657,959,397	\$666,104,670		
	Fund Sources: General.....			
	\$7,004,595,142	\$7,265,281,336		
	\$6,892,751,305	\$7,171,674,289		
	Special.....	\$895,000	\$895,000	
	Commonwealth Transportation.....	\$2,100,000	\$1,470,000	
	Trust and Agency.....	\$819,959,397	\$749,104,670	
	Dedicated Special Revenue.....	\$95,227,730	\$0	
	Federal Trust.....	\$16,600,000	\$0	

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ [22.1-176](#) through [22.1-198](#), [22.1-199.1](#), [22.1-199.2](#), [22.1-213](#) through [22.1-221](#), [22.1-227](#) through [22.1-237](#), [22.1-253.13:1](#) through [22.1-253.13:8](#), [22.1-254.01](#), Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ [22.1-24](#), [22.1-289.1](#) through [22.1-318](#), Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677 between Virginia and the Indians; §§ [22.1-3.4](#), [22.1-108](#), [22.1-199](#) through [22.1-212.2:2](#), [22.1-213](#) through [22.1-221](#), [22.1-223](#) through [22.1-237](#), [22.1-254](#), Code of Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.

Distribution of Lottery Funds (17805): §§ [58.1-4022](#) and [58.1-4022.1](#), Code of Virginia

Appropriation Detail of Education Assistance Programs (17800)

Standards of Quality (17801)	FY 2021	FY 2022
Basic Aid	\$3,609,565,746	\$3,612,499,672
	\$3,729,638,016	\$3,730,508,454
Sales Tax	\$1,541,700,000	\$1,566,200,000
	\$1,326,400,000	\$1,354,600,000
Textbooks	\$75,370,476	\$75,647,111
Vocational Education	\$62,115,030	\$62,037,147

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Gifted Education	\$37,649,935		\$37,796,975	
Special Education	\$432,323,121		\$433,527,914	
Prevention, Intervention, and Remediation	\$121,073,126		\$121,259,822	
English as a Second Language	\$82,232,407		\$95,145,149	
VRS Retirement (includes RHCC)	\$500,930,006		\$502,639,077	
Social Security	\$214,915,707		\$215,609,194	
Group Life	\$15,142,348		\$15,174,856	
Remedial Summer School	\$22,625,279		\$22,584,988	
Total	\$6,715,643,181		\$6,760,121,905	
	\$6,620,415,451		\$6,666,530,687	
Incentive Programs (17802)				
Compensation Supplement	\$94,322,745		\$191,668,158	
Governor's Schools	\$19,504,533		\$20,130,033	
At-Risk Add-On (split funded)	\$149,902,435		\$173,236,717	
	\$149,886,328		\$173,220,888	
Clinical Faculty	\$318,750		\$318,750	
Career Switcher Mentoring Grants	\$279,983		\$279,983	
Special Education - Endorsement Program	\$437,186		\$437,186	
Special Education – Vocational Education	\$200,089		\$200,089	
Virginia Workplace Readiness Skills Assessment	\$308,655		\$308,655	
Math/Reading Instructional Specialists Initiative	\$1,834,538		\$1,834,538	
Early Reading Specialists Initiative	\$1,476,790		\$1,476,790	
Breakfast After the Bell Incentive	\$1,074,000		\$1,074,000	
School Meals Expansion	\$5,300,000		\$5,300,000	
Virginia Preschool Initiative - Per Pupil Amount	\$97,139,047		\$107,086,043	
Early Childhood Expansion	\$22,691,530		\$26,344,868	
Virginia Preschool Initiative - Provisional Teacher Licensure	\$306,100		\$306,100	
No Loss Funding	\$1,776,174		\$1,973,585	
Enrollment Loss	\$2,540,119		\$2,102,530	
Alleghany County - Covington City School Division Consolidation Incentive	\$0		\$582,000	
COVID-19 Local Relief Payments	\$95,227,730		\$0	
Total	\$399,412,674		\$534,660,025	
	\$494,624,297		\$534,644,196	
Categorical Programs (17803)				
Adult Education	\$1,051,800		\$1,051,800	
Adult Literacy	\$2,480,000		\$2,480,000	
American Indian Treaty Commitment	\$39,795		\$42,938	
School Lunch Program	\$5,801,932		\$5,801,932	
Special Education - Homebound	\$4,934,272		\$4,983,617	
Special Education - Jails	\$3,635,221		\$3,957,457	
Special Education - State Operated Programs	\$36,591,267		\$37,546,662	

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total		\$54,534,287		\$55,864,406
Lottery Funded Programs (17805)				
At-Risk Add-On (split funded)		\$58,195,186		\$60,940,599
		\$58,211,291		\$60,956,428
Foster Care		\$10,667,347		\$11,528,816
Special Education - Regional Tuition		\$101,152,929		\$101,152,929
Early Reading Intervention		\$28,874,557		\$28,952,264
Mentor Teacher		\$1,000,000		\$1,000,000
K-3 Primary Class Size Reduction		\$141,698,697		\$141,828,973
School Breakfast Program		\$7,238,768		\$7,920,136
SOL Algebra Readiness		\$15,194,903		\$15,239,492
Infrastructure and Operations Per Pupil Funds		\$262,983,700		\$266,241,801
Regional Alternative Education		\$9,526,559		\$9,834,814
Individualized Student Alternative Education Program (ISAEP)		\$2,247,581		\$2,247,581
Career and Technical Education – Categorical		\$12,400,829		\$12,400,829
Project Graduation		\$1,387,240		\$1,387,240
Race to GED (NCLB/EFAL)		\$2,410,988		\$2,410,988
Path to Industry Certification (NCLB/EFAL)		\$1,831,464		\$1,831,464
Supplemental Basic Aid		\$1,148,649		\$1,186,744
		\$1,132,544		\$1,170,915
Total		\$657,959,397		\$666,104,670
Technology – VPSA		\$57,533,200		\$57,832,400
Security Equipment - VPSA		\$12,000,000		\$12,000,000

Payments out of the above amounts shall be subject to the following conditions:

A. Definitions

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

a. School divisions shall take a count of September 30 fall membership and report this information to the Department of Education no later than October 15 of each year.

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at 1,257,188.55 the first year and 1,262,626.85 the second year. March 31 ADM for half-day kindergarten shall be adjusted at 85 percent.

c. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course, or receiving special education services required by a student's individualized education plan, shall be counted in the funded fall membership and March 31 ADM of the responsible school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
d. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 E shall be counted in the March 31 Average Daily Membership of the responsible school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.				
2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.				
3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), school nurses, operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.				
b. The state and local shares of funding resulting from the support cost calculation for school nurses shall be specifically identified as such and reported to school divisions annually. School divisions may spend these funds for licensed school nurse positions employed by the school division or for licensed nurses contracted by the local school division to provide school health services.				
4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2017-2018 school year and 1/3 of the index of wealth per capita (population estimates for 2017 as determined by the Weldon Cooper Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2017 - 50 percent; (2) adjusted gross income for the calendar year 2017 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2017 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2019.				
b. For any locality whose total calendar year 2017 Virginia Adjusted Gross Income is comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.				
c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional state funding for future consolidations shall be as set forth in future Appropriation Acts.				
2) In the case of the consolidation of Bedford County and Bedford City school divisions, the fifteen year period for the application of a new composite shall apply beginning with the fiscal year that starts on July 1, 2013. The composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2013, of any individual localities involved in such consolidation, and this index shall remain in				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.			
	3) If the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.			
	d.1) When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.			
	2.) A payment estimated at \$197,155 the first year and \$198,755 the second year from the general fund shall be disbursed to Montgomery County school division for a substantial error in the composite index of the locality for the 2020-2022 biennium. The composite index of any other locality shall not be changed as a result of the adjustment for Montgomery County.			
	e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.			
	5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.			
	6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.			
	7. "Planning District Eight" - The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.			
	8. "State Share of the Standards of Quality" - The state share of the Standards of Quality (SOQ) shall be equal to the total funded SOQ cost for a school division less the school division's estimated revenues from the state sales and use tax dedicated to public education based on the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, adjusted for the state's share of the composite index of local ability to pay.			
	9. Entitlements under this Item that use school-level or division-level Free Lunch eligibility percentages to determine the entitlement amounts are based on the most recent data available as of the biennial rebenchmarking calculations made for the current biennium. For schools that participate in the Community Eligibility Provision program, such entitlements are based on the most recent Free Lunch eligibility data available prior to that school's enrollment in the Community Eligibility Provision program.			
	10. In the event that the general fund appropriations in this Item are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of this Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total general fund appropriations after such			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

transfers remain insufficient to meet the entitlements of any program funded with general fund dollars, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in any program where such shortfall occurred.

11. The Department of Education is directed to apply a cap on inflation rates in the same manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school divisions during the biennial rebenchmarking process.

12. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to combine the end-of-year Average Daily Membership (ADM) for those school divisions who have partnered together as a fiscal agent division and a contractual division for the purposes of calculating prevailing costs included in the Standards of Quality (SOQ).

13. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to include zeroes in the linear weighted average calculation of support non-personal costs for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

14. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported travel expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

15. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported leases and rental and facility expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

16. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to fund transportation costs using a 15 year replacement schedule, which is the national standard guideline, for school bus replacement schedule for the purpose of calculating funded transportation costs included in the Standards of Quality (SOQ).

17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code of Virginia, any school division that was granted a waiver regarding the opening date of the school year for the 2011-2012 school year under the good cause requirements shall continue to be granted a waiver for the 2020-2021 school year and the 2021-2022 school year.

18. In the first year, to provide temporary flexibility, notwithstanding any other provision in statute or in this item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten through grade 7 and English classes for grades 6 through 12 by one additional student; the teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention, Intervention and Remediation, Gifted and Talented, Career and Technical funded programs (other than on Career and Technical courses where school divisions will have to maintain a maximum class size based on federal Occupational Safety & Health Administration safety requirements) are waived; and the instructional and support technology positions, and librarian staffing ratios for new hires are waived.

In the first year, school divisions shall report to the Board of Education the number and type of positions that were not filled in the previous school year and during the current school year through these flexibility provisions. The Board of Education shall include a compilation of such responses in its report on the conditions and needs of public education in the Commonwealth, that is required to be submitted to the Governor and General Assembly no later than December 1, as referenced in §§ 22.1-18 and 22.1-253.13:8 of the Code of Virginia.

B. General Conditions

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

Instructional Position	First Year Salary	Second Year Salary
Elementary Teachers	\$51,371	\$51,371
Elementary Assistant Principals	\$71,532	\$71,532
Elementary Principals	\$89,378	\$89,378
Secondary Teachers	\$53,777	\$53,777
Secondary Assistant Principals	\$77,181	\$77,181
Secondary Principals	\$99,215	\$99,215
Instructional Aides	\$18,995	\$18,995

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

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

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

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

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

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

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

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

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

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

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 5); Education of the Gifted, 1.0 professional instructional position (C 6); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 7 and C 8) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C 9).			
	b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.			
	c. Appropriations in this Item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.			
	d. To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.			
	e. To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.			
	f. To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.			
	g. Notwithstanding the provisions of subsection H of § 22.1-253.13:2, Code of Virginia, each school board shall employ the following full-time equivalent school counselor positions for any school that reports fall membership, according to the type of school and student enrollment: in elementary schools, one hour per day per 91 students, one full-time at 455 students, one hour per day additional time per 91 students or major fraction thereof; in middle schools, one period per 74 students, one full-time at 370 students, one additional period per 74 students or major fraction thereof; in high schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof.			
	8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure for the corresponding state fiscal year. In an effort to reduce the administrative burden on school divisions resulting from state data collections, such as the one needed to make the aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the adequacy of estimated required local expenditures, shall be satisfied by signed certification by each division superintendent at the beginning of each school year that sufficient local funds have been budgeted to meet all state required local effort and required local match amounts. This provision shall only apply to calculations required of the Department of Education related to estimated required local expenditures and shall not			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>pertain to the calculations associated with actual required local expenditures after the close of the school year.</p>			
	<p>2) The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education shall report annually, no later than the first day of the General Assembly session, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health, the results of such calculations made after the close of the school year and the degree to which each school division has met, failed to meet, or surpassed its required local expenditure. The Department of Education shall specify the calculations to determine if a school division has expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:</p>			
	<p>b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs will be calculated.</p>			
	<p>c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.</p>			
	<p>d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a. above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.</p>			
	<p>e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then</p>			
	<p>f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.</p>			
	<p>g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.</p>			
	<p>h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.</p>			
	<p>9.a. Any required local matching funds which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.</p>			
	<p>b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a., the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:</p>			
	<p>1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;</p>			
	<p>2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;</p>			
	<p>3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the</p>			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Department of Education for review and approval;				
4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and				
5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.				
c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.				
10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has expended the local funds required to support the actual local match based on all Lottery and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by July 1 each fiscal year in a manner prescribed by the Department of Education. As part of this certification process, each division superintendent must also certify that adequate local funds have been appropriated, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery and Incentive programs in which the school division has elected to participate. State funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.				
11. Any sum of local matching funds for Lottery and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.				
12. The Superintendent of Public Instruction shall provide a report annually, no later than the first day of the General Assembly session, on the status of teacher salaries, by local school division, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.				
13. All state and local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.				
14. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.				
15. School divisions may choose to use state payments provided for Standards of Quality Prevention, Intervention, and Remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program.				
16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
establishment and maintenance of the public schools.				
17. At the Department of Education's option, fees for audio-visual services may be deducted from state Basic Aid payments for individual local school divisions.				
18. For distributions not otherwise specified, the Department of Education, at its option, may use prior year data to calculate actual disbursements to individual localities.				
19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four semi-monthly installments at the middle and end of each month.				
20. Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2018, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2019, estimate of school age population provided by the Weldon Cooper Center for Public Service.				
Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2018, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2019, estimate of school age population provided by the Weldon Cooper Center for Public Service.				
21. The school divisions within the Tobacco Region, as defined by the Tobacco Indemnification and Community Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.				
22. This Item includes appropriations totaling an estimated \$657,959,397 the first year and \$666,104,670 the second year from the revenues deposited to the Lottery Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the fund.				
23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds as state funds.				
24.a. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2021 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2021 may carry over into FY 2022 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2022 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2022.				
b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2022 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2022 may carry over into FY 2023 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2023 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2023.				
25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum.				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
26. The Department of Education shall include in the annual School Performance Report Card for school divisions the percentage of each division's annual operating budget allocated to instructional costs. For this report, the Department of Education shall establish a methodology for allocating each school division's expenditures to instructional and non-instructional costs in a manner that is consistent with the funding of the Standards of Quality as approved by the General Assembly.				
27. It is the intent of the General Assembly that all school divisions annually provide their employees, upon request, with a user-friendly statement of total compensation, including contract duration if less than 12 months.				
28. The Department of Education, in collaboration with the Virginia Community College System, will ensure that the same policies regarding the cost for dual enrollment courses held at a community college, are consistently applied to public school students and home-schooled students alike. These policies will clearly address the school division contributions and any student charges for dual enrollment courses, and will ensure that public school students and home-school students are treated in the same manner.				
29. Each school division shall report each year to the Department of Education the individual uses for the prior year of the following funds prescribed by this item: (i) Prevention, Intervention, and Remediation, (ii) At-Risk Add-On, and (iii) Early Reading Intervention. The Department shall prescribe the format and timeline required for the reporting of such information, which shall include, permitted categories of spending, personnel, both state and local contributions, and to the extent possible, the individual schools which these funds were expended. The Department shall compile and submit this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than the first day of the General Assembly session.				
<i>30. In the first year only, the Department of Education shall not reduce semi-monthly payments to school divisions due to mid-year adjustments to ADM projections. Semi-monthly payments occurring after the final calculation of March 31 ADM shall be adjusted to address changes in membership that occur throughout the school year. It is the intent of the General Assembly that this is a one-time action to address fluctuating enrollment resulting from the COVID-19 emergency.</i>				
C. Apportionment				
1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.				
2. School Employee Retirement Contributions				
a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional and support personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.				
b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional and support positions, distributed based on the composite index of the local ability-to-pay.				
3. School Employee Social Security Contributions				
a. This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.				
b. Appropriations for contributions in paragraphs 2 and 3 above include payments from funds derived from the principal of the Literary Fund in accordance with Article VIII,				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes shall not exceed \$162,000,000 the first year and \$83,000,000 the second year.				
4. School Employee Insurance Contributions				
This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.				
5. Basic Aid Payments				
a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.				
2) This appropriation includes funding to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District Eight. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments for instructional and support positions have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District Eight.				
The support COCA rate is 16.0 percent.				
b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.				
c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.				
d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Behavioral Health and Developmental Services from the locality's Basic Aid payments.				
2) The amounts deducted from Basic Aid for the education of intellectually disabled persons shall be transferred to the Department of Behavioral Health and Developmental Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Behavioral Health and Developmental Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.				
e. 1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of Basic Aid in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.				
2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

f. Textbooks

1) The appropriation in this Item includes \$75,370,476 the first year and \$75,647,111 the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of \$107.47 the first year and \$107.47 the second year. A school division shall appropriate these funds for textbooks or any other public education instructional expenditure by the school division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

2) School divisions shall provide free textbooks to all students.

3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials. School divisions may also use these funds to purchase electronic textbooks or other electronic media resources integral to the curriculum and classroom instruction and the technical equipment required to read and access the electronic textbooks and electronic curriculum materials.

4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2021, or June 30, 2022, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose. School divisions are permitted to carry forward any remaining balance of textbook funds until the funds are expended for a qualifying purpose.

5) Notwithstanding any other provision in statute or in this item, to provide temporary flexibility in the first year, school divisions may elect to use textbook payments to address costs incurred as a result of reopening schools that were closed due to the COVID-19 pandemic or to support virtual learning needs in school divisions that have not fully reopened to in-person instruction. Such costs may include, but are not limited to cleaning supplies, personal protective equipment, reduced class sizes to meet social distancing guidelines, technology needs and internet access. No local match is required to receive these state funds in the first year only and such local match shall be excluded from the determination of required local effort in the first year pursuant to Item 145.B.8. of this act, and § 22.1-97, Code of Virginia.

g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item shall be reflected in each locality's annual budget for educational purposes as a separate revenue source for the current fiscal year.

h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at ~~\$426,900,000~~ \$365,700,000 the first year and ~~\$433,700,000~~ \$375,900,000 the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.

i. From the total amounts in paragraph h. above, an amount estimated at ~~\$284,600,000~~ \$243,800,000 the first year and ~~\$289,200,000~~ \$250,600,000 the second year (approximately 1/4 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
j.	From the total amounts in paragraph h. above, an amount estimated at \$142,300,000 \$125,300,000 the first year and \$144,600,000 \$121,900,000 the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item.			
k.	For the purposes of funding certain support positions in Basic Aid, a funding ratio methodology is used based upon the prevailing ratio of actual support positions, consistent with those recognized for SOQ funding, to actual instructional positions, consistent with those recognized for SOQ funding, as established in Chapter 781, 2009 Acts of Assembly. For the purposes of making the required spending adjustments, the appropriation and distribution of Basic Aid shall reflect this methodology. Local school divisions shall have the discretion as to where the adjustment may be made, consistent with the Standards of Quality funded in this Act.			
6.	Education of the Gifted Payments			
a.	An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.			
b.	Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.			
7.	Occupational-Vocational Education Payments			
a.	An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.			
b.	An amount estimated at \$129,097,464 the first year and \$129,160,173 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.			
8.	Special Education Payments			
a.	An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.			
b.	Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.			
9.	Remedial Education Payments			
a.	An additional payment estimated at \$121,073,126 the first year and \$121,259,822 the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality Prevention, Intervention, and Remediation program adopted in June 2003.			
b.	The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year average failure rates for English and math Standards of Learning test scores to 18:1 for those divisions with the lowest combined three year average failure rates for English and math			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Standards of Learning test scores.

c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

d. To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the SOQ Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the staffing standard of 20 instructional positions per 1,000 limited English proficiency students. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.

e. An additional state payment estimated at ~~\$149,902,435~~ \$149,886,328 the first year and ~~\$173,236,717~~ \$173,220,888 the second year from the general fund and ~~\$58,195,186~~ \$58,211,291 the first year and ~~\$60,940,599~~ \$60,956,428 the second year from the Lottery Proceeds Fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:

1) A minimum 1.0 percent Add-On, as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program; and

2) An addition to the Add-On, based on the concentration of children qualifying for the federal Free Lunch Program. Based on its percentage of Free Lunch participants, each school division will receive a total between 1.0 and 23.0 percent in the first year and between 1.0 and 26.0 percent in the second year in additional basic aid per Free Lunch participant. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3a) Local school divisions are required to spend the established At-Risk Add-On payment (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local share of the At-Risk Add-On payment will be used to support approved programs for students who are educationally at risk. These programs may include: teacher recruitment programs and incentives, Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak English as a Second Language, hiring additional school guidance counselors, testing coordinators, and licensed behavior analysts, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. Further, in the first year only each school division shall report by August 1 to the Department the individual uses of these funds. The Department shall compile the responses and provide them to the Chairmen of House Appropriations and Senate Finance Committees no later than the first day of each Regular General Assembly Session.

4) If the Board of Education has required a local school board to submit a corrective action plan pursuant to § 22.1-253.13:3, Code of Virginia, either for the school division pursuant to a division level review, or for any schools within its division that have been designated as not meeting the standards as approved by the Board of Education, the Superintendent of Public Instruction shall determine and report to the Board of Education whether each such local school board has met its obligation to develop and submit such corrective action plan(s) and is making adequate and timely progress in implementing the plan(s). Additionally, if an academic or other review process undertaken pursuant to § 22.1-253.13:3, Code of Virginia, has identified actions for a local school board to implement, the Superintendent of Public Instruction shall determine and report to the Board of Education whether the local school board has implemented required actions. If the Superintendent certifies that a local school board has failed or refused to meet any of those obligations as referenced in a memorandum of understanding between the local school board and the Board of Education, the Board of Education shall withhold payment

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-On funds to be withheld, the Board of Education shall take into consideration the extent to which such funds have already been expended or contractually obligated. The local school board shall be given an opportunity to correct its failure and, if successful in a timely manner, may have some or all of its At-Risk Add-On funds restored at the Board of Education's discretion.</p>			
	<p>f. Regional Alternative Education Programs</p>			
	<p>1) An additional state payment of \$9,526,559 the first year and \$9,834,814 the second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.</p>			
	<p>2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological, and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.</p>			
	<p>3) a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.</p>			
	<p>b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.</p>			
	<p>1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.</p>			
	<p>2. However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.</p>			
	<p>3. The Department of Education shall provide assistance for the state share of the incremental cost of Regional Alternative Education program operations based on the composite index of local ability-to-pay.</p>			
	<p>4) Out of the appropriation included in paragraph C.38. of this item, \$304,117 the first year and \$612,979 the second year from the Lottery Proceeds Fund are provided for a compensation supplement payment equal to 2.0 percent of base pay on July 1, 2020, and for a compensation supplement payment equal to 2.0 percent of base pay on July 1, 2021, for Regional Alternative Education Program instructional and support positions, as referenced in paragraph C. 38. of this item.</p>			
	<p>5) The Department of Education shall develop a plan to determine and biennially rebenchmark the allocation of existing regional alternative education program slots to participating school divisions. In developing a plan, the Department shall (i) identify a mechanism to calculate slot distribution based on the number of students in a participating division requiring regional alternative education, (ii) identify needs to implement such a plan,</p>			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

including reporting from local school divisions, (iii) identify any legislative and Appropriation Act amendments necessary for implementation, and (iv) plan for the full implementation to rebenchmark the slot allocation of regional alternative education programs. The Department shall report the recommendation to the Secretary of Education, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by August 1, 2021.

g. Remedial Summer School

1) This appropriation includes \$22,625,279 the first year and \$22,584,988 the second year from the general fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

10. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at \$141,698,697 the first year and \$141,828,973 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

Qualifying School Percentage of Students Approved Eligible for Free Lunch, Three-Year Average	Grades K-3 School Ratio	Maximum Individual K-3 Class Size
30% but less than 45%	19 to 1	24
45% but less than 55%	18 to 1	23
55% but less than 65%	17 to 1	22
65% but less than 70%	16 to 1	21
70% but less than 75%	15 to 1	20
75% or more	14 to 1	19

e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. In the event that a school division requires additional actions to ensure participation at the established ratio and/or maximum individual class size, such actions must be completed by December 1 of the impacted school year. Special education teachers and instructional aides shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

level in the school.

11. Literary Fund Subsidy Program Payments

a. The Department of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. The program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on the First or Second Literary Fund Waiting List, or other critical projects which may receive priority placement on the First or Second Literary Fund Waiting List by the Department of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Department of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.

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

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

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

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

12. Educational Technology Payments

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

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

Table 1

Grant Year	FY 2021	FY 2022
2016	\$13,755,000	
2017	\$13,952,250	\$13,954,500
2018	\$12,473,250	\$12,469,500
2019	\$11,978,250	\$11,975,500
2020	\$12,291,266	\$12,291,266

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
2021			\$12,568,314	

c. It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs. In developing the proposed 2022-2024, 2024-2026, and 2026-2028 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2023, 2024, 2025, 2026, and 2027.

d. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at \$57,533,200 in fiscal year 2021 and \$57,832,400 in fiscal year 2022. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) Grant funds from the issuance of \$57,533,200 in fiscal year 2021 and \$57,832,400 in fiscal year 2022 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2020, for the fiscal year 2021 issuance, and September 30, 2021, for the fiscal year 2022 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, CodeRVA Regional High School, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.

3. a.) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that include a ninth grade that administer SOL tests in Spring 2020 and that are not fully accredited for the second consecutive year, based on school accreditation ratings in effect for fiscal year 2020 and fiscal year 2021 will qualify to participate in the Virginia e-Learning Backpack Initiative in fiscal year 2021 and receive: (1) a supplemental grant of \$400 per student reported in ninth grade fall membership in a qualifying school for the purchase of a laptop or tablet for that student and (2) a supplemental grant of \$2,400 per qualifying school to purchase two content creation packages for teachers. Schools eligible to receive this supplemental grant in fiscal year 2021 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Schools that administer SOL tests in Spring 2021 and that are not fully accredited for the second consecutive year based on school accreditation ratings in effect for fiscal year 2021 and fiscal year 2022 will qualify to participate in the initiative in fiscal year 2022. Schools eligible for the supplemental grants in previous fiscal years shall continue to be eligible for the remaining years of their grant award. Schools eligible to receive this supplemental grant in fiscal year 2022 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Grants awarded to qualifying schools that do not have grades 10, 11, or 12 may transition with the students to the primary receiving school for all years subsequent to grade 9. Schools are eligible to receive these grants for a period of up to four years beginning in fiscal year 2014 and shall not be eligible to receive a separate award in the future once the original award period has concluded. Schools that are fully accredited or that are new schools with conditional accreditation in their first year shall not be eligible to receive this supplemental grant.

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

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
4) Required local match:				
a) Localities are required to provide a match for these funds equal to 20 percent of the grant amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25 percent of the local match, including the match for supplemental grants, shall be used for teacher training in the use of instructional technology, with the remainder spent on other required uses. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.				
b) School divisions that administer 100 percent of SOL tests online in all elementary, middle, and high schools may use up to 75 percent of their required local match to purchase targeted technology-based interventions. Such interventions may include the necessary technology and software to support online learning, technology-based content systems, content management systems, technology equipment systems, information and data management systems, and other appropriate technologies that support the individual needs of learners. School divisions that receive supplemental grants pursuant to paragraph g.5) above shall use the funds in qualifying schools to purchase laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers.				
5) The goal of the education technology grant program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions and to increase the number of schools achieving full accreditation.				
6) Funds shall be used in the following manner:				
a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.				
b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.				
c) For purposes of establishing or enhancing a computer-based instructional program supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to purchase handheld multifunctional computing devices that support a broad range of applications and that are controlled by operating systems providing full multimedia support and mobile Internet connectivity. School divisions that elect to use these grant funds to purchase such qualifying handheld devices must continue to meet the on-line testing requirements stated in paragraph g. 1) above.				
d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph g.5) above. These supplemental grants shall be used in qualifying schools for the purchase of laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers. Participating school divisions will be required to select a core set of electronic textbooks, applications and online services for productivity, learning management, collaboration, practice, and assessment to be included on all devices. In addition, participating school divisions will assume recurring costs for electronic textbook purchases and maintenance.				
e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.				
7) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.				
e. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Department of Education shall be responsible for the project management of this program.

f. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.

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

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

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

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

13. Security Equipment Payments

1) A security equipment grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at up to \$12,000,000 in fiscal year 2021 and \$12,000,000 in fiscal year 2022 in conjunction with the Virginia Public School Authority technology notes program authorized in C.12. of this Item. Proceeds of the notes will be used to help offset the related costs associated with the purchase of appropriate security equipment that will improve and help ensure the safety of students attending public schools in Virginia.

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

Table 1

Grant Year	FY 2021	FY 2022
2016	\$1,233,750	
2017	\$1,246,000	\$1,249,500
2018	\$1,273,500	\$1,273,500

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	2019	\$1,258,500	\$1,261,750	
	2020	\$2,620,255	\$2,620,255	
	2021		\$2,620,255	

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2022-2024, 2024-2026, and 2026-2028 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2023, 2024, 2025, 2026, and 2027.

4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes on such date, there is hereby appropriated to the Virginia Public School Authority from the general fund a sum equal to such deficiency.

5) The Chairman of the Board of Commissioners of the Virginia Public School Authority shall, on or before November 1 of each year, deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes issued and projected to be issued during such biennium. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

6) Grant award funds from the issuance of up to \$12,000,000 in fiscal year 2021 and \$12,000,000 in fiscal year 2022 in equipment notes shall be distributed to eligible school divisions. The grant awards will be based on a competitive grant basis of up to \$250,000 per school division. School divisions will be permitted to apply annually for grant funding. For purposes of this program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2020, for the fiscal year 2021 issuance, and September 30, 2021, for the fiscal year 2022 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.

7) School divisions would submit their application to Department of Education by August 1 of each year based on the criteria developed by the Department of Education in collaboration with the Department of Criminal Justice Services who will provide requested technical support. Furthermore, the Department of Education will have the authority to make such grant awards to such school divisions.

8) It is also the intent of the General Assembly that, beginning with fiscal year 2020, the total amount of the grant awards shall not exceed \$60,000,000 over any ongoing revolving five year period.

9) Required local match:

a) Localities are required to provide a match for these funds equal to 25 percent of the grant amount. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

c) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

14. Virginia Preschool Initiative Payments

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
a.1) It is the intent of the General Assembly that a payment estimated at \$97,139,047 \$80,539,047 the first year and \$107,086,043 the second year from the general fund <i>and \$16,600,000 the first year from federal funds</i> shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds who are residents of Virginia and unserved by Head Start program funding and for at-risk five-year-olds who are not eligible to attend kindergarten.				
2) These state funds and required local matching funds shall be used to provide programs for at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement and transportation. It shall be the policy of the Commonwealth that state funds and required local matching funds for the Virginia Preschool Initiative not be used for capital outlay, not be used to supplant any Head Start federal funds provided for local early education programs, and not be used until the local Head Start grantee certifies that all local Head Start slots are filled. Programs must provide full-day or half-day and, at least, school-year services.				
3) The Department of Education shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating school division and the school divisions must certify that the Virginia Preschool Initiative program follows the established standards in order to receive the funding for quality preschool education and criteria for the service components. Such standards shall align with the Virginia Standards of Learning for Kindergarten.				
4) a) Grants shall be distributed based on an allocation formula providing the state share of a \$6,959 per pupil grant in the first year and a \$7,655 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. The number of unserved at-risk four-year-olds in each locality shall be based on the projected number of kindergarten students, updated once each biennium for the Governor's introduced biennial budget. Grants to half-day programs shall be funded based on the state share of \$3,480 in the first year and \$3,828 in the second year per unserved at-risk four-year-old in each locality.				
b) Out of this appropriation, \$2,837,266 the first year and \$6,117,049 the second year from the general fund is provided to serve at-risk three-year-olds who are residents of Virginia and unserved by Head Start funding on a pilot basis using criteria as determined by the Department of Education. Localities may apply to participate in the pilot by May 15 each year and shall be selected on a competitive basis. Pilot providers shall be required to: (i) demonstrate broad stakeholder support, (ii) track outcomes for participating children, (iii) demonstrate how they will maximize federal and state funds to preserve existing birth to five slots, including certifying that all local Head Start slots are filled, (iv) support inclusive practices of children with identified special needs, and (v) collaborate among the school division, local department of social services, programs accepting child care subsidy payments, and providers for Head Start, private child care, and early childhood special education and early intervention programs. In addition, localities shall be selected using other criteria that include prioritizing: (i) communities with limited child care options; (ii) programs serving children in private, mixed-delivery settings; or (iii) communities that demonstrate full support of public and private providers. Grants shall be distributed based on an allocation formula providing the state share of a \$6,959 per pupil grant in the first year, and a \$7,655 per pupil grant in the second year. Grants to half-day programs shall be funded based on the state share of \$3,480 in the first year, and \$3,828 in the second year.				
c) Full-day programs shall operate for a minimum of five and one-half instructional hours, excluding breaks for meals, and half-day programs shall operate for a minimum of three hours of classroom instructional time per day, excluding breaks for lunch. Virginia Preschool Initiative programs may include unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness in any calculation of total instructional time, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours. No additional state funding is provided for programs operating greater than three hours per day but less than five and				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	one-half hours per day. In determining the state and local shares of funding, the composite index of local ability-to-pay is capped at 0.5000.			
	d) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days or 990 teaching hours.			
	b.1) Any locality that desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year. The chief administrator, in conjunction with the school superintendent, shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk children, which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children. Starting in fiscal year 2021, localities may apply for additional funds to serve at-risk three-year-old children on a pilot basis.			
	2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups identified by the lead agency. The proposal must identify which entities were consulted and how the locality will ensure that federal funds are preserved and maximized including demonstrating compliance with Title I of the federal Elementary and Secondary Education Act to ensure that a Local Educational Agency receiving Title I funding coordinates with Head Start programs and other early learning programs receiving federal funds by developing Memorandums of Understanding with such agencies to coordinate services. The proposal must also demonstrate a plan for supporting inclusive practices for children with identified special needs.			
	3) A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs, however, at least fifty percent of the local match will be cash and no more than fifty percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Philanthropic or other private funds may be contributed to the locality to be appropriated in their local budget and then utilized as local match. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is unable to continue the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such inability may occur due to adjustments to the allocation formula in the reauthorization of ESEA as the Every Student Succeeds Act of 2015, or due to a percentage reduction in a locality's Title I allocation in a particular year. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.			
	c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:			
	1) "Wraparound Services" -- methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.			
	2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.			
	3) "Expansion of Service" - methods for using grant funds to purchase slots within existing programs, such as Head Start, which provides comprehensive services to at-risk three- and four-year-old children.			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
d.	Local plans must indicate the number of at-risk four-year-old children to be served, and the eligibility criteria for participation in this program shall be consistent with the economic and educational risk factors stated in the 2015-2016 programs guidelines that are specific to: (i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness, (iii) student's parents or guardians are school dropouts, or (iv) family income is above 200 percent but at or below 350 percent of federal poverty guidelines in the case of students with special needs or disabilities. Up to 15 percent of a division's slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. If applicable, local plans must also indicate the number of at-risk three-year-old children to be served using the same eligibility criteria listed above. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.			
e.1)	The Department of Education shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program that prepares all participants for kindergarten.			
2)	The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk three- and four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk three- and four-year-old population is currently unserved.			
f.	The Department of Education shall include in the program's application package specific information regarding the potential availability of funding for supplemental grants that may be used for one-time expenses, other than capital, related to start-up or expansion of programs, with priority given to proposals for expanding the use of partnerships with either nonprofit or for-profit providers. Furthermore, the Department is mandated to communicate to all eligible school divisions the remaining available balances in the program's adopted budget, after the fall participation reports have been submitted and finalized for such grants.			
g.	Out of this appropriation, \$3,982,079 the first year and \$3,285,258 the second year from the general fund is provided to support Virginia Preschool Initiative slots to serve children on wait lists. In each year, unused grants distributed as provided in paragraph C.14.a.4. of this Item shall be redistributed based on guidelines established by the Department of Education subject to the appropriation available for this purpose. Such guidelines shall provide the criteria used to redistribute grants and provide for the notification of grants redistribution to programs no later than July 1 of each year. The Department shall conduct this process annually, and the redistribution shall not affect the allocation formula for the subsequent year.			
h.1)	Out of this appropriation, \$5,020,000 the first year and \$5,005,000 the second year from the general fund is provided to support an add-on grant per child for approximately 2,000 children to incentivize mixed-delivery of services through private providers. These add-on grants are intended to provide funds to minimize the difference between the amount of the per-pupil grant allocation and the per-pupil cost to serve a child in a community-based or private provider setting. Recipients of the add-on grants will be encouraged to support classrooms that support inclusive practices of children with special needs. Localities shall indicate in their plans submitted pursuant to C.14.b.1 of this Item how many of their Virginia Preschool Initiative slots will be provided in community-based or private provider settings to receive the add-on grant.			
2)	The amount of these add-on grants shall vary by region in fiscal year 2021 and provide a grant of: (i) \$3,500 per child for divisions in Planning District 8, (ii) \$2,500 per child for divisions in Planning District 15, Planning District 23, and for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, and (iii) \$1,500 per child in any other division.			
3)	The Department of Education shall develop a plan to determine the magnitude of the			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>gap between regional prevailing child care market rates and the Virginia Preschool Initiative per pupil amount. The Department shall establish a schedule designating the amount of the add-on grants for each school division for fiscal year 2022. The amount of the add-on grant plus the Virginia Preschool Initiative per pupil amount shall not exceed prevailing child care market rates in a particular region. The Department shall report on the established schedule to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.</p>				
<p>i. The Department of Education shall develop a plan to determine, recognize, and biennially rebenchmark the per-student funding amount of the Virginia Preschool Initiative, similar to the current formula supporting public K-12 education in Virginia. In developing such plan, the Department shall (i) identify needs to implement such plan, including reporting from local school divisions, (ii) include relevant stakeholders, including school division finance staff and local Virginia Preschool Initiative administrators, (iii) identify any legislative or Appropriation Act amendments necessary for implementation, and (iv) plan for full implementation to benchmark the per-student funding amount of the Virginia Preschool Initiative.</p>				
<p>j. Out of this appropriation, \$6,419,996 the first year and \$7,062,088 the second year from the general fund is provided to support increased Virginia Preschool Initiative teacher to student ratios and class sizes, as follows:</p>				
<p>1) Any classroom that exceeds benchmarks set by the Board of Education shall be staffed as follows: (i) one teacher shall be provided for any class of ten students or less; (ii) if the enrollment in any class exceeds ten students but does not exceed 20, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 20 students.</p>				
<p>2) All other classrooms shall be staffed as follows: (i) one teacher shall be employed for any class of nine students or less; (ii) if the enrollment in any class exceeds nine students but does not exceed 18, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 18 students.</p>				
<p>k. Out of this appropriation, \$306,100 the first year and \$306,100 the second year from the general fund is allocated for the Department of Education to provide grants of no more than \$30,000 each for local school divisions that have applied for such funds for the sole purpose of providing financial incentives to provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative and who are actively engaged in coursework and professional development, toward achieving the required degree and license that satisfy the licensure requirements reflected in § 22.1-299, Code of Virginia. School divisions must submit applications to the Department of Education by December 1 of each year. Priority for awarding grants shall be given to hard-to-staff schools and schools with the highest number of provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative. The Department of Education shall develop the application process to be provided to school divisions that have provisionally licensed teachers employed and are teaching students enrolled in the Virginia Preschool Initiative.</p>				
<p>l. 1.) The Department of Education shall collect information from local programs and from pilot providers participating in the Virginia Early Childhood Foundation's pilot Mixed-Delivery Preschool Initiative established in Item 144 as needed to compile a comprehensive report on the usage of state funds detailing, but not limited to the number of calculated slots and funding allocated to each local program or pilot provider, and the number of such slots that have been filled.</p>				
<p>2.) Such comprehensive report shall be aggregated in a manner to identify: (i) funding and the number of slots used to serve a student in a public school and non-public school setting, (ii) the number of three-year olds served, (iii) waitlist slots requested, offered, and provided, (iv) the number of students served whose families are at or below 130 percent poverty, above 130 percent but at or below 200 percent of poverty, above 200 percent but at or below 350 percent of poverty, and above 350 percent of poverty.</p>				
<p>3.) Such comprehensive report shall include details regarding any supplemental grants awarded pursuant to paragraph f.</p>				
<p>4.) The Department shall submit such comprehensive report to the Chairs of the House</p>				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Appropriations and Senate Finance and Appropriations Committees no later than December 31 each year.

5.) The Department shall develop a plan for comprehensive public reporting on early childhood expenditures, outcomes, and program quality to replace this reporting requirement. Such plan shall consider the components included in this reporting requirement, and include all publicly-funded providers as defined in House Bill 1012 and Senate Bill 578. The plan shall identify any fiscal, legislative, or regulatory barriers to implementing such public reporting, and shall consider integration with the Department's School Quality Profiles. Such plan shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

m. Out of this appropriation, \$2,042,044 the first year and \$2,246,277 the second year from the general fund is provided to support approximately an additional 609 Virginia Preschool Initiative slots that were previously filled under the Virginia Preschool Initiative Plus (VPI Plus). These slots are intended to hold harmless eight school divisions that participated in VPI Plus during the 2019-2020 school year, by allocating the same number of slots to those eight school divisions.

n. Out of this appropriation, \$4,432,189 the first year and \$4,875,473 the second year from the general fund is provided as flexible funding available to supplement any of the other initiatives provided in section C.14 of this item.

15. Early Reading Intervention Payments

a. An additional payment of \$28,874,557 the first year and \$28,952,264 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

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

	Year 1	Year 2
Kindergarten	100%	100%
Grade 1	100%	100%
Grade 2	100%	100%
Grade 3	100%	100%

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. At the beginning of the school year, local school divisions shall partner with the parents of those third grade students in the division who demonstrate reading deficiencies, discussing with them a developed plan for remediation and retesting. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; full-time early literacy tutors; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs;

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.			
	d. In the event that a school division does not use the diagnostic test provided by the Department of Education in the year that serves as the basis for updating the funding formula for this program but has used it in past years, the Department of Education shall use the most recent data available for the division for the state-provided diagnostic test.			
	e. The results of all reading diagnostic tests and reading remediation shall be discussed with the student and the student's parent prior to the student being promoted to grade four.			
	f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation, Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of this program.			
	16. Standards of Learning Algebra Readiness Payments			
	a. An additional payment of \$15,194,903 the first year and \$15,239,492 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. These amounts reflect \$200,000 the first year and \$200,000 the second year apportioned to each school division to account for the cost of the diagnostic test. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.			
	b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.			
	c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.			
	17. School Construction Grants Program Escrow			
	Notwithstanding the requirements of § 22.1-175.5, Code of Virginia, school divisions are permitted to withdraw funds from local escrow accounts established pursuant to § 22.1-175.5 to pay for recurring operational expenses incurred by the school division. Localities are not required to provide a local match of the withdrawn funds.			
	18. English as a Second Language Payments			
	A payment of \$82,232,407 the first year and \$95,145,149 the second year from the general fund shall be disbursed by the Department of Education to local school divisions to support the state share of 20 professional instructional positions per 1,000 students for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.			
	19. Special Education Instruction Payments			
	a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at \$101,152,929 the first year and \$101,152,929 the second year from the Lottery Proceeds Fund for the purpose of the state's share of the tuition rates for approved public Special Education Regional Tuition school programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

c. Out of the amounts for Financial Assistance for Categorical Programs, \$36,591,267 the first year and \$37,546,662 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The portion of these funds provided for educational services to children residing in local or regional detention homes shall only be determined on the basis of children detained in such facilities through a court order issued by a court of the Commonwealth. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2020 and the first three quarters of FY 2021. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2021 and the first three quarters of FY 2022.

20. Vocational Education Instruction Payments

a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

b. This appropriation includes \$1,800,000 the first year and \$1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical equipment. A base allocation of \$2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality. Local school divisions are not required to provide a local match in order to receive these state funds.

c.1) This appropriation includes an additional \$2,000,000 the first year and \$2,000,000 the second year from the Lottery Proceeds Fund to update vocational-technical equipment to industry standards providing students with classroom experience that translates to the workforce.

2) Of this amount, \$1,400,000 the first year and \$1,400,000 the second year is provided for vocational-technical equipment in high-demand, high-skill, and fast-growth industry sectors as identified by the Virginia Board of Workforce Development and based on data from the Bureau of Labor Statistics and the Virginia Employment Commission.

3) Of this amount, \$600,000 the first year and \$600,000 the second year will be awarded based on competitive innovative program grants for high-demand and fast-growth industry sectors with priority given to state-identified challenged schools, the Governor's Science Technology, Engineering, and Mathematics (STEM) academies, and the Governor's Health Science Academies.

d. This appropriation includes \$500,000 the first year and \$500,000 the second year from the Lottery Proceeds Fund to support credentialing testing materials for students and professional development for instructors in science, technology, engineering, and mathematics-health sciences (STEM-H) career and technical education programs.

21. Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
noncredit courses.				
22. General Education Payments				
a. This appropriation includes \$2,410,988 the first year and \$2,410,988 the second year from the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the first year and \$465,375 the second year shall be used for PluggedIn VA.				
b. This appropriation includes \$1,387,240 the first year and \$1,387,240 the second year from the Lottery Proceeds Fund to support Project Graduation and any associated administrative and contractual service expenditures related to this initiative.				
23. Individual Student Alternative Education Program (ISAEP) Payments				
Out of this appropriation, \$2,247,581 the first year and \$2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.				
24. Foster Children Education Payments				
a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil of school age as defined in § 22.1-1, Code of Virginia, not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home.				
b. This appropriation provides \$10,667,347 the first year and \$11,528,816 the second year from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item for this support.				
25. Sales Tax Payments				
a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).				
b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.				
c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.				
d. Included in this appropriation are the accelerated sales tax revenues attributable to §58.1-638 B., D., and F.1., Code of Virginia, and collected pursuant to §3-5.06 of this act.				
26. Adult Literacy Payments				
a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College.				
b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year and \$100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.				
27. Governor's School Payments				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
a.	Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed to students for participation in this program.			
b.1)	Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed to students for participation in this program if they are enrolled in a public school.			
2)	Out of the amounts for Governor's School Payments, \$41,000 the first year and \$41,000 the second year is provided to support the Hanover Regional Summer Governor's School for Career and Technical Advancement, which was established pursuant to Chapter 425, 2014 Acts of Assembly, and Chapter 665, 2015 Acts of Assembly.			
c.	For the Summer Governor's Schools and Foreign Language Academies programs, the Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs offered, length of programs, and the number of students enrolled in order to maintain costs within the available state and local funds for these programs.			
d.	It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.			
e.	The Board of Education shall not take any action that would increase the state's share of costs associated with the Governor's Schools as set forth in this Item. This provision shall not prohibit the Department of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.			
f.1)	Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,800 students per Governor's School in the first year and a cap of 1,800 students per Governor's School in the second year. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.			
2)	Students attending a revolving Academic Year Governor's School program for only one semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30th and January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor's School programs that admit students on a semester basis.			
3)	Students attending a continuous, non-revolving Academic Year Governor's School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor's School program will be adjusted based upon actual September			

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor's School programs that only admit students at the beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.

g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12 programs.

h. Out of the appropriation included in paragraph C. 38. of this item, \$408,502 the first year and \$834,740 the second year from the general fund is provided in the Academic Year Governor's School funding allocation to increase the per pupil amount the second year as an add-on for a compensation supplement payment equal to 2.0 percent of base pay on July 1, 2020, and for a compensation supplement payment equal to 2.0 percent of base pay on July 1, 2021, for Academic Year Governor's School instructional and support positions.

i. Each Academic Year Governor's School shall set diversity goals for its student body and faculty, and develop a plan to meet said goals in collaboration with community partners at public meetings. Each school shall submit a report to the Governor by October 1 of each year on its goals and status of implementing its plan. The report shall include, but not be limited to the following: utilization of universal screenings in feeder divisions; admission processes in place or under consideration that promote access for historically underserved students; and outreach and communication efforts deployed to recruit historically underserved students. The report shall include the racial/ethnic make-up and socioeconomic diversity of its students, faculty, and applicants.

28. School Nutrition Payments

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

29. School Breakfast Payments

a. Out of this appropriation, \$7,238,768 the first year and \$7,920,136 the second year from the Lottery Proceeds Fund is included to continue a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be \$0.22; however, the department is authorized, but not required to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

b. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.

c.1) Out of this appropriation, \$1,074,000 the first year and \$1,074,000 the second year from the general fund is provided to fund an After-the-Bell Model breakfast program available on a voluntary basis to elementary, middle, and high schools where student eligibility for free or reduced lunch exceeds 45.0 percent for the participating eligible school, and to provide additional reimbursement for eligible meals served in the current traditional school breakfast program at all grade levels in any participating school. The Department of Education is directed to ensure that only eligible schools receive reimbursement funding for participating

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

in the After-the-Bell school breakfast model. The schools participating in the program shall evaluate the educational impact of the models implemented that provide school breakfasts to students after the first bell of the school day, based on the guidelines developed by the Department of Education and submit the required report to the Department of Education no later than August 31 each year.

2) The Department of Education shall communicate, through Superintendent's Memo, to school divisions the types of breakfast serving models and the criteria that will meet the requirements for this State reimbursement, which may include, but are not limited to, breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School divisions may determine the breakfast serving model that best applies to its students, so long as it occurs after the instructional day has begun. The Department of Education shall monthly transfer to each school division a reimbursement rate of \$0.05 per breakfast meal that meets either of the established criteria in elementary schools and a reimbursement rate of \$0.10 per breakfast meal that meets either of the established criteria in middle or high schools.

3) No later than July 1 each year, the Department of Education shall provide for a breakfast program application process for school divisions with eligible schools, including guidelines regarding specified required data to be compiled from the prior school year or years and for the upcoming school year program. The number of approved applications shall be based on the estimated number of sites that can be accommodated within the approved funding level. The Department of Education shall set criteria for establishing priority should the number of applications from eligible schools exceed the approved funding level. The reporting requirements must include: chronic absenteeism rates, student attendance and tardy arrivals, office discipline referrals, student achievement measures, teachers' and administrators' responses to the impact of the program on student hunger, student attentiveness, and overall classroom learning environment before and after implementation, and the financial impact on the division's school food program. Funded schools that do not provide data by August 31 are subject to exclusion from funding in the following year. The Department of Education shall collect and compile the results of the breakfast program and shall submit the report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1 following each school year.

30. Clinical Faculty and Mentor Teacher Program Payments

This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation also includes \$318,750 the first year and \$318,750 the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:

- a. An application process for localities and school/higher education partnerships that wish to participate in the programs;
- b. For Clinical Faculty programs only, provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;
- c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;
- d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and
- e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
operating beginning teacher mentor programs shall receive equal consideration for funding.				
31. Career Switcher/Alternative Licensure Payments				
Appropriations in this Item include \$279,983 the first year and \$279,983 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.				
32. Virginia Workplace Readiness Skills Assessment				
Appropriations in this Item include \$308,655 the first year and \$308,655 the second year from the general fund to provide support grants to school divisions for standard diploma graduates. To provide flexibility, school divisions may use the state grants for the actual assessment or for other industry certification preparation and testing.				
33. Early Reading Specialists Initiative				
a. An additional payment of \$1,476,790 the first year and \$1,476,790 the second year from the general fund shall be disbursed by the Department of Education to qualifying local school divisions for the purpose of providing a reading specialist for schools with a third grade that rank lowest statewide on the reading Standards of Learning (SOL) assessments. Funding for a reading specialist during the 2020-2022 biennium shall be based on the results of the Spring 2019 reading SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. Following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2019 SOL reading assessment.				
b. These payments shall be based on the state's share of the cost of providing one reading specialist per qualifying school.				
c. These payments are available to any school division with a qualifying school that (1) certifies to the Department of Education that the division has hired a reading specialist to provide direct services to children reading below grade level in the school to improve reading achievement and (2) applies and receives a waiver for up to two years from the Board of Education for the administration of third grade SOL assessments in science or history and social science or both for the purpose of creating additional instructional time for reading specialists to work with students reading below grade level to improve reading achievement.				
d. These payments also are available to any school division with a qualifying school that certifies to the Department of Education that the division is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a reading specialist.				
e. School divisions receiving these payments are required to match these funds based on the composite index of local ability-to-pay.				
f. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Math/Reading Instructional Specialist Initiative.				
34. Math/Reading Instructional Specialist Initiative				
a. Included in this appropriation is \$1,834,538 the first year and \$1,834,538 the second year from the general fund in additional payments for reading or math instructional specialists at underperforming schools. From this amount, the state share of one reading or math specialist shall be provided to local school divisions with schools which rank lowest statewide on the Spring Standards of Learning (SOL) math or reading assessment. Funding for one math or reading specialist during the 2020-2022 biennium shall be based on the results of the Spring 2019 SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. If, following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2019 SOL math or reading assessment.				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

b. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has (1) hired a math or reading instructional specialist, or (2) is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a math specialist or a reading specialist. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

c. The Department of Education is authorized to utilize available funding appropriated to the Early Reading Specialist Initiative contained in this Item to pay for instructional specialists at additional eligible schools, or to support tuition for collegiate programs and instruction for currently employed instructional school personnel at additional eligible schools to earn the credentials necessary to meet licensure requirements to be endorsed as an instructional specialist.

d. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Early Reading Specialists Initiative.

35. Broadband Connectivity Capabilities

By November 1 each year, school divisions shall report to the Department of Education the status of broadband connectivity capability of schools in the division on a form to be provided by the Department. Such report shall include school-level information on the method of Internet service delivery, the level of bandwidth capacity and the degree such capacity is sufficient for delivery of school-wide digital resources and instruction, degree of internet connectivity via Wi-Fi, cost information related to Internet connectivity, data security, and such other pertinent information as determined by the Department of Education. The Department shall provide a summary of the division responses in a report to be made available on its agency Web site.

36. Infrastructure and Operations Per Pupil Funds

a. Out of this appropriation, an amount estimated at \$262,983,700 the first year and \$266,241,801 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated \$375.27 per pupil the first year and \$378.52 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. Beginning in the second year, these funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2018-20 biennial Standards of Quality expenditure data were based; provided however that no locality shall be required to maintain a per-pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2018-20 biennial Standards of Quality expenditure data were based. The Department of Education is authorized each year to temporarily suspend Infrastructure and Operations Per Pupil Allocation payments made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in the remaining Infrastructure and Operations Per Pupil Allocation payments to be made for the year.

b. From the amounts listed above, funds are provided to ensure that small school divisions receive an Infrastructure and Operations payment of at least \$200,000 each year. Beginning in the second year, divisions receiving additional funds for a payment of at least \$200,000 shall only be required to provide the local match on the per pupil amount distributed in paragraph C.36.a.

c. Of the amounts listed above, no more than 70 percent the first year and no more than 60 percent the second year shall be used for recurring costs and at least 30 percent the first year and at least 40 percent the second year shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, school buses, technology, and other

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.

d. Any lottery funds provided to school divisions from this item that are unexpended as of June 30, 2021, and June 30, 2022, shall be carried on the books of the locality to be appropriated to the school division in the following year.

37. Special Education Endorsement Program

a. Notwithstanding § 22.1-290.02, Code of Virginia, out of this appropriation, \$437,186 the first year and \$437,186 the second year from the general fund is provided for traineeships and program operation grants that shall be awarded to public Virginia institutions of higher education to prepare persons who are employed in the public schools of Virginia, state operated programs, or regional special education centers as special educators with a provisional license and enrolled either part-time or full-time in programs for the education of children with disabilities. Applicants shall be graduates of a regionally accredited college or university.

b. The award of such grants shall be made by the Department of Education, and the number of awards during any one year shall depend upon the amounts appropriated by the General Assembly for this purpose. The amount awarded for each traineeship shall be \$600 for a minimum of three semester hours of course work in areas required for the special education endorsement to be taken by the applicant during a single semester or summer session. Only one traineeship shall be awarded to a single applicant in a single semester or summer session.

38. Compensation Supplement

a.1) Out of this appropriation, \$94,731,247 the first year from the general fund and \$304,117 the first year from the Lottery Proceeds Fund are provided and \$192,502,898 the second year from the general fund and \$612,979 the second year from the Lottery Proceeds Fund is provided for the state share of a payment of the following salary increases for funded SOQ instructional and support positions. Funded SOQ instructional positions shall include the teacher, school counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the biennium. This amount includes \$408,502 the first year and \$834,740 the second year from the general fund referenced in paragraph C. 27. h. for the Academic Year Governor's Schools for the state share of a payment of the following salary increases for instructional and support positions, and this amount includes \$304,117 the first year and \$612,979 the second year from the Lottery Proceeds Fund referenced in paragraph C. 9. f. 4) for Regional Alternative Education Programs for the state share of a payment of the following salary increases for instructional and support positions.

2) For the first year, the state share of a payment equivalent to a 2.0 percent salary increase effective July 1, 2020, for SOQ instructional and support positions.

It is the intent that the instructional and support position salaries are increased in school divisions throughout the state by at least an average of 2.0 percent during the first year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 2.0 percent salary increase the first year for funded SOQ instructional and support positions, effective July 1, 2020, to school divisions that certify to the Department of Education that salary increases of a minimum average of 2.0 percent have been or will have been provided during the the first year to instructional and support personnel, excluding any increases referenced in paragraph 3. The state funds for which the division is eligible to receive shall be matched by the local government, based on the composite index of local ability-to-pay, which shall be calculated using an effective date of July 1, 2020, as the basis for the local match requirement for both funded SOQ instructional and support positions.

3) For the second year, the state share of a payment equivalent to a 2.0 percent salary increase effective July 1, 2021, for SOQ instructional and support positions.

It is the intent that the instructional and support position salaries are increased in school divisions throughout the state by at least an average of 2.0 percent during the second year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 2.0 percent salary increase the second year for funded SOQ instructional and support

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

positions, effective July 1, 2021, to school divisions that certify to the Department of Education that salary increases of a minimum average of 2.0 percent have been or will have been provided during the 2020-2022 biennium, either in the first year or in the second year or through a combination of the two years, to instructional and support personnel, excluding any increases referenced in paragraph 2. The state funds for which the division is eligible to receive shall be matched by the local government, based on the composite index of local ability-to-pay, which shall be calculated using an effective date of July 1, 2021, as the basis for the local match requirement for both funded SOQ instructional and support positions

b. This funding is not intended as a mandate to increase salaries.

39. School Meals Expansion

Out of this appropriation, \$5,300,000 the first year and \$5,300,000 the second year from the general fund is provided for local school divisions to reduce or eliminate the cost of school breakfast and school lunch for students who are eligible for reduced price meals under the federal National School Lunch Program and School Breakfast Program. The Department of Education is authorized to reduce this amount proportionately so as not to exceed this appropriation.

40. No Loss Funding

Out of this appropriation, \$1,776,174 the first year and \$1,973,585 the second year from the general fund is provided to ensure that no school division loses state funding in fiscal year 2021 or fiscal year 2022 as compared to that school division's fiscal year 2020 state distribution.

41. Enrollment Loss

Out of this appropriation, \$2,540,119 the first year and \$2,102,530 the second year from the general fund is provided for enrollment loss payments to school divisions with a September 30 fall membership count of 10,000 or less that has decreased by more than two percent from the previous September 30 fall membership count. Such payment shall be calculated based on the state share per pupil of Basic Aid for each locality, for a percentage of the enrollment loss (as determined below) between the September 30 fall membership count and the subsequent September 30 fall membership count.

Local Composite Index	Percentage
0.0000-0.1999	85%
0.2000-0.3499	70%
0.3500-0.4999	45%
0.5000 or more	30%

42. Alleghany County - Covington City School Division Consolidation Incentive

Out of this appropriation, \$582,000 the second year from the general fund is provided as an incentive for the consolidation of the Alleghany County and Covington City school divisions. Such funds shall only be disbursed upon (i) the Board of Supervisors of Alleghany County and the Covington City Council adopting resolutions in support of the consolidation and (ii) the Board of Education's approval of such consolidation pursuant to § 22.1-25 of the Code of Virginia. This incentive payment shall be made following the execution of such consolidation, and such payments shall be provided for no more than five fiscal years, beginning in fiscal year 2022.

43. COVID-19 Local Relief Payments

a. This item includes an appropriation estimated at \$95,227,730 in the first year from the COVID-19 Relief Fund established in § 2.2-115.1 of the Code of Virginia to be distributed to school divisions as COVID-19 Local Relief payments in support of the Standards of Quality. Local governing bodies shall appropriate these funds to school divisions in the same manner in which they appropriate sales tax revenues dedicated to public education.

b. This local relief payment represents the net increase in the estimated amounts of the

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p><i>local share of Basic Aid costs from the amount estimated in Chapter 1289, 2020 Acts of Assembly, to the amount estimated in House Bill 5005 and Senate Bill 5015, as introduced for the 2020 Special Session I, and shall be distributed to school divisions based on this methodology.</i></p> <p><i>c. For the purposes of calculating Required Local Expenditure as defined in this item, this local relief payment will be counted as a credit toward the local share of the costs of the Standards of Quality in the first year.</i></p> <p><i>d. It is the intent of the General Assembly to update this local relief payment based on any subsequent increases to the Sales Tax estimates approved by the General Assembly and included in this item.</i></p>			

146. Not set out.

146.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Alleghany-Covington consolidation	\$0	\$582,000
Support the Western Virginia Public Education Consortium	\$50,000	\$50,000
Maximize pre-kindergarten access for at-risk three- and four-year-old children	\$35,027,435	\$48,436,297
Recruit and retain early childhood educators	\$3,000,000	\$5,000,000
Support African American history education	\$1,300,000	\$0
Support history education through the American Civil War Museum	\$1,000,000	\$0
Provide no loss funding to localities	\$1,776,174	\$1,973,585
Expand access to school meals	\$5,300,000	\$5,300,000
Increase salaries for funded Standards of Quality instructional and support positions	\$94,731,247	\$192,502,898
Increase support for at-risk students	\$26,164,313	\$35,173,962
Increase support for Communities in Schools	\$760,000	\$760,000
Increase support for Jobs for Virginia Graduates	\$1,670,000	\$1,670,000
Enrollment loss	\$2,540,119	\$2,102,530
Chesterfield Recovery High School	\$250,000	\$250,000
YMCA Power Scholars Academies	\$450,000	\$450,000
Brooks Crossing Innovation and Opportunity Center	\$250,000	\$250,000
Emil and Grace Shihadeh Innovation Center	\$250,000	\$0

ITEM 146.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Literacy Lab - VPI Minority Educator Fellowship		\$300,000		\$0
Soundscapes - Newport News		\$90,000		\$0
Cost of Competing Adjustment		\$9,555,229		\$9,968,849
Active Learning grants		\$250,000		\$0
Blue Ridge PBS		\$500,000		\$500,000
Bonder and Amanda Johnson		\$100,000		\$0
Community Development Corporation				
Agency Total		\$185,314,517		\$304,970,121
Total for Direct Aid to Public Education.....			\$8,939,846,326	\$9,127,470,380
			\$8,939,830,219	\$9,033,863,333
Fund Sources: General.....	\$7,050,366,696	\$7,309,475,477		
	\$6,938,522,859	\$7,215,868,430		
Special.....	\$895,000	\$895,000		
Commonwealth Transportation.....	\$2,100,000	\$1,470,000		
Trust and Agency.....	\$819,959,397	\$749,104,670		
Dedicated Special Revenue.....	\$95,227,730	\$0		
Federal Trust.....	\$1,066,525,233	\$1,066,525,233		
	\$1,083,125,233			
Grand Total for Department of Education, Central Office Operations.....			\$9,071,514,314	\$9,441,796,095
			\$9,071,498,207	\$9,348,189,048
General Fund Positions.....	151.00	153.50		
Nongeneral Fund Positions.....	185.50	335.50		
Position Level.....	336.50	489.00		
Fund Sources: General.....	\$7,124,617,077	\$7,388,367,358		
	\$7,012,773,240	\$7,294,760,311		
Special.....	\$6,164,257	\$6,164,257		
Commonwealth Transportation.....	\$2,379,612	\$1,749,612		
Trust and Agency.....	\$820,639,075	\$749,784,348		
Dedicated Special Revenue.....	\$95,227,730	\$0		
Federal Trust.....	\$1,117,714,293	\$1,295,730,520		
	\$1,134,314,293			
147. Not set out.				
148. Not set out.				
149. Not set out.				
§ 1-24. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)				
150. Not set out.				
151. Not set out.				
152. Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....			\$19,585,818	\$20,535,818
Higher Education Coordination and Review (11104).....	\$7,896,303	\$8,846,303		
Regulation of Private and Out-of-State Institutions (11105).....	\$1,294,253	\$1,294,253		
Institutional Program Support (11107).....	\$10,395,262	\$10,395,262		
Fund Sources: General.....	\$18,141,565	\$19,091,565		
Special.....	\$1,254,253	\$1,254,253		

ITEM 152.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Trust and Agency.....	\$190,000	\$190,000		

Authority: § 23.1-200, § 23.1-203, § 23.1-1107, § 23.1-629, § 23.1-903.4.

A. 1. It is the intent of the General Assembly to provide general fund support to contract at a level equivalent to the Tuition Assistance Grant undergraduate award with Mary Baldwin University for Virginia women resident students to participate in the Virginia Women's Institute for Leadership at Mary Baldwin University.

2. The amounts included in this Item are \$307,899 the first year and \$307,899 the second year from the general fund for the programmatic administration of this program.

3. General fund appropriations provided under this contract include financial incentive for the participating students at Mary Baldwin University in the Virginia Women's Institute for Leadership Program. Students receiving this financial incentive will not be eligible for Tuition Assistance Grants.

4. By September 1 of each year, Mary Baldwin University shall report to the Chairmen of the House Appropriations and Senate Finance Committees, the Director, State Council of Higher Education for Virginia, and the Director, Department of Planning and Budget, on the number of students participating in the Virginia Women's Leadership Program, the number of in-state and out-of-state students receiving awards, the amount of the awards, the number of students graduating, and the number of students receiving commissions in the military.

B. In discharging the responsibilities specified in § 23.1-219, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, co-partnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

C. Out of the appropriation for Higher Education Coordination and Review, \$9,562,363 the first year and \$9,562,363 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, \$436,946 the first year and \$436,946 the second year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

D. Out of this appropriation, \$950,366 and ten positions the first year and \$950,366 and ten positions the second year from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23.1-224, Code of Virginia. Out of this amount, \$190,000 the first year and \$190,000 the second year from nongeneral funds is designated to administration of the Student Tuition Guarantee Fund.

E. The State Council of Higher Education for Virginia, in consultation with the House Appropriations Committee, the Senate Finance Committee, the Department of General Services, and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.

F. The Executive Director, State Council of Higher Education for Virginia, may appoint an advisory committee to assist the council with technology-enriched learning initiatives. The advisory committee may assist the council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand

ITEM 152.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	U.S. Education Department, or other agency of the federal government, by the State Council of Higher Education for the purposes of data-matching to improve knowledge of the outcomes of education programs of the Commonwealth, including, but not limited, to earnings and education-related debt.			
	N. The State Council of Higher Education for Virginia shall collect annual dues on behalf of Virginia Sea Grant to support its operational costs. The Council shall make payments out of nongeneral funds in this appropriation to Virginia Sea Grant, and shall enter into a memorandum of understanding with Virginia Sea Grant to define fiscal responsibilities and establish reimbursement rates and processes for the delivery of services.			
	O 1. The State Council of Higher Education for Virginia, in consultation with staff from the House Appropriations and Senate Finance and Appropriations Committee, Department of Planning and Budget, Secretary of Finance and Secretary of Education, as well as representatives of public higher education institutions, shall review financial aid awarding practices and tuition discounting strategies.			
	2. The Council shall review current state financial aid awarding policies and make recommendations to: (1) appropriately prioritize and address affordability for low- and middle-income students; (2) increase program efficiency and effectiveness in meeting state goals that align with The Virginia Plan; and (3) simplify communication and improve student understanding of eligibility criteria. The review shall also: (1) assess financial aid by income level and the utilization and reporting of tuition revenue used for financial aid and unfunded scholarships; and (2) consider the pros and cons of authorizing remittance of tuition and fees for merit scholarships for students of high academic achievement.			
	3. By November 1, 2020, the Council shall submit a report and any related recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.			
	P. 1. The State Council of Higher Education for Virginia shall develop a plan for implementing a statewide survey on institutional expenditures by program and academic discipline at Virginia's public institutions to determine the effectiveness of spending related to the attainment of state and institutional goals and inform strategic decision-making.			
	2. The Council may review existing reporting capacities and other state examples of cost analysis by program and academic discipline in higher education to: (1) determine the Council's current capacity to conduct the survey; (2) determine any additional staff and financial support necessary for conducting such a survey; (3) determine the potential for long-range cost containments; and (4) detail a plan for survey implementation.			
	3. By November 1, 2020, the Council shall submit a report and any related recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.			
	Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is designated for the Guidance to Postsecondary Success program. The program coordinates statewide efforts to increase college access and student success.			
	R. 1. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is designated to support related costs of undertaking a review of higher education costs, funding needs, appropriations and efficiencies.			
	2. The State Council of Higher Education, in consultation with representatives from House Appropriations Committee, Senate Finance and Appropriations Committee, Department of Planning and Budget, Secretary of Finance, and Secretary of Education, as well as representatives of public higher education institutions, shall review methodologies to determine higher education costs, funding needs, and appropriations in Virginia. The review shall identify and recommend: (1) methods to determine appropriate costs; (2) measures of efficiency and effectiveness; (3) provisions for any new reporting requirements; (4) strategies to allocate limited public resources based on outcomes that align with state needs related to affordability, access, completion, and workforce alignment, including with regard to nonresident pricing; (5) the impact of funding on underrepresented student populations, and (6) a timeline for implementation.			

ITEM 152.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

3. The review shall build on existing efforts including the assessment of base adequacy, recommendations provided through the Strategic Finance Plan, and peer institution comparisons to determine if existing funding models should be updated or replaced. It shall also build on promising practices and include input from Virginia's institutions, policy makers, and other education experts.

4. The Council shall present a proposed workplan to the Joint Subcommittee on the Future Competitiveness of Higher Education in Virginia by August 15, 2020. The Council shall submit a preliminary report and any related recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020 with a final report by July 1, 2021.

S. The State Council of Higher Education for Virginia, in fulfilling the requirements under § 23.1-1304 Code of Virginia, may use online training modules that expand training beyond the initial orientation for Boards of Visitor members.

T. During the 2020-2022 biennium, the Council shall coordinate (i) the dissemination to the institutions the measures of financial status included in the most recent Auditor of Public Accounts Higher Education Comparative Report, and (ii) collection of institutions' resulting financial sustainability reviews and possible action plans, to include if warranted discussion of a full range of potential structural options to improve long-term financial health. The six-year plan review group identified under § 23.1-306 shall review such submissions.

153. Not set out.

154. Not set out.

155. Not set out.

155-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding for cost study	\$150,000	\$150,000
Provide funding for Title IX training	\$100,000	\$100,000
Provide funding for Grow Your Own Teacher program	\$125,000	\$125,000
Provide funding for Guidance to Postsecondary Success	\$250,000	\$250,000
Increase funding for Virginia Tuition Assistance Grant Program (TAG)	\$4,100,000	\$7,900,000
Increase funding for Virginia Military Survivors & Dependent Education Program	\$750,000	\$750,000
Increase appropriation for internship program	\$300,000	\$1,300,000
Add funding for VIVA	\$400,000	\$400,000
Provide funding for the Virginia Earth	\$220,375	\$220,375

ITEM 155.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
System Scholars program				
Agency Total		\$6,395,375		\$11,195,375
Total for State Council of Higher Education for Virginia.....			\$122,845,178	\$127,595,178
General Fund Positions.....	46.00	46.00		
Nongeneral Fund Positions.....	17.00	17.00		
Position Level.....	63.00	63.00		
Fund Sources: General.....	\$115,525,499	\$120,275,499		
Special.....	\$1,439,253	\$1,439,253		
Trust and Agency.....	\$190,000	\$190,000		
Dedicated Special Revenue.....	\$250,000	\$250,000		
Federal Trust.....	\$5,440,426	\$5,440,426		

§ 1-25. CHRISTOPHER NEWPORT UNIVERSITY (242)

- 156. Not set out.
- 157. Not set out.
- 158. Not set out.
- 159. Not set out.

~~159-10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Increase undergraduate student financial assistance	\$249,600	\$249,600
Agency Total	\$249,600	\$249,600
Total for Christopher Newport University.....		
		\$173,962,717
General Fund Positions.....	341.56	341.56
Nongeneral Fund Positions.....	596.18	596.18
Position Level.....	937.74	937.74
Fund Sources: General.....	\$39,460,881	\$39,460,881
Higher Education Operating.....	\$114,797,967	\$114,797,967
Debt Service.....	\$19,703,869	\$19,703,869

§ 1-26. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)

- 160. Not set out.
- 161. Not set out.

ITEM 161.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

162. Not set out.

163. Not set out.

163.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022
CWM - Graduate Aid (Research)	\$79,400		\$119,300
Increase undergraduate student financial assistance	\$133,000		\$133,000
Agency Total	\$212,400		\$252,300
Total for The College of William and Mary in Virginia.....			\$398,641,097
General Fund Positions.....	552.16	552.16	
Nongeneral Fund Positions.....	882.96	882.96	
Position Level.....	1,435.12	1,435.12	
Fund Sources: General.....	\$54,876,562	\$54,916,462	
Higher Education Operating.....	\$312,616,241	\$312,616,241	
Debt Service.....	\$31,148,294	\$31,148,294	

Richard Bland College (241)

164. Not set out.

165. Not set out.

166. Not set out.

167. Not set out.

167.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

ITEM 167.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$154,400		\$154,300
RBC - Compliance, Accreditation and Student Success		\$708,000		\$708,000
Agency Total		\$862,400		\$862,300
Total for Richard Bland College.....			\$21,362,904	\$21,362,804
General Fund Positions.....	78.43	78.43		
Nongeneral Fund Positions.....	41.41	41.41		
Position Level.....	119.84	119.84		
Fund Sources: General.....	\$10,663,494	\$10,663,394		
Higher Education Operating.....	\$10,699,410	\$10,699,410		

Virginia Institute of Marine Science (268)

- 168. Not set out.
- 169. Not set out.
- 170. Not set out.

170.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Fund saltwater fisheries survey	\$250,000	\$250,000		
VIMS - Manage Aquatic Diseases	\$225,000	\$225,000		
VIMS - Graduate Aid (Research)	\$53,400	\$80,000		
Agency Total	\$528,400	\$555,000		
Total for Virginia Institute of Marine Science.....			\$52,144,523	\$52,171,123
General Fund Positions.....	298.82	298.82		
Nongeneral Fund Positions.....	96.60	96.60		
Position Level.....	395.42	395.42		
Fund Sources: General.....	\$25,687,165	\$25,713,765		
Higher Education Operating.....	\$26,457,358	\$26,457,358		
Grand Total for The College of William and Mary in Virginia.....			\$472,148,524	\$472,214,924
General Fund Positions.....	929.41	929.41		
Nongeneral Fund Positions.....	1,020.97	1,020.97		
Position Level.....	1,950.38	1,950.38		
Fund Sources: General.....	\$91,227,221	\$91,293,621		

ITEM 170.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Higher Education Operating.....	\$349,773,009	\$349,773,009		
Debt Service.....	\$31,148,294	\$31,148,294		

§ 1-27. GEORGE MASON UNIVERSITY (247)

- 171. Not set out.
- 172. Not set out.
- 173. Not set out.
- 174. Not set out.

~~174.10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Increase undergraduate student financial assistance	\$6,945,000	\$6,944,900
Provide funding to support graduate financial aid	\$53,400	\$80,000
Provide additional funding to support enrollment growth	\$10,000,000	\$12,000,000
Agency Total	\$16,998,400	\$19,024,900
Total for George Mason University.....		\$1,206,202,420 \$1,210,228,920
General Fund Positions.....	1,082.14	1,082.14
Nongeneral Fund Positions.....	4,185.49	4,185.49
Position Level.....	5,267.63	5,267.63
Fund Sources: General.....	\$206,221,193	\$208,247,693
Higher Education Operating.....	\$945,839,027	\$947,839,027
Debt Service.....	\$54,142,200	\$54,142,200

§ 1-28. JAMES MADISON UNIVERSITY (216)

- 175. Not set out.
- 176. Not set out.
- 177. Not set out.
- 178. Not set out.

~~178.10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted

ITEM 178.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$1,279,400		\$1,279,400
Agency Total		\$1,279,400		\$1,279,400
Total for James Madison University.....			\$652,214,945	\$652,214,945
General Fund Positions.....	1,278.00	1,278.00		
Nongeneral Fund Positions.....	2,631.52	2,631.52		
Position Level.....	3,909.52	3,909.52		
Fund Sources: General.....	\$109,435,498	\$109,435,498		
Higher Education Operating.....	\$498,529,554	\$498,529,554		
Debt Service.....	\$44,249,893	\$44,249,893		

§ 1-29. LONGWOOD UNIVERSITY (214)

- 179. Not set out.
- 180. Not set out.
- 181. Not set out.
- 182. Not set out.

~~182-10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$787,400		\$787,400
Develop a 2 2 degree pathway in Early Childhood Education		\$137,410		\$137,410
Agency Total		\$924,810		\$924,810
Total for Longwood University.....			\$152,141,553	\$152,141,553
General Fund Positions.....	288.89	288.89		

ITEM 182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Nongeneral Fund Positions.....	471.67	471.67		
Position Level.....	760.56	760.56		
Fund Sources: General.....	\$38,213,482	\$38,213,482		
Higher Education Operating.....	\$106,340,760	\$106,340,760		
Debt Service.....	\$7,587,311	\$7,587,311		

§ 1-30. NORFOLK STATE UNIVERSITY (213)

- 183. Not set out.
- 184. Not set out.
- 185. Not set out.
- 186. Not set out.

186.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
NSU - Center for African American Policy	\$250,000	\$250,000
Support First-Day Success program	\$75,000	\$75,000
Launch Virginia College Affordability Network initiative	\$3,459,590	\$4,872,765
Increase undergraduate student financial assistance	\$1,632,200	\$1,632,200
Increase storage and expand information technology services	\$3,000,000	\$2,500,000
Implement UTeach program	\$250,000	\$250,000
Implement academic advising model	\$300,000	\$300,000
Ensure continuation of Spartan Pathways	\$150,000	\$150,000
Agency Total	\$9,116,790	\$10,029,965
Total for Norfolk State University.....		\$181,770,548 \$182,683,723
General Fund Positions.....	517.15	517.15
Nongeneral Fund Positions.....	689.97	689.97
Position Level.....	1,207.12	1,207.12
Fund Sources: General.....	\$72,567,161	\$73,480,336
Higher Education Operating.....	\$105,409,605	\$105,409,605
Debt Service.....	\$3,793,782	\$3,793,782

§ 1-31. OLD DOMINION UNIVERSITY (221)

ITEM 187.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
187.	Not set out.				
188.	Not set out.				
189.	Not set out.				
190.	Not set out.				

190.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding to support graduate financial aid	\$165,800	\$248,600
Support Virginia Symphony Orchestra minority fellowships	\$250,000	\$250,000
Provide additional funding to support enrollment growth	\$10,000,000	\$12,000,000
Increase undergraduate student financial assistance	\$5,337,000	\$5,337,000
Agency Total	\$15,752,800	\$17,835,600
Total for Old Dominion University.....		
		\$503,707,808
General Fund Positions.....	1,084.51	1,084.51
Nongeneral Fund Positions.....	1,525.98	1,525.98
Position Level.....	2,610.49	2,610.49
Fund Sources: General.....	\$180,275,234	\$182,358,034
Higher Education Operating.....	\$296,957,212	\$296,957,212
Debt Service.....	\$26,475,362	\$26,475,362

§ 1-32. RADFORD UNIVERSITY (217)

- 191. Not set out.
- 192. Not set out.
- 193. Not set out.
- 194. Not set out.
- 195. Not set out.

195.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language

ITEM 195.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$2,538,400		\$2,538,400
Provide funding to reduce tuition at Carilion Campus in Roanoke		\$2,000,000		\$4,000,000
Agency Total		\$4,538,400		\$6,538,400
Total for Radford University.....			\$253,490,809	\$255,490,809
General Fund Positions.....	631.39	631.39		
Nongeneral Fund Positions.....	964.69	964.69		
Position Level.....	1,596.08	1,596.08		
Fund Sources: General.....	\$74,596,008	\$76,596,008		
Higher Education Operating.....	\$174,694,801	\$174,694,801		
Debt Service.....	\$4,200,000	\$4,200,000		

§ 1-33. UNIVERSITY OF MARY WASHINGTON (215)

- 196. Not set out.
- 197. Not set out.
- 198. Not set out.
- 199. Not set out.
- 200. Not set out.
- 201. Not set out.
- 202. Not set out.

202-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Fredericksburg Pipeline Initiative	\$386,500	\$568,000

ITEM 202.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Increase undergraduate student financial assistance		\$470,400		\$470,300
Agency Total		\$856,900		\$1,038,300
Total for University of Mary Washington.....			\$144,448,609	\$145,130,009
General Fund Positions.....	228.66	228.66		
Nongeneral Fund Positions.....	465.00	465.00		
Position Level.....	693.66	693.66		
Fund Sources: General.....	\$36,332,579	\$36,513,979		
Special.....	\$821,971	\$821,971		
Higher Education Operating.....	\$101,855,431	\$102,355,431		
Debt Service.....	\$5,438,628	\$5,438,628		

§ 1-34. UNIVERSITY OF VIRGINIA (207)

- 203. Not set out.
- 204. Not set out.
- 205. Not set out.
- 206. Not set out.

206.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Provide funding to support graduate financial aid	\$222,800	\$334,200		
Fund Virginia Humanities Curriculum and Humanities Ambassadors	\$500,000	\$500,000		
Increase undergraduate student financial assistance	\$320,400	\$320,300		
Agency Total	\$1,043,200	\$1,154,500		
Total for University of Virginia.....		\$1,733,156,202	\$1,733,267,502	
General Fund Positions.....	1,088.78	1,088.78		
Nongeneral Fund Positions.....	5,955.32	5,955.32		
Position Level.....	7,044.10	7,044.10		
Fund Sources: General.....	\$165,778,160	\$165,889,460		
Higher Education Operating.....	\$1,519,830,042	\$1,519,830,042		
Debt Service.....	\$47,548,000	\$47,548,000		

- 207. Not set out.

ITEM 208.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

- 208. Not set out.
- 209. Not set out.

University of Virginia's College at Wise (246)

- 210. Not set out.
- 211. Not set out.
- 212. Not set out.
- 213. Not set out.

213.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Increase undergraduate student financial assistance	\$402,800	\$402,700
Agency Total	\$402,800	\$402,700
Total for University of Virginia's College at Wise...		\$50,631,473 \$50,534,989
General Fund Positions.....	171.46	171.46
Nongeneral Fund Positions.....	202.24	202.24
Position Level.....	373.70	373.70
Fund Sources: General.....	\$22,494,957	\$22,494,857
Higher Education Operating.....	\$25,146,516	\$25,050,132
Debt Service.....	\$2,990,000	\$2,990,000
Grand Total for University of Virginia.....		\$3,905,131,340 \$4,035,942,502
General Fund Positions.....	1,260.24	1,260.24
Nongeneral Fund Positions.....	13,836.78	13,951.78
Position Level.....	15,097.02	15,212.02
Fund Sources: General.....	\$188,273,117	\$188,384,317
Higher Education Operating.....	\$3,648,673,758	\$3,779,373,720
Debt Service.....	\$68,184,465	\$68,184,465

§ 1-35. VIRGINIA COMMONWEALTH UNIVERSITY (236)

214. Educational and General Programs (10000).....			\$662,382,918	\$662,382,918
Higher Education Instruction (100101).....	\$401,841,363	\$401,841,363		
Higher Education Research (100102).....	\$14,553,827	\$14,553,827		
Higher Education Public Services (100103).....	\$8,890,462	\$8,890,462		
Higher Education Academic (100104).....	\$100,127,994	\$100,127,994		

ITEM 214.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Higher Education Student Services (100105).....	\$26,559,040	\$26,559,040		
Higher Education Institutional Support (100106).....	\$55,267,268	\$55,267,268		
Operation and Maintenance Of Plant (100107).....	\$55,142,964	\$55,142,964		
Fund Sources: General.....	\$198,253,042	\$198,253,042		
Higher Education Operating.....	\$464,129,876	\$464,129,876		

Authority: Title 23.1, Chapter 23, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$4,336,607 the first year and \$4,336,607 the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

3. The university, in cooperation with the University of Virginia, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.

C. Out of this appropriation, an amount estimated at \$332,140 the first year and \$332,140 the second year from the general fund and \$168,533 the first year and \$168,533 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

D.1. Out of this appropriation, not less than \$486,685 the first year and not less than \$486,685 the second year from the general fund is designated for the Virginia Center on Aging. This includes \$319,750 the first year and \$319,750 the second year for the Alzheimer's and Related Diseases Research Award Fund.

2. Out of this appropriation, \$253,244 the first year and \$253,244 the second year from the general fund and \$356,250 the first year and \$356,250 the second year from nongeneral funds are designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.

3. *Funding designated in paragraphs D.1. and D.2. of this item are intended as a pass-through payment to support the Center on Aging and dementia-related research by investigators throughout the Commonwealth. These funds shall be exempt from supplantation assessment or other budget management plans at Virginia Commonwealth University.*

E. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.

F. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund is designated for support of the Council on Economic Education.

G. Out of this appropriation, \$492,753 the first year and \$492,753 the second year from the general fund is designated for support of the Education Policy Institute.

ITEM 214.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
H.1.	Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:			
2.	The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.			
3.	The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.			
4.	A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.			
I.	Out of this appropriation, \$252,595 the first year and \$252,595 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.			
J.	As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.			
K.	Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated for the Virginia Commonwealth University School of Pharmacy to support the Center for Compounding Practice and Research. The allocation will serve to support any costs associated with creating the Center including facility-related expenses as well as the purchase of the compounding equipment necessary for this state of the art teaching and research facility and will be leveraged as a matching gift with private funds. The Center will train Pharm.D. students to meet technical compounding demands, provide continuing education to registered pharmacists and conduct ongoing research on compounded medications.			
L.	Out of this appropriation, \$255,000 the first year and \$255,000 the second year from the general fund is designated to support a substance abuse fellowship program and a sickle cell opiod management program at the Virginia Commonwealth University School of Medicine.			
M.	Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund is designated to support a partnership between Virginia Commonwealth University and the Virginia Repertory Theatre at the historic November Theatre (formally known as the Empire Theatre).			
N.	The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Commonwealth University and the Commonwealth, as set forth in Chapters 594 and 616, of the 2008 Acts of Assembly.			
O. 1.	Out of this appropriation, \$4,273,380 the first year and \$4,273,380 the second year from the general fund is designated to address increased degree production in Data			

ITEM 214.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Science and Technology, Science and Engineering, Healthcare, and Education.			
	2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:			
	a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;			
	b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (42);			
	c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and			
	d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).			
	3. Virginia Commonwealth University is expected to maintain increases in:			
	a. Data Science and Technology awards of 20 annually over the base year.			
	b. Science and Engineering awards of 30 annually over the base year.			
	c. Healthcare awards of 40 annually over the base year.			
	d. Education awards of 20 annually over the base year.			
	e. The 2016-17 year will serve as the base year for these purposes.			
	4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance Committees annually beginning August 2020.			
	P. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.			
215.	Not set out.			
216.	Not set out.			
217.	Not set out.			
218.	Not set out.			
219.	Not set out.			
219-10	Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending			

ITEM 219.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.				
		FY 2021		FY 2022
Provide additional funding to support the Center on Aging		\$100,000		\$100,000
Provide graduate financial aid		\$140,400		\$210,700
Provide additional funding to support the Education Policy Institute		\$300,000		\$300,000
Provide additional funding to support Massey Cancer Center		\$7,500,000		\$2,500,000
Increase undergraduate student financial assistance		\$4,638,400		\$4,638,400
Provide funding to support the Wilder School of Government		\$250,000		\$250,000
Agency Total		\$12,928,800		\$7,999,100
Total for Virginia Commonwealth University.....			\$1,315,434,061	\$1,310,504,361
General Fund Positions.....	1,507.80	1,507.80		
Nongeneral Fund Positions.....	3,792.29	3,792.29		
Position Level.....	5,300.09	5,300.09		
Fund Sources: General.....	\$259,740,228	\$254,810,528		
Higher Education Operating.....	\$1,001,719,673	\$1,001,719,673		
Debt Service.....	\$53,974,160	\$53,974,160		

§ 1-36. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

220.	Not set out.			
221.	Higher Education Student Financial Assistance (10800)			
	a sum sufficient, estimated at.....		\$119,054,661	\$119,054,661
			\$121,054,661	
	Scholarships (10810).....	\$119,054,661		\$119,054,661
		\$121,054,661		
	Fund Sources: General.....	\$86,607,355		\$86,607,355
		\$88,607,355		
	Higher Education Operating.....	\$32,447,306		\$32,447,306

Authority: Title 23.1, Chapter 29, Code of Virginia.

A. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers. All general fund amounts appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23.1-2912, Code of Virginia.

B. 1. Funding in this Item shall be allocated for the Virginia Guaranteed Assistance Program, the Commonwealth Award and need-based student financial assistance for industry-based certifications or related programs that do not qualify for other sources of student financial assistance.

2. Out of this appropriation, \$2,000,000 the first year from the general fund is designated for students enrolled in eligible workforce programs at the Virginia Community College System and Richard Bland College in partnership with the VA Ready program. This partnership leverages private resources in order to assist Virginians unemployed as a

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

result of the COVID-19 pandemic to earn credentials in high demand fields.

C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

D. 1. Out of this appropriation, \$34,500,000 each year from the general fund is designated for the Get Skilled, Get a Job, Give Back Program (G3 Program). The G3 Program will offer financial assistance to low- and middle-income Virginia residents who are eligible for in-state tuition pursuant to § 23.1, Code of Virginia, and who are enrolled in a program at a Virginia public associate degree-granting institution that leads to an occupation in a high-demand field. The programs covered under the G3 Program by Classification of Instructional Program (CIP) Codes are as follows:

CIP Code	Description
11.0101	Computer and Information Sciences, General
11.0103	Information Technology
11.0201	Computer Programming/ Programmer, General
11.0701	Computer Science
11.0801	Web Page, Digital/Multimedia and Information Resources Design
11.0901	Computer Systems Networking and Telecommunications
11.1001	Network and System Administration/ Administrator
11.1003	Computer and Information Systems Security/Information Assurance
13.0101	Education, General
13.1013	Education/Teaching of Individuals with Autism
13.1501	Teacher Assistant/Aide
15.0000	Engineering and Engineering-Related Fields
15.0101	Architectural Engineering Technology/Technician
15.0201	Civil Engineering Technology/Technician
15.0303	Electrical, Electronic and Communications Engineering Technology/Technician
15.0305	Telecommunications Technology/Technician
15.0599	Environmental Control Technologies/Technicians, Other
15.0612	Industrial Technology/Technician
15.0613	Manufacturing Engineering Technology/Technician
15.0699	Industrial Production Technologies/Technicians,

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
		Other		
	15.0899	Mechanical Engineering Related Technologies/Technicians, Other		
	15.0901	Mining Technology/Technician		
	15.1301	Drafting and Design Technology/Technician, General		
	15.1302	CAD/CADD Drafting and/or Design Technology/Technician		
	15.1303	Architectural Drafting and Architectural CAD/CADD		
	15.1401	Nuclear Engineering Technology/Technician		
	15.9999	Engineering Technologies and Engineering-Related Fields, Other		
	19.0707	Family and Community Services		
	19.0709	Child Care Provider/Assistant		
	30.0101	Biological and Physical Sciences		
	41.0101	Biology Technician/Biotechnology Laboratory Technician		
	43.0102	Corrections		
	43.0103	Criminal Justice/Law Enforcement Administration		
	43.0104	Criminal Justice/Safety Studies		
	43.0106	Forensic Science and Technology		
	43.0107	Criminal Justice/Police Science		
	43.0203	Fire Science/Fire-fighting		
	43.0303	Critical Infrastructure Protection		
	43.0406	Homeland Security, Other		
	43.9999	Homeland Security, Law Enforcement, Firefighting and Related Protective Services, Other		
	46.0000	Construction Trades		
	46.0302	Electrician		
	47.0000	Mechanic and Repair Technologies / Technicians		
	47.0101	Electrical/Electronics Equipment Installation and Repair, General		
	47.0105	Industrial Electronics Technology/Technician		
	47.0201	Heating, Air Conditioning, Ventilation and Refrigeration		

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
		Maintenance		
		Technology/Technician		
47.0603		Autobody/Collision and Repair		
		Technology/Technician		
47.0604		Automobile/Automotive		
		Mechanics		
		Technology/Technician		
47.0605		Diesel Mechanics		
		Technology/Technician		
47.0607		Airframe Mechanics and		
		Aircraft Maintenance		
		Technology/Technician		
48.0000		Precision Production		
48.0501		Machine Tool		
		Technology/Machinist		
48.0508		Welding Technology/Welder		
48.0599		Precision Metal Working,		
		Other		
48.0701		Woodworking, General		
51.0601		Dental Assisting/Assistant		
51.0602		Dental Hygiene/Hygienist		
51.0603		Dental Laboratory		
		Technology/Technician		
51.0707		Health Information/Medical		
		Records		
		Technology/Technician		
51.0708		Medical Transcription/		
		Transcriptionist		
51.0713		Medical Insurance Coding		
		Specialist/Coder		
51.0799		Health and Medical		
		Administrative Services, Other		
51.0801		Medical/Clinical Assistant		
51.0803		Occupational Therapist		
		Assistant		
51.0805		Pharmacy Technician/Assistant		
51.0806		Physical Therapy		
		Technician/Assistant		
51.0808		Veterinary/Animal Health		
		Technology/Technician and		
		Veterinary Assistant		
51.0904		Emergency Medical		
		Technology/Technician (EMT		
		Paramedic)		
51.0907		Medical Radiologic		
		Technology/Science -		
		Radiation Therapist		
51.0908		Respiratory Care		
		Therapy/Therapist		
51.0909		Surgical		
		Technology/Technologist		
51.0910		Diagnostic Medical		
		Sonography/Sonographer and		
		Ultrasound Technician		
51.0911		Radiologic		
		Technology/Science -		

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
		Radiographer		
	51.0912	Physician Assistant		
	51.0999	Allied Health Diagnostic, Intervention, and Treatment Professions, Other		
	51.1004	Clinical/Medical Laboratory Technician		
	51.1005	Clinical Laboratory Science/Medical Technology/Technologist		
	51.1009	Phlebotomy Technician/Phlebotomist		
	51.1105	Pre-Nursing Studies		
	51.1501	Substance Abuse/Addiction Counseling		
	51.1504	Community Health Services/Liaison/Counseling		
	51.1508	Mental Health Counseling/Counselor		
	51.1599	Mental and Social Health Services and Allied Professions, Other		
	51.1801	Opticianry/Ophthalmic Dispensing Optician		
	51.2706	Medical Informatics		
	51.3101	Dietetics/Dietitian		
	51.3501	Massage Therapy/Therapeutic Massage		
	51.3801	Registered Nursing/Registered Nurse		
	51.3899	Registered Nursing, Nursing Administration, Nursing Research and Clinical Nursing, Other		
	51.3901	Licensed Practical/Vocational Nurse Training		
	51.3902	Nursing Assistant/Aide and Patient Care Assistant/Aide		

2. a. The Board of Workforce Development shall keep a list of high-demand fields and related educational programs. The Board of Workforce Development, in consultation with the Virginia Community College System, the State Council of Higher Education for Virginia, and the Chief Workforce Development Advisor, shall make recommendations to the General Assembly to help determine additions and changes to the high-demand fields for which programs may be offered pursuant to this item.

b. All additions and changes to the eligible high-demand fields for which programs may be offered pursuant to this item shall be approved by the General Assembly prior to implementation.

3. In order to be eligible for financial assistance under this program at a qualified public institution, an applicant shall:

a. Receive a total household income less than or equal to four hundred percent of the Federal Poverty Level;

b. Be enrolled or accepted for enrollment as a full-time or part-time student at an approved institution in an approved program specific to a high-demand field, as specified in

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	paragraph D.1., and shall be enrolled in a minimum of six credit hours per semester, or in an eligible non-credit program;			
	c. Have submitted complete applications for federal and state student financial aid programs for which they may be eligible.			
	4. In order to remain eligible for financial assistance under this program at an approved institution, a participating student shall:			
	a. Meet standards for Satisfactory Academic Progress and maintain the required grade point average established by federal Higher Education Act of 1965 Title IV requirements;			
	b. Demonstrate reasonable progress to complete their specific program of study to earn an associate degree in no more than three years;			
	c. Not exceed 150 percent of required credits of certificate or degree.			
	5. a. Payments out of this appropriation shall provide (i) grants up to the amount necessary to pay for the last-dollar cost of the enrolled institution's tuition, mandatory fees, and textbook stipend for eligible students after all other qualified federal and state financial aid, and (ii) a Student Support Incentive Grant up to \$2,250 per year for eligible students who are enrolled full-time and receive full Federal Pell Grants.			
	b. Each Student Support Incentive Grant shall be distributed to the eligible students in two equal payments, with the first disbursement after the census date for the enrollment period is reached, and the final disbursement at the end of the term of which the students qualified. Students who withdraw or stop attending during the term shall not receive additional payments and shall be subject to repayment of the funds already received. An eligible student may receive up to \$900 per semester and up to \$450 per Summer Term.			
	6. a. Funds for marketing and public awareness efforts to increase participation in the program are contained in Item 220 U. of this act.			
	b. By September 1, 2020, the governing boards of Virginia's public associate degree-granting institutions shall develop policies and procedures to ensure that program participation does not exceed budget appropriation.			
	7. a. No later than September 1 of each year, each Virginia public associate degree-granting institution shall submit to the State Council of Higher Education for Virginia and the Virginia Community College System a report with data from the previous fiscal year on program participation and completion, including data on what high-demand fields are supported by students at each institution.			
	b. The Council and System shall work collaboratively to compile the data provided by each public associate degree-granting institution and report such data, in aggregate and by institution annually, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Senate Education and Health Committee, and the House Education Committee. The report must include student enrollment, retention rates between terms and academic years, wage data including median wages prior to enrollment and one year after completion of a credential or degree, wage rates of students who have not enrolled in over a year and did not complete a credential, and a comparison of demand of jobs and completion rates. The report must disaggregate the information above by program of study, college, and student income level at start of program.			
222.	Not set out.			
223.	Not set out.			
224.	Not set out.			
225.	Not set out.			
225-10	Notwithstanding the provisions set forth in this Act, the amounts listed below associated with			

ITEM 225.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$2,271,000		\$2,271,000
Implement the Get Skilled; Get a Job; Give Back program		\$36,000,000		\$35,000,000
Fund hospitality apprenticeship program		\$250,000		\$250,000
Fund VWCC Healthcare Programs from RUC Merger		\$0		\$385,177
Provide funding for health science and technology pilot		\$0		\$350,000
Provide general operating support		\$4,000,000		\$4,000,000
Fund Hub for Innovation; Virtual Reality; and Entrepreneurship		\$1,000,000		\$0
Fund collaboration with Portsmouth Public Schools' Minority & Women Business Enterprise Advisory Committee		\$386,746		\$386,746
Agency Total		\$43,907,746		\$42,642,923
Total for Virginia Community College System.....			\$1,293,875,181	\$1,292,960,358
			\$1,295,875,181	
General Fund Positions.....	5,558.57	5,558.57		
Nongeneral Fund Positions.....	5,296.58	5,296.58		
Position Level.....	10,855.15	10,855.15		
Fund Sources: General.....	\$516,312,598	\$515,047,775		
	\$518,312,598			
Higher Education Operating.....	\$761,451,820	\$761,801,820		
Debt Service.....	\$16,110,763	\$16,110,763		

§ 1-37. VIRGINIA MILITARY INSTITUTE (211)

- 226. Not set out.
- 227. Not set out.
- 228. Not set out.
- 229. Not set out.
- 230. Not set out.

230.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any

ITEM 230.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Increase undergraduate student financial assistance		\$26,800		\$26,700
Core Leadership course		\$100,047		\$103,048
Math Education and Miller Academic Centers		\$122,500		\$126,000
Agency Total		\$249,347		\$255,748
Total for Virginia Military Institute.....			\$91,306,333	\$91,312,734
General Fund Positions.....	188.71	188.71		
Nongeneral Fund Positions.....	281.06	281.06		
Position Level.....	469.77	469.77		
Fund Sources: General.....	\$19,663,595	\$19,669,996		
Higher Education Operating.....	\$69,246,738	\$69,246,738		
Debt Service.....	\$2,396,000	\$2,396,000		

§ 1-38. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

- 231. Not set out.
- 232. Not set out.
- 233. Not set out.
- 234. Not set out.
- 235. Not set out.

235-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide funding to support graduate financial aid	\$284,800	\$427,200
Increase undergraduate student financial assistance	\$1,623,200	\$1,623,200

ITEM 235.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Agency Total		\$1,908,000		\$2,050,400
Total for Virginia Polytechnic Institute and State University.....			\$1,513,129,016	\$1,513,271,416
General Fund Positions.....	1,890.53	1,890.53		
Nongeneral Fund Positions.....	4,933.45	4,933.45		
Position Level.....	6,823.98	6,823.98		
Fund Sources: General.....	\$213,332,939	\$213,475,339		
Higher Education Operating.....	\$1,289,445,577	\$1,289,445,577		
Debt Service.....	\$10,350,500	\$10,350,500		

Virginia Cooperative Extension and Agricultural Experiment Station (229)

236. Not set out.

236.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022		FY 2021	FY 2022
Provide funding to support the Richmond County Extension Agent	\$50,000			\$50,000	
Agency Total	\$50,000			\$50,000	
Total for Virginia Cooperative Extension and Agricultural Experiment Station.....			\$93,914,832	\$93,914,832	
General Fund Positions.....	731.24	731.24			
Nongeneral Fund Positions.....	388.27	388.27			
Position Level.....	1,119.51	1,119.51			
Fund Sources: General.....	\$74,873,528	\$74,873,528			
Higher Education Operating.....	\$19,041,304	\$19,041,304			
Grand Total for Virginia Polytechnic Institute and State University.....			\$1,607,043,848	\$1,607,186,248	
General Fund Positions.....	2,621.77	2,621.77			
Nongeneral Fund Positions.....	5,321.72	5,321.72			
Position Level.....	7,943.49	7,943.49			
Fund Sources: General.....	\$288,206,467	\$288,348,867			
Higher Education Operating.....	\$1,308,486,881	\$1,308,486,881			
Debt Service.....	\$10,350,500	\$10,350,500			

§ 1-39. VIRGINIA STATE UNIVERSITY (212)

237. Not set out.

ITEM 238.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
238.	Not set out.				
239.	Not set out.				
240.	Not set out.				
240.10	<p>Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:</p>				
			FY 2021		FY 2022
	Expand Supplemental Instructional program		\$320,000		\$320,000
	Support Intrusive Advising Early Warning System		\$150,000		\$150,000
	Provide funding for data center modernization		\$1,644,000		\$144,000
	Launch Virginia College Affordability Network		\$3,773,490		\$4,872,765
	Increase undergraduate student financial assistance		\$1,477,000		\$1,477,000
	Implement Summer Bridge program		\$319,900		\$442,350
	Implement UTeach program		\$250,000		\$250,000
	Agency Total		\$7,934,390		\$7,656,115
	Total for Virginia State University.....			\$185,263,289	\$184,985,014
	General Fund Positions.....	335.47	335.47		
	Nongeneral Fund Positions.....	489.89	489.89		
	Position Level.....	825.36	825.36		
	Fund Sources: General.....	\$56,582,685	\$56,304,410		
	Higher Education Operating.....	\$118,348,059	\$118,348,059		
	Debt Service.....	\$10,332,545	\$10,332,545		

Cooperative Extension and Agricultural Research Services (234)

241. Not set out.

241.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the

ITEM 241.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.				
		FY 2021		FY 2022
Increase funding for state match		\$1,461,956		\$1,535,054
Agency Total		\$1,461,956		\$1,535,054
Total for Cooperative Extension and Agricultural Research Services.....			\$13,952,280	\$14,025,378
General Fund Positions.....	31.75	31.75		
Nongeneral Fund Positions.....	67.00	67.00		
Position Level.....	98.75	98.75		
Fund Sources: General.....	\$7,126,822	\$7,199,920		
Higher Education Operating.....	\$6,825,458	\$6,825,458		
Grand Total for Virginia State University.....			\$199,215,569	\$199,010,392
General Fund Positions.....	367.22	367.22		
Nongeneral Fund Positions.....	556.89	556.89		
Position Level.....	924.11	924.11		
Fund Sources: General.....	\$63,709,507	\$63,504,330		
Higher Education Operating.....	\$125,173,517	\$125,173,517		
Debt Service.....	\$10,332,545	\$10,332,545		

242. Not set out.

243. Not set out.

§ 1-40. JAMESTOWN-YORKTOWN FOUNDATION (425)

244. Not set out.

244.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022
Commemoration closeout costs	\$442,870		\$8,702
One-time funding for site infrastructure	\$167,113		\$0
Education Programs	\$491,200		\$345,100
Marketing and tourism promotion	\$208,000		\$245,000
Agency Total	\$1,309,183		\$598,802
Total for Jamestown-Yorktown Foundation.....			\$20,975,663
General Fund Positions.....	111.00	111.00	
Nongeneral Fund Positions.....	63.00	63.00	

ITEM 244.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Position Level.....	174.00	174.00		
Fund Sources: General.....	\$12,042,431	\$11,332,050		
Special.....	\$8,933,232	\$8,933,232		

§ 1-41. THE LIBRARY OF VIRGINIA (202)

245.	Not set out.			
246.	Not set out.			
247.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$18,233,584 \$19,233,584	\$18,233,584
	State Formula Aid for Local Public Libraries (14301).....	\$18,233,584 \$19,233,584		\$18,233,584
	Fund Sources: General.....	\$18,233,584 \$19,233,584		\$18,233,584

Authority: Title 42.1, Chapter 3, Code of Virginia.

A. It is the objective of the Commonwealth that all local public libraries receiving state aid provide access to their patrons to worldwide electronic information on the Internet. It is the intent of the General Assembly that local public libraries receiving state aid invest in the technology necessary to provide or enhance this service.

B. Included in this appropriation is \$190,070 the first year and \$190,070 the second year from the general fund to supplement the state formula aid distribution provided in Title 42.1, Code of Virginia, for Fairfax Public Library System.

C. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund of the total amounts for aid to libraries may be used for summer reading materials and programs or for STEAM instructional materials.

D. Out of this appropriation, \$1,000,000 from the general fund in the first year is designated to provide aid to local libraries to expand broadband access to support Virginia families in virtual learning and job search assistance efforts. The State Library shall allocate these funds to localities to expand local wi-fi and mobile hotspots.

248. Not set out.

248.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding for Virginia's Centennial Commemoration of Women's Suffrage	\$95,000	\$0
Provide funding to expedite release of gubernatorial records	\$400,000	\$400,000
Increase aid to local libraries	\$1,000,000	\$1,000,000

ITEM 248.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Agency Total	\$1,495,000			\$1,400,000
Total for The Library Of Virginia.....			\$41,944,316 \$42,944,316	\$41,849,316
General Fund Positions.....	134.09	134.09		
Nongeneral Fund Positions.....	63.91	63.91		
Position Level.....	198.00	198.00		
Fund Sources: General.....	\$32,619,775	\$32,524,775		
	\$33,619,775			
Special.....	\$4,671,792	\$4,671,792		
Federal Trust.....	\$4,652,749	\$4,652,749		

§ 1-42. THE SCIENCE MUSEUM OF VIRGINIA (146)

249. Not set out.

249.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022		FY 2021	FY 2022
Security upgrades	\$210,000			\$210,000	
Agency Total	\$210,000			\$210,000	
Total for The Science Museum of Virginia.....			\$11,883,283	\$11,883,283	
General Fund Positions.....	58.19	58.19			
Nongeneral Fund Positions.....	34.81	34.81			
Position Level.....	93.00	93.00			
Fund Sources: General.....	\$5,654,487	\$5,654,487			
Special.....	\$5,228,192	\$5,228,192			
Federal Trust.....	\$1,000,604	\$1,000,604			

250. Not set out.

§ 1-43. VIRGINIA COMMISSION FOR THE ARTS (148)

251. Not set out.

252. Not set out.

252.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of

ITEM 252.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Assembly: Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend; commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Increase support for grants		\$1,645,886		\$2,645,886
Agency Total		\$1,645,886		\$2,645,886
Total for Virginia Commission for the Arts.....			\$6,377,928	\$7,377,928
General Fund Positions.....	6.00	6.00		
Position Level.....	6.00	6.00		
Fund Sources: General.....	\$5,627,134	\$6,627,134		
Dedicated Special Revenue.....	\$11,000	\$11,000		
Federal Trust.....	\$739,794	\$739,794		

§ 1-44. VIRGINIA MUSEUM OF FINE ARTS (238)

253. Not set out.

253-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend; commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide funding for storage lease costs and IF upgrades	\$400,000	\$400,000
Agency Total	\$400,000	\$400,000
Total for Virginia Museum of Fine Arts.....		\$44,032,450
General Fund Positions.....	141.50	141.50
Nongeneral Fund Positions.....	212.00	212.00
Position Level.....	353.50	353.50
Fund Sources: General.....	\$11,371,438	\$11,371,438
Special.....	\$6,452,595	\$6,452,595
Enterprise.....	\$7,479,910	\$7,479,910
Dedicated Special Revenue.....	\$18,478,507	\$18,478,507
Federal Trust.....	\$250,000	\$250,000

§ 1-45. EASTERN VIRGINIA MEDICAL SCHOOL (274)

254. Not set out.

255. Not set out.

ITEM 255.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
255.10	<p>Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>			
		FY 2021		FY 2022
	Provide base operating support	\$625,000		\$625,000
	Agency Total	\$625,000		\$625,000
	Total for Eastern Virginia Medical School.....		\$30,990,881	\$30,990,881
	Fund Sources: General.....	\$30,990,881	\$30,990,881	

§ 1-46. NEW COLLEGE INSTITUTE (938)

256. Not set out.

256.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide additional support for staffing	\$95,000	\$95,000
Agency Total	\$95,000	\$95,000
Total for New College Institute.....		\$4,292,196
General Fund Positions.....	17.00	17.00
Nongeneral Fund Positions.....	6.00	6.00
Position Level.....	23.00	23.00
Fund Sources: General.....	\$2,747,051	\$2,747,051
Special.....	\$1,545,145	\$1,545,145

§ 1-47. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)

257. Not set out.

257.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any

ITEM 257.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Add funding for staffing		\$95,000		\$95,000
Agency Total		\$95,000		\$95,000
Total for Institute for Advanced Learning and Research.....			\$6,510,193	\$6,510,193
Fund Sources: General.....	\$6,510,193	\$6,510,193		

§ 1-48. ROANOKE HIGHER EDUCATION AUTHORITY (935)

258. Not set out.

258.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Academic student success center	\$213,254	\$146,356
Security and safety	\$98,817	\$47,944
Agency Total	\$312,071	\$194,300
Total for Roanoke Higher Education Authority.....		\$1,790,791
Fund Sources: General.....	\$1,790,791	\$1,673,020

§ 1-49. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)

259. Not set out.

259.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the

ITEM 259.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.				
		FY 2021		FY 2022
Personnel & Technical Training		\$293,972		\$95,000
Equipment				
Agency Total		\$293,972		\$95,000
Total for Southern Virginia Higher Education Center.....			\$8,243,669	\$8,044,697
General Fund Positions.....	34.80	34.80		
Nongeneral Fund Positions.....	29.50	29.50		
Position Level.....	64.30	64.30		
Fund Sources: General.....	\$4,097,837	\$3,898,865		
Special.....	\$4,145,832	\$4,145,832		

§ 1-50. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)

260. Not set out.

~~260.10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

		FY 2021		FY 2022
Add funding for staffing		\$95,000		\$95,000
Provide funding for Rural IF Apprenticeship Program		\$500,000		\$500,000
Agency Total		\$595,000		\$595,000
Total for Southwest Virginia Higher Education Center.....			\$3,981,650	\$3,981,650
General Fund Positions.....	30.00	30.00		
Nongeneral Fund Positions.....	3.00	3.00		
Position Level.....	33.00	33.00		
Fund Sources: General.....	\$2,766,000	\$2,766,000		
Special.....	\$1,215,650	\$1,215,650		

§ 1-51. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)

261. Not set out.

~~261.10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any

ITEM 261.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Leverage the Center for Nuclear Femtography		\$250,000		\$250,000
Agency Total		\$250,000		\$250,000
Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC.....			\$1,797,683	\$1,797,683
Fund Sources: General.....	\$1,797,683	\$1,797,683		

§ 1-52. ONLINE VIRGINIA NETWORK AUTHORITY (244)

262. Not set out.

262.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

		FY 2021		FY 2022
Online Virginia Network - JMU		\$1,000,000		\$1,000,000
Agency Total		\$1,000,000		\$1,000,000
Total for Online Virginia Network Authority.....			\$4,000,000	\$4,000,000
Fund Sources: General.....	\$4,000,000	\$4,000,000		

§ 1-53. IN-STATE UNDERGRADUATE TUITION MODERATION (980)

262.50 Not set out.

262.60 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-

ITEM 262.60.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022		FY 2021	FY 2022
Tuition moderation	\$54,750,000			\$25,000,000	
Agency Total	\$54,750,000			\$25,000,000	
Total for In-State Undergraduate Tuition Moderation.....			\$54,750,000	\$25,000,000	
Fund Sources: General.....	\$54,750,000	\$25,000,000			

§ 1-54. MAINTAIN AFFORDABLE ACCESS (984)

262.80	<i>Educational and General Programs (10000).....</i>			\$60,000,000	\$0
	<i>Higher Education Instruction (10001).....</i>	\$60,000,000	\$0		
	<i>Fund Sources: General.....</i>	\$60,000,000	\$0		

Authority: Discretionary Inclusion

A. Out of this appropriation, \$60,000,000 the first year from the general fund is designated to maintain affordable access to public colleges and universities. Allocations from this item are as follows:

Institution	FY 2021 Allocation
<i>Christopher Newport University</i>	\$2,400,000
<i>College of William and Mary</i>	3,500,000
<i>James Madison University</i>	5,700,000
<i>Longwood University</i>	1,500,000
<i>University of Mary Washington</i>	3,300,000
<i>Norfolk State University</i>	2,000,000
<i>Radford University</i>	4,900,000
<i>University of Virginia</i>	3,000,000
<i>University of Virginia's College at Wise</i>	1,000,000
<i>Virginia Commonwealth University</i>	10,000,000
<i>Virginia Military Institute</i>	1,000,000
<i>Virginia Polytechnic Institute & State University</i>	4,000,000
<i>Virginia State University</i>	1,700,000
<i>Richard Bland College</i>	1,000,000
<i>Virginia Community College System</i>	15,000,000
Total	\$60,000,000

B. Institutions may use these funds to support operations, enhance financial aid, or for other purposes to address the impact of the COVID-19 pandemic.

Total for Maintain Affordable Access.....			\$60,000,000	\$0
Fund Sources: General.....	\$60,000,000	\$0		

263. Not set out.

TOTAL FOR OFFICE OF EDUCATION.....			\$21,609,049,740	\$22,088,889,935
			\$21,672,033,633	\$21,995,282,888
General Fund Positions.....	18,874.60	18,877.10		
Nongeneral Fund Positions.....	42,279.01	42,544.01		
Position Level.....	61,153.61	61,421.11		

ITEM 263.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$9,619,348,655	\$9,859,107,388		
	\$9,570,504,818	\$9,765,500,341		
Special.....	\$42,442,364	\$42,442,364		
Higher Education Operating.....	\$9,608,949,753	\$9,742,499,715		
Commonwealth Transportation.....	\$2,379,612	\$1,749,612		
Enterprise.....	\$7,479,910	\$7,479,910		
Trust and Agency.....	\$820,829,075	\$749,974,348		
Debt Service.....	\$358,087,772	\$358,087,772		
Dedicated Special Revenue.....	\$18,739,507	\$18,739,507		
	\$113,967,237			
Federal Trust.....	\$1,130,793,092	\$1,308,809,319		
	\$1,147,393,092			

ITEM 264.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF FINANCE

264. Not set out.

§ 1-55. DEPARTMENT OF ACCOUNTS (151)

265. Not set out.

266. Not set out.

267. Not set out.

268. Not set out.

269. Not set out.

270. Not set out.

271. Not set out.

272. Not set out.

Department of Accounts Transfer Payments (162)

273. Not set out.

274. Revenue Stabilization Fund (73500).....			\$77,409,780	\$17,513,177
				\$0
Payments to the Revenue Stabilization Fund (73501).....	\$77,409,780	\$17,513,177		
				\$0
Fund Sources: General.....	\$77,409,780	\$17,513,177		
				\$0

Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.

A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 15 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

B. Out of this appropriation, \$77,409,780 the first year from the general fund attributable to actual tax collections for fiscal year 2019 shall be paid by the State Comptroller on or before June 30, 2021, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for fiscal year 2019. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

C. Out of this appropriation, \$17,513,177 the second year from the general fund shall be paid by the State Comptroller on or before June 30, 2022, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount represents an estimate of the required deposit to the Revenue Stabilization Fund attributable to tax collections for fiscal year 2021, which the Auditor of Public Accounts shall determine for the year ending June 30, 2021.

275. Revenue Cash Reserve (23700).....			\$0	\$300,000,000
			\$89,027,631	

ITEM 275.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Appropriated Revenue Reserve (23701).....	\$0 \$89,027,631	\$300,000,000		
Fund Sources: General.....	\$0 \$89,027,631	\$300,000,000		

Authority: Title 2.2, Chapter 18, Article 4.1, Code of Virginia.

Notwithstanding any contrary provision of law, there is hereby appropriated in this item \$89,027,631 from the general fund the first year and \$300,000,000 from the general fund the second year to the Revenue Reserve established pursuant to § 2.2-1831.2, Code of Virginia, to mitigate any potential revenue or transfer shortfalls that may arise during the biennium. *Notwithstanding any contrary provision of law, these amounts may be transferred to the Revenue Stabilization Fund to meet any Constitutionally-mandated deposit required based on revenue growth in either year of the fiscal year during the 2020-2022 biennium.*

276. Not set out.

277. Not set out.

278. Not set out.

279. Not set out.

279-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding for a voluntary deposit to the Revenue Reserve Fund	\$0	\$300,000,000
Agency Total	\$0	\$300,000,000
Total for Department of Accounts Transfer Payments		\$1,644,485,110 \$1,733,512,741
Nongeneral Fund Positions.....	1.00	1.00
Position Level.....	1.00	1.00
Fund Sources: General.....	\$1,056,304,780 \$1,145,332,411	\$1,296,408,177 \$1,278,895,000
Trust and Agency.....	\$81,244,219	\$81,554,712
Dedicated Special Revenue.....	\$506,936,111	\$506,846,112
Grand Total for Department of Accounts.....		\$1,687,841,470 \$1,776,869,101
General Fund Positions.....	115.00	115.00
Nongeneral Fund Positions.....	55.00	55.00
Position Level.....	170.00	170.00
Fund Sources: General.....	\$1,069,877,146 \$1,158,904,777	\$1,309,815,543 \$1,292,302,366

ITEM 279.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Special.....	\$995,689	\$995,689		
Internal Service.....	\$28,788,305	\$38,520,462		
Trust and Agency.....	\$81,244,219	\$81,554,712		
Dedicated Special Revenue.....	\$506,936,111	\$506,846,112		

280. Not set out.

§ 1-56. DEPARTMENT OF TAXATION (161)

281. Not set out.

282. Revenue Administration Services (73200).....			\$61,232,085	\$61,589,772
Tax Return Processing (73214).....	\$6,467,197	\$6,467,197		
Customer Services (73217).....	\$12,353,531	\$12,353,531		
Compliance Audit (73218).....	\$22,761,388	\$23,119,075		
Compliance Collections (73219).....	\$16,695,927	\$16,695,927		
Legal and Technical Services (73222).....	\$2,954,042	\$2,954,042		
Fund Sources: General.....	\$50,392,070	\$50,749,757		
Special.....	\$10,118,172	\$10,118,172		
Dedicated Special Revenue.....	\$721,843	\$721,843		

Authority: Title 3.2; Title 58.1, Code of Virginia.

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade audit and collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

B.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the department for any ongoing operational collection expenses.

2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.

C. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia.

D. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.

E. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.

F. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
e. i. Effective until January 1, 2020, all estates and trusts are required to file estimated tax payments pursuant to § 58.1-490 et seq., Code of Virginia, and their annual income tax return pursuant to § 58.1-381, Code of Virginia, and final payment using an electronic medium in a format prescribed by the Tax Commissioner.				
ii. Effective January 1, 2020, annual income tax returns of estates and trusts required pursuant to § 58.1-381, Code of Virginia, that are prepared by an income tax return preparer, as defined in § 58.1-302, Code of Virginia, must be filed using an electronic medium in a format prescribed by the Tax Commissioner.				
f. Taxpayers subject to the taxes imposed pursuant to § 58.1-320 and required to pay estimated tax pursuant to § 58.1-490 et seq., shall be required to file and remit using an electronic medium in a format prescribed by the Tax Commissioner all installment payments of estimated tax and all payments made with regard to a return or an extension of time to file if (i) any one such payment exceeds or is required to exceed \$7,500, or if (ii) the taxpayer's total tax liability exceeds or can be reasonably expected to exceed \$30,000 in any taxable year beginning on or after January 1, 2018. The Department of Taxation shall provide reasonable advanced notice to taxpayers affected by this requirement.				
2.a. The Tax Commissioner shall have the authority to waive the requirement to file or pay by electronic means. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to use an electronic medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.				
b. The Tax Commissioner shall have the authority to waive the requirement to file or pay by January 31. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to file or pay by January 31. All requests for waiver shall be submitted to the Tax Commissioner in writing.				
L.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2013.				
2. Notwithstanding any other provision of law, Out-of-State Dealer's Use Tax and Business Consumer's Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the July 2017 return, due August 2017, for monthly filers and, for less frequent filers, with the first return they are required to file after August 1, 2017.				
3. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.				
M. The Department of Taxation is hereby appropriated revenues from the Virginia Motor Vehicle Rental Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.				
N. Notwithstanding the provisions of § 58.1-490 et seq., Code of Virginia,				
1. Effective for taxable years beginning on or after January 1, 2015, a taxpayer shall be permitted to file a declaration of estimated tax with the Department of Taxation instead of with the commissioner of the revenue and notwithstanding the provisions of § 58.1-306, Code of Virginia, the department may so advise taxpayers.				
2. Effective January 1, 2015, every treasurer who receives an estimated income tax return, declaration or voucher pursuant to § 58.1-495 of the Code of Virginia shall transmit such return, declaration or voucher to the Department of Taxation using an electronic medium in a format prescribed by the Tax Commissioner.				
O. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation is authorized to provide Form 1099 in an electronic format to taxpayers. The Tax Commissioner shall ensure that taxpayers may elect to receive the				

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Taxation shall not be required to update the Virginia Medical Savings Account Plan report after the completion of such report due on December 31, 2016.

X.1. Notwithstanding any other provision of law, any employer or payroll service provider that owns or licenses computerized data relating to income tax withheld pursuant to Article 16 (§ 58.1-460 et seq.) of Chapter 3 of Title 58.1 shall notify the Office of the Attorney General without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted computerized data containing a taxpayer identification number in combination with the income tax withheld for that taxpayer that compromises the confidentiality of such data and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or the employer or payroll provider reasonably believes has caused or will cause, identity theft or other fraud. With respect to employers, this requirement applies only to information regarding the employer's employees, and does not apply to information regarding the employer's customers or other non-employees.

Such employer or payroll service provider shall provide the Office of the Attorney General with the name and federal employer identification number of the employer as defined in § 58.1-460 that may be affected by the compromise in confidentiality. Upon receipt of such notice, the Office of the Attorney General shall notify the Department of Taxation of the compromise in confidentiality. The notification required under this provision that does not otherwise require notification under subsections A through L of § 18.2-186.6, Code of Virginia, shall not be subject to any other notification, requirement, exemption, or penalty contained in that section.

2. Notwithstanding any other provision of law, any income tax return preparer, as defined in § 58.1-302, who prepares any Virginia individual income tax return during a calendar year for which he has the primary responsibility for the overall substantive accuracy of the preparation thereof shall notify the Department of Taxation without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted return information that compromises the confidentiality of such information and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or such preparer reasonably believes has caused or will cause, identity theft or other fraud.

Such income tax return preparer shall provide the Department of Taxation with the name and taxpayer identifying number of any taxpayer that may be affected by the compromise in confidentiality, as well as the name of the income tax return preparer, his preparer tax identification number, and such other information as the Department may prescribe.

Y.1. Every payment settlement entity required to file information returns under § 6050W of the Internal Revenue Code shall, within thirty days of the relevant federal deadline for filing such returns, submit to the Department of Taxation electronically either (i) a duplicate of all such information returns or (ii) a duplicate of such information returns related to participating payees with a Virginia state address or Virginia state taxpayers.

2. All third-party settlement organizations, as defined in § 6050W of the Internal Revenue Code, shall report to the Department of Taxation electronically, and to any participating payee, within 30 days of the relevant federal deadline for reporting such information, all information specified by § 6050W of the Internal Revenue Code with respect to reportable payment transactions made on or after January 1, 2020 to such participating payee. For purposes of determining whether a third-party settlement organization is subject to this requirement, the de minimis limitations of § 6041(a) of the Internal Revenue Code shall apply mutatis mutandis in lieu of the de minimis limitations of § 6050W of the Internal Revenue Code. This requirement shall apply only with respect to participating payees with a Virginia mailing address.

3. The Tax Commissioner shall have the authority to waive the requirement to submit this information upon a determination that the requirement would cause an unreasonable burden. In addition, the Tax Commissioner shall have the authority to waive the requirement to submit this information electronically upon a determination that the requirement would cause an unreasonable burden. All requests for waiver shall be

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
transmitted to the Tax Commissioner in writing.				
Z. The Department of Taxation is hereby appropriated revenues from the Disposable Plastic Bag Tax to recover any administrative costs for collecting the tax incurred by the Department of Taxation as provided by § 58.1-3835 (C), Code of Virginia.				
AA. The Department of Taxation is hereby appropriated revenues from the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia to recover any administrative costs for implementing the tax on heated tobacco products incurred by the Department of Taxation as provided by Item 3-5.21(D) of this Act.				
283.	Not set out.			
284.	Not set out.			
	Total for Department of Taxation.....		\$119,592,795	\$119,950,482
	General Fund Positions.....	905.00	905.00	
	Nongeneral Fund Positions.....	56.00	56.00	
	Position Level.....	961.00	961.00	
	Fund Sources: General.....	\$107,110,104	\$107,467,791	
	Special.....	\$11,760,848	\$11,760,848	
	Dedicated Special Revenue.....	\$721,843	\$721,843	

§ 1-57. DEPARTMENT OF THE TREASURY (152)

- 285. Not set out.
- 286. Not set out.
- 287. Not set out.

287-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Increase funding for a new position in the Cash Management and Investments Division	\$100,003	\$109,093
Agency Total	\$100,003	\$109,093
Total for Department of the Treasury.....		\$50,393,960
General Fund Positions.....	32.20	32.20
Nongeneral Fund Positions.....	91.80	91.80
Position Level.....	124.00	124.00
Fund Sources: General.....	\$8,427,411	\$8,114,163
Special.....	\$469,116	\$469,116

ITEM 287.10.		Item Details(\$)		Appropriations(\$)	
		First Year	Second Year	First Year	Second Year
		FY2021	FY2022	FY2021	FY2022
	Commonwealth Transportation.....	\$185,187	\$185,187		
	Trust and Agency.....	\$40,662,882	\$40,772,882		
	Dedicated Special Revenue.....	\$649,364	\$649,364		
288.	Not set out.				
289.	Not set out.				
290.	Not set out.				
	TOTAL FOR OFFICE OF FINANCE.....			\$2,745,750,071	\$3,051,204,336
				\$2,834,777,702	\$3,033,691,159
	General Fund Positions.....	1,123.20	1,123.20		
	Nongeneral Fund Positions.....	218.80	218.80		
	Position Level.....	1,342.00	1,342.00		
	Fund Sources: General.....	\$2,028,981,299	\$2,325,067,785		
		\$2,118,008,930	\$2,307,554,608		
	Special.....	\$13,225,653	\$13,225,653		
	Higher Education Operating.....	\$31,526,576	\$31,526,576		
	Commonwealth Transportation.....	\$185,187	\$185,187		
	Internal Service.....	\$28,788,305	\$38,520,462		
	Trust and Agency.....	\$121,907,101	\$122,327,594		
	Dedicated Special Revenue.....	\$511,280,476	\$511,190,477		
	Federal Trust.....	\$9,855,474	\$9,160,602		

ITEM 291.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF HEALTH AND HUMAN RESOURCES

§ 1-58. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)

291. Not set out.

Children's Services Act (200)

292.	Protective Services (45300).....		\$371,426,427	\$379,203,904
	Financial Assistance for Child and Youth Services (45303).....	\$371,426,427	\$379,203,904	
	Fund Sources: General.....	\$318,818,681	\$326,596,158	
	Federal Trust.....	\$52,607,746	\$52,607,746	

Authority: Title 2.2, Chapter 52, Code of Virginia.

A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C.

B.1.a. Out of this appropriation, \$260,642,978 the first year and \$268,416,617 the second year from the general fund and \$51,607,746 the first year and \$51,607,746 the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.

b. The Medicaid state pool allocation shall consist of \$28,526,197 the first year and \$28,526,197 the second year from the general fund and \$43,187,748 the first year and \$43,187,748 the second year from nongeneral funds. The Office of Children's Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims.

c. The non-Medicaid state pool allocation shall consist of \$232,116,781 the first year and \$239,890,420 the second year from the general fund and \$8,419,998 the first year and \$8,419,998 the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.

d. The Office of Children's Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools.

e. The Office of Children's Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia.

2.a. Out of this appropriation, \$55,666,865 the first year and \$55,666,865 the second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second year from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

b. In each year, the director of the Office of Children's Services may approve and obligate supplemental funding requests in excess of the amount in 2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B1a in this Item.

c. The State Executive Council shall maintain local government performance measures to include, but not be limited to, use of federal funds for state and local support of the Children's Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Children's Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Children's Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays statewide and for each locality.</p>			
	<p>3. Each locality receiving funds for activities under the Children's Services Act (CSA) shall have a utilization management process, including a uniform assessment, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Children's Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by the uniform assessment instrument. The State Executive Council, utilizing this information, shall track and report on child specific outcomes for youth whose services are funded under the Children's Services Act. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.</p>			
	<p>4. The Secretary of Health and Human Resources, in consultation with the Secretary of Education and the Secretary of Public Safety and Homeland Security, shall direct the actions for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance Services, Health, and Behavioral Health and Developmental Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.</p>			
	<p>5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.</p>			
	<p>6. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, building community-based services, including creation of partnerships with private providers and non-profit groups, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.</p>			
	<p>7. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund is provided for the Office of Children's Services to contract for the support of uniform CSA reporting requirements.</p>			
	<p>8. The State Executive Council shall require a uniform assessment instrument.</p>			
	<p>9. The Office of Children's Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy</p>			

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Children's Services Act.				
10. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.				
C. The funding formula to carry out the provisions of the Children's Services Act is as follows:				
1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Children's Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.				
2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Children's Services Act. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item.				
3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local match rate for community based services for each locality shall be reduced by 50 percent.				
b. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base.				
c. By December 1 of each year, The State Executive Council (SEC) shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the outcomes of this initiative.				
d. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Children's Services Act, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Children's Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.				
e. The local match rate for all non-Medicaid services provided in the public schools after June 30, 2011 shall equal the fiscal year 2007 base.				
4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$2,060,000 the first year and \$2,060,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Children's Services Act program. Localities may pool this administrative funding to hire regional coordinators.				
5. Definition. For purposes of the funding formula in the Children's Services Act, "locality"				

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
means city or county.				
D. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Children's Services Act. Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.				
E. Pursuant to subdivision 3 of § 2.2-5206, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Children's Services Act. The Office of Children's Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social Services, upon the request of the community policy management team, the Office of Children's Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General.				
F. The Office of Children's Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Children's Services Act to become Medicaid-certified providers.				
G. The Office of Children's Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Children's Services Act, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.				
H. Pursuant to subdivision 21 of § 2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on services for children, youth, and families and a plan for such services for the succeeding biennium.				
I. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the general fund shall be used to purchase and maintain an information system to provide quality and timely child demographic, service, expenditure, and outcome data.				
J. The State Executive Council shall work with the Department of Education to ensure that funding in this Item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP).				
K.1. The Office of Children's Services (OCS) shall report on funding for therapeutic foster care services including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition. In addition, the OCS shall provide guidance and training to assist localities in negotiating contracts with therapeutic foster care providers.				
2. The Office of Children's Services shall report on funding for special education day treatment and residential services, including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition.				
3. The Office of Children's Services shall report by December 1 of each year the information included in this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees.				
L. Out of this appropriation, the Director, Office of Children's Services, shall allocate \$2,200,000 the first year and \$2,200,000 the second year from the general fund to				

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

localities for wrap-around services for students with disabilities as defined in the Children's Services Act policy manual.

M. Notwithstanding any other provision of law, the rates paid by localities to providers of private day special education services under the Children's Services Act shall not increase more than two percent the first year above the rates paid in the prior fiscal year. All localities shall submit their contracted rates for private day education services to the Office of Children's Services by August 1 of each year.

N. Any community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school, pursuant to an individualized education plan, serving students with disabilities, shall continue to pay a daily or monthly rate for the 2020-21 school year, but may adjust the rate to account for virtual or distance learning provided by a private school to a rate that is commensurate with the level of service being provided, as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education and the private school is providing services to the student, including virtual.

293. Not set out.

~~293-10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Finalize rate study for private day special education programs	\$250,000	\$0		
Increase training funds for the Children's Services Act	\$50,000	\$50,000		
Agency Total	\$300,000	\$50,000		
Total for Children's Services Act.....			\$373,686,223	\$381,213,700
General Fund Positions.....	14.00	14.00		
Position Level.....	14.00	14.00		
Fund Sources: General.....	\$321,078,477	\$328,605,954		
Federal Trust.....	\$52,607,746	\$52,607,746		
Grand Total for Secretary of Health and Human Resources.....			\$374,564,287	\$382,091,764
General Fund Positions.....	19.00	19.00		
Position Level.....	19.00	19.00		
Fund Sources: General.....	\$321,956,541	\$329,484,018		
Federal Trust.....	\$52,607,746	\$52,607,746		

294. Not set out.

ITEM 295.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
295.	Not set out.				
296.	Not set out.				
297.	Not set out.				
298.	Not set out.				
299.	Communicable Disease Prevention and Control (40500).....			\$109,901,022	\$109,966,944
	Immunization Program (40502).....	\$8,147,521	\$8,161,841		
	Tuberculosis Prevention and Control (40503).....	\$2,174,878	\$2,174,878		
	Sexually Transmitted Disease Prevention and Control (40504).....	\$3,393,106	\$3,393,106		
	Disease Investigation and Control Services (40505).....	\$5,682,596	\$5,734,198		
	HIV/AIDS Prevention and Treatment Services (40506).....	\$88,359,214	\$88,359,214		
	Pharmacy Services (40507).....	\$2,143,707	\$2,143,707		
	Fund Sources: General.....	\$11,317,437	\$11,383,359		
	Special.....	\$1,883,391	\$1,883,391		
	Federal Trust.....	\$96,700,194	\$96,700,194		

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.

A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.

C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance Committees annually on October 1.

G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairmen of the House Appropriations and Senate Finance Committees.

H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

I. The Department of Health shall convene a work group, which shall include the Commonwealth's Chief Diversity, Equity, and Inclusion Officer and representatives of the Office of Health Equity of the Department of Health, the Department of Emergency Management, and such other stakeholders as the department shall deem appropriate and which may be an existing work group or other entity previously convened for a related purpose, to (i) evaluate the methods by which vaccines and other medications necessary to treat or prevent the spread of COVID-19 are made available to the public, (ii) identify and develop a plan to implement specific actions necessary to ensure such vaccines and other medications are equitably distributed in the Commonwealth to ensure all residents of the Commonwealth are able to access such vaccines and other medications, and (iii) make recommendations for any statutory, regulatory, or budgetary actions necessary to implement such plan. The Department shall make an initial report on its activities and any findings to the Chairs of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020, and shall report monthly thereafter.

J. The Virginia Department of Health shall review and update their data collection and reporting protocols for COVID-19 or other infectious disease data to report actual deaths not an extrapolated projection of deaths.

K. The State Health Commissioner shall ensure that residents and employees of any nursing home or assisted living facility receive priority for testing indicating the existence of the COVID-19 virus in the Commonwealth. The Commissioner shall make available public health testing, if necessary, in order to ensure that nursing homes or assisted living facilities have access to testing that can provide the most rapid results in order to prevent or contain outbreaks of COVID-19. Such testing shall be provided, as needed, by the Division of Consolidated Laboratory Services or other public health testing agencies of the Commonwealth. Any testing costs through the public health system for employees or residents of nursing homes or assisted living facilities may be billed to responsible third-parties.

300.	Health Research, Planning, and Coordination (40600).....			\$19,671,239	\$19,671,239
	Health Research, Planning and Coordination (40603).....	\$3,515,119	\$3,515,119		
	Regulation of Health Care Facilities (40607).....	\$13,826,070	\$13,826,070		
	Certificate of Public Need (40608).....	\$1,704,248	\$1,704,248		
	Cooperative Agreement Supervision (40609).....	\$625,802	\$625,802		
	Fund Sources: General.....	\$4,293,205	\$4,293,205		
	Special.....	\$3,048,545	\$3,048,545		
	Dedicated Special Revenue.....	\$451,798	\$451,798		
	Federal Trust.....	\$11,877,691	\$11,877,691		

Authority: §§ 32.1-102.1 through 32.1-102.11; 32.1-122.01 through 32.1-122.08; and 32.1-123 through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.

A. Supplemental funding for the regional health planning agencies shall be provided from the following sources:

1. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the program may retain special fund balances each year equal to of one month's operational needs in case of revenue shortfalls in

ITEM 300.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the subsequent year.

2. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.

B. Failure of any regional health planning agency to establish or sustain business operations shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.

C. The State Health Commissioner shall continue implementation of the "Five-Year Action Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and Populations of the Commonwealth." A minimum of \$150,000 the first year and \$150,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant. The commissioner is authorized to contract for services to accomplish the plan.

D. Out of the this appropriation, \$278,000 the first year and \$278,000 the second year is appropriated to the department from statewide indirect cost recoveries to match federal funds and support the programs of the Office of Licensure and Certification. Amounts recovered in excess of the special fund appropriation shall be deposited to the general fund.

E. The Virginia Department of Health (VDH) in collaboration with the Department of Health Professions shall issue risk mitigation guidelines on the prescription of the class of potent pain medicines known as extended-release and long-acting (ER/LA) opioid analgesics to include co-prescription of an opioid antagonist, approved by the U.S. Food and Drug Administration (FDA), for administration by family members or caregivers in a non-medically supervised environment.

F. In any case in which the Governor has declared a public health emergency related to the novel coronavirus (COVID-19), every medical care facility licensed by the Virginia Department of Health, except nursing facilities, shall allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person at any time during which health care services are provided. In any case in which health care services are provided in an inpatient setting, and the duration of health care services in such inpatient setting is anticipated to last more than 24 hours, the person with a disability may designate more than one designated support person. However, no such facility shall be required to allow more than one designated support person to be present with a person with a disability at any time. A designated support person shall not be subject to any restrictions on visitation adopted by such medical care facility. However, such designated support person may be required to comply with all reasonable requirements of the medical care facility adopted to protect the health and safety of patients and staff of the medical care facility. Every such medical care facility shall establish policies applicable to designated support persons and shall (i) make such policies available to the public on a website maintained by the medical care facility and (ii) provide such policies, in writing, to the patient at such time as health care services are provided. A "designated support person" means a person who is knowledgeable about the needs of a person with a disability and who is designated, orally or in writing, by the individual with a disability, the individual's guardian or the individual's care provider, to provide support and assistance, including physical assistance, emotional support, assistance with communication or decision-making, or any other assistance necessary as a result of the person's disability, to the person with a disability at any time during which health care services are provided.

301. Not set out.

302. Not set out.

303. Not set out.

ITEM 304.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
304.	Not set out.				
305.	Not set out.				
306.	Not set out.				
307.	Not set out.				
307.10	Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:				
		FY 2021		FY 2022	
	Support a position at the Mel Leaman Free Clinic	\$30,000		\$30,000	
	Add funding for community health workers - two year pilot	\$0		\$289,168	
	Fund Behavioral Health Loan Repayment Program and Nursing Preceptor Incentive Position	\$88,914		\$88,914	
	Establish Nursing Preceptor Incentive Program	\$500,000		\$500,000	
	Establish Behavioral Health Loan Repayment Program	\$1,600,000		\$1,600,000	
	Increase support for poison control centers	\$1,500,000		\$0	
	Establish the Virginia Sexual and Domestic Violence Prevention Fund	\$750,000		\$750,000	
	Increases in rent for Local Health Department facilities	\$75,889		\$75,889	
	Increase Hampton Roads Proton Therapy Institute funding	\$1,500,000		\$1,500,000	
	Establish Sickle Cell Patient Assistance Program	\$250,000		\$250,000	
	Increase support for Special Olympics Virginia	\$10,000		\$10,000	
	Add funding for a data management system for Virginia's Drinking Water Program	\$150,000		\$250,000	
	Add funding for building Office of Health Equity infrastructure and capacity	\$150,000		\$150,000	
	Adds positions for the Shellfish Safety Division	\$168,270		\$168,270	
	Increase general fund and nongeneral fund appropriation related to the EPA Drinking Water State Revolving Fund grant	\$482,400		\$482,400	

ITEM 307.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Add funding and a position for a wastewater infrastructure manager		\$131,880		\$131,880
Agency Total		\$7,387,353		\$6,276,521
Total for Department of Health.....			\$785,787,377	\$781,129,340
General Fund Positions.....	1,513.50	1,517.50		
Nongeneral Fund Positions.....	2,198.00	2,198.00		
Position Level.....	3,711.50	3,715.50		
Fund Sources: General.....	\$200,240,415	\$198,041,753		
Special.....	\$169,842,442	\$169,842,442		
Dedicated Special Revenue.....	\$116,052,192	\$116,052,192		
Federal Trust.....	\$299,652,328	\$297,192,953		

§ 1-60. DEPARTMENT OF HEALTH PROFESSIONS (223)

308.	Not set out.			
309.	Regulation of Professions and Occupations (56000).....		\$35,249,989	\$35,371,849
	Technical Assistance to Regulatory Boards (56044).....	\$35,249,989	\$35,371,849	
	Fund Sources: Trust and Agency.....	\$1,425,987	\$1,425,987	
	Dedicated Special Revenue.....	\$33,824,002	\$33,945,862	

Authority: Title 54.1, Chapter 25, Code of Virginia.

A. The Department of Health Professions shall have authority to increase fees for the Board of Pharmacy to administer the operations of the five cannabis processors pursuant to legislation in the 2020 Session. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

B. Nurse practitioners licensed in the Commonwealth of Virginia, except those licensed in the category of Certified Registered Nurse Anesthetists, with two or more years of clinical experience may continue to practice in the practice category in which they are certified and licensed and prescribe without a written or electronic practice agreement until the termination of a declared state of emergency due to the COVID-19 pandemic.

Total for Department of Health Professions.....			\$35,314,989	\$35,436,849
Nongeneral Fund Positions.....	259.00	262.00		
Position Level.....	259.00	262.00		
Fund Sources: Special.....	\$65,000	\$65,000		
Trust and Agency.....	\$1,425,987	\$1,425,987		
Dedicated Special Revenue.....	\$33,824,002	\$33,945,862		

§ 1-61. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)

310.	Not set out.			
311.	Not set out.			
312.	Children's Health Insurance Program Delivery (44600).....		\$249,622,837	\$270,236,306
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602).....	\$241,382,694	\$241,382,694	\$258,207,202
		\$249,622,837	\$241,382,694	\$270,236,306
		\$241,382,694	\$241,382,694	\$258,207,202

ITEM 312.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$66,286,945	\$80,511,386		
	\$58,401,947	\$76,301,200		
Dedicated Special Revenue.....	\$14,065,627	\$14,065,627		
Federal Trust.....	\$169,270,265	\$175,659,293		
	\$168,915,120	\$167,840,375		

Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal Code.

A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the State Comptroller.

B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's Health Insurance Program.

C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program.

D. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Medicaid Program Services (45600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XXI funds.

E. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month.

F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

313. Medicaid Program Services (45600).....			\$16,030,222,525	\$17,137,554,276
			\$16,268,112,956	\$16,998,372,512
Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607).....	\$75,685,714	\$57,410,714		
Reimbursements for Behavioral Health Services (45608).....	\$62,787,880	\$66,242,284		
Reimbursements for Medical Services (45609).....	\$10,104,253,522	\$10,782,495,276		
	\$10,191,228,313	\$10,643,313,512		
Reimbursements for Long-Term Care Services (45610).....	\$1,660,622,491	\$1,735,055,863		
	\$1,682,928,061			
Payments for Healthcare Coverage for Low-Income Uninsured Adults (45611).....	\$4,126,872,918	\$4,496,350,139		
	\$4,255,482,988			
Fund Sources: General.....	\$5,139,243,074	\$5,478,352,267		
	\$4,859,146,391	\$5,404,301,385		
Dedicated Special Revenue.....	\$1,323,656,931	\$1,396,986,240		
	\$1,310,610,828	\$1,401,446,240		

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Federal Trust.....	\$9,567,322,520	\$10,262,215,769		
	<i>\$10,098,355,737</i>	<i>\$10,192,624,887</i>		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title XIX, Social Security Act, Federal Code.

A. Out of this appropriation, \$37,842,857 the first year and \$28,705,357 the second year from the general fund and \$37,842,857 the first year and \$28,705,357 the second year from the federal trust fund is provided for reimbursement to the institutions within the Department of Behavioral Health and Developmental Services.

B.1. Included in this appropriation is \$10,753,903 the first year and \$12,370,807 the second year from the general fund and \$29,942,662 the first year and \$31,559,566 the second year from nongeneral funds to reimburse the Virginia Commonwealth University Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

2. Included in this appropriation is \$19,394,915 the first year and \$20,621,854 the second year from the general fund and \$34,109,693 the first year and \$35,336,632 the second year from nongeneral funds to reimburse the University of Virginia Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

3. The general fund amounts for the state teaching hospitals have been reduced to mirror the general fund impact of reduced and no inflation for inpatient services in prior years. It also includes reductions associated with prior year indigent care reductions. However, the nongeneral funds are appropriated. In order to receive the nongeneral funds in excess of the amount of the general fund appropriated, the health systems shall certify the public expenditures.

4. The Department of Medical Assistance Service shall have the authority to increase Medicaid payments for Type One hospitals and physicians consistent with the appropriations to compensate for limits on disproportionate share hospital (DSH) payments to Type One hospitals that the department would otherwise make. In particular, the department shall have the authority to amend the State Plan for Medical Assistance to increase physician supplemental payments for physician practice plans affiliated with Type One hospitals up to the average commercial rate as demonstrated by University of Virginia Health System and Virginia Commonwealth University Health System, to change reimbursement for Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect medical education reimbursement for HMO discharges for Type One hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

C.1. The estimated revenue for the Virginia Health Care Fund is ~~\$472,802,840~~ \$474,082,840 the first year and ~~\$486,936,557~~ \$491,396,557 the second year, to be used pursuant to the uses stated in § 32.1-367, Code of Virginia.

2. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care Fund shall only be used as the state share of Medicaid unless specifically authorized by this Act.

3. Notwithstanding § 32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5 percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.2-3100, Code of Virginia, to the Virginia Health Care Fund.

D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

E.1. At least 45 days prior to the submission of any state plan or waiver amendment or renewal of such, to the Centers for Medicare and Medicaid Services (CMS) or change in the contracts with managed care organizations that may impact the capitation rates, the Department of Medical Assistance Services (DMAS) shall provide written notification to the Director, Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment will require any future state regulatory action or expenditure beyond that which is appropriated in this Act. If the Department of Planning and Budget, after review of the proposed change, determines that it may likely result in a material fiscal impact on the general fund, for which no legislative appropriation has been provided, then the Department of Medical Assistance Services shall delay the proposed change until the General Assembly authorizes such action and notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of such action.

2. Effective July 1, 2020, the Department of Medical Assistance Services shall have the authority to include the following modifications to the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts:

- a) Expand care coordination for adoption assistance members;
- b) Require that all foster care children receive a physician and dental visit within the first 30 days of plan enrollment;
- c) Provide cultural competency training and case management initiatives specific to the LGBTQI community;
- d) Require Patient Utilization Management and Safety (PUMS) Program “lock-in” re-evaluations for members changing plans;
- e) Require additional care coordinators for the early intervention population;
- f) Develop advisory groups for member feedback and engagement surrounding maternal, child, and women’s health;
- g) Develop strategies to keep mom and baby together during residential SUD treatment;
- h) Require plans to identify and address racial disparities in maternal, reproductive and child health;
- i) Improve care coordination of the high-risk maternity program;
- j) Require maternal screenings for substance abuse (SBIRT);
- k) Require maternal screenings for mental health;
- l) Waive the signature requirement for non-emergency transportation providers;
- m) Establish payment targets for the total portion of medical spending covered under a value based payment arrangement; and
- n) Require CCC Plus plans to upgrade Medicare Dual Special Needs Plans (D-SNPs) to Medicare Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPS).

3. Effective July 1, 2020, the Department of Medical Assistance Services shall amend its CCC Plus and Medallion 4.0 contracts with managed care organizations (MCOs) to include the following provisions related to community mental health and rehabilitation services:

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
a) Clarify that required response times are based on calendar days, not business days.				
b) Require that, in any case where a service authorization or reauthorization for community mental health and rehabilitation services, is not approved or denied within the National Committee for Quality Assurance (NCQA) response time standard, the provider shall assume to have approval to provide the service and receive payment until date of denial.				
c) Clarify response time requirements for weekends and holidays, to the extent that they differ from the NCQA response time standards.				
d) Clarify how MCOs are to determine if a service authorization is considered urgent or non-urgent as it pertains to the NCQA response time standards.				
4. The department shall amend its contracts with managed care organizations to direct the MCOs to modify their contracts with providers to include the requirements from paragraphs a. through d. above.				
5. The department shall track and report on compliance with NCQA response time standards for each MCO, broken down by service type. Such tracking shall include: (i) How often total response time, from initial submittal until service authorization or denial, exceeds the NCQA standards; and (ii) How often appeals are filed, and of those, how often are services subsequently approved and how often they are denied. The department shall publish the data on these items on a quarterly basis to the department's website.				
6. In addition to the changes specified in E.2., DMAS shall have authority to include modifications to the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts as necessary to implement actions specifically authorized through language included in this Act.				
7. The department shall conduct an analysis and report on the costs and benefits to amending the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts to combine any applicable medical loss ratios and underwriting gain provisions to ensure uniformity in the applicability of those provisions to the Joint Subcommittee for Health and Human Resources Oversight. The report shall be completed by November 15, 2020.				
8. The Department of Medical Assistance Services shall develop a plan to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 programs. The department shall submit the plan with a feasible timeline for such a merger to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020.				
F.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for Medical Assistance.				
2. At least 30 days prior to the submission of an application for any new waiver of Title XIX or Title XXI of the Social Security Act, the Department of Medical Assistance Services shall notify the Chairmen of the House Appropriations and Senate Finance Committees of such pending application and provide information on the purpose and justification for the waiver along with any fiscal impact. If the department receives an official letter from either Chairmen raising an objection about the waiver during the 30-day period, the department shall not submit the waiver application and shall request authority for such waiver as part of the normal legislative or budgetary process. If the department receives no objection, then the application may be submitted. Any waiver specifically authorized elsewhere in this Item is not subject to this provision. Waiver renewals are not subject to the provisions of this paragraph.				
3. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>G. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XIX funds.</p>				
<p>H. Notwithstanding any other provision of law, any unexpended general fund appropriation remaining in this Item on the last day of each fiscal year shall revert to the general fund and shall not be reappropriated in the following fiscal year.</p>				
<p>I. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.</p>				
<p>J.1.a. As of July 1, 2019, the Community Living (CL) waiver authorizes 11,736 slots.</p>				
<p>b. As of July 1, 2019, the Family and Individuals Support (FIS) waiver authorizes 2,983 slots.</p>				
<p>c. As of July 1, 2019, the Building Independence (BI) waiver authorizes 400 slots.</p>				
<p>2. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family Developmental Disabilities and Support Medicaid Waiver other than those slots authorized specifically to support the Money Follows the Person Demonstration, individuals who are exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this Act.</p>				
<p>3. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the CL, FIS and BI waivers, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this Act.</p>				
<p>4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 145 new slots effective July 1, 2020 and an additional 95 slots effective July 1, 2021. An amount estimated at \$5,653,333 the first year and \$9,357,240 the second year from the general fund and \$5,653,333 the first year and \$9,357,240 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assume that 20 of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the CL waiver to add the additional slots.</p>				
<p>b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 640 new slots effective July 1, 2020 and an additional 455 slots effective July 1, 2021. An amount estimated at \$10,581,760 the first year and \$18,104,730 the second year from the general fund and \$10,581,760 the first year and \$18,104,730 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assumes that five of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the FIS waiver to add the additional slots.</p>				
<p>c. In addition to the new slots added in 4.a. and b., the Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 15 new slots effective July 1, 2020 and an additional 15 slots effective July 1, 2021. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 10 new slots effective July 1, 2020 and an additional 10 slots effective July 1, 2021. These slots shall be held as reserve capacity by the Department of Behavioral Health and Developmental Services (DBHDS) to address emergency situations. An amount estimated at \$750,168 the first year and \$1,500,335 the second year from the general fund and \$750,168 the first year and \$1,500,335 the second year from nongeneral funds is provided to cover the anticipated costs of the emergency slots. DMAS shall seek federal approval for necessary changes to the CL and FIS waivers to add the additional slots. Beginning July 1, 2018, DBHDS shall provide a quarterly report on the use of the emergency slots provided in this paragraph.</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
d. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs, placements and services associated with the additional slots added in paragraphs J.4.a., J.4.b., and J.4.c. above. By October 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget.				
K. The Department of Medical Assistance Services and the Virginia Department of Health shall work with representatives of the dental community; to expand the availability and delivery of dental services to pediatric Medicaid recipients; to streamline the administrative processes; and to remove impediments to the efficient delivery of dental services and reimbursement thereof. The Department of Medical Assistance Services shall report its efforts to expand dental services to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget by December 15 each year.				
L. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.				
M.1. The Department of Medical Assistance Services shall implement continued enhancements to the drug utilization review (DUR) program. The department shall continue the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work with the Pharmacy Liaison Committee, meeting at least semi-annually, to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall solicit input from the Pharmacy Liaison Committee regarding pharmacy provisions in the development and enforcement of all managed care contracts. The department shall report on the Pharmacy Liaison Committee's and the DUR Board's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.				
2. The department shall add a representative to the Pharmacy Liaison Committee from the Virginia Community Healthcare Association to represent pharmacy operations and issues at federally qualified health centers in Virginia.				
N.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Children's Services Act program, Department of Education, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Department for Aging and Rehabilitative Services, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.				
2. The Department of Medical Assistance Services shall retain the savings necessary to reimburse a vendor for its efforts to implement paragraph N.1. of this Item. However, prior to reimbursement, the department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.				
O. The Department of Medical Assistance Services shall have the authority to pay contingency fee contractors, engaged in cost recovery activities, from the recoveries that are generated by those activities. All recoveries from these contractors shall be deposited to a special fund. After payment of the contingency fee any prior year recoveries shall be transferred to the Virginia Health Care Fund. The Director, Department of Medical				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Assistance Services, shall report to the Chairmen of the House Appropriations and Senate Finance Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors by November 1 each year.</p>				
<p>P. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Children's Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.</p>				
<p>Q.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.</p>				
<p>2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner, Department of Behavioral Health and Developmental Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population. Physicians on the committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.</p>				
<p>b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually and may meet at other times at the discretion of the chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.</p>				
<p>3. The department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the committee.</p>				
<p>4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
computer access to information and multilingual material.				
5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.				
6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this Act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Behavioral Health and Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.				
7. The Department of Medical Assistance Services shall (i) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (ii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-approved indications and dosage levels.				
8. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.				
R.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.				
2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.				
3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.				
4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing provider to contest the listed specialty drugs and rates.				
5. The department shall have authority to enact emergency regulations under § 2.2-4011 of				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

the Administrative Process Act to effect these provisions.

S.1. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.

2. The Department of Medical Assistance Services shall retain five percent of the Federal Financial Participation for reimbursement to school divisions for medical and transportation services.

T. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

U. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement (DSCE), shall identify and report third party coverage where a medical support order has required a custodial or noncustodial parent to enroll a child in a health insurance plan. The Department of Medical Assistance Services shall also report to the DCSE third party information that has been identified through their third party identification processes for children handled by DCSE.

V.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request, except as provided herein. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request or, in the case of a joint agreement to stay the appeal decision as detailed below, within the time remaining after the stay expires and the appeal timeframes resume, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. The Department of Medical Assistance Services and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the sixty-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance § 2.2-514 of the Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

W. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Behavioral Health and Developmental Services in consultation with the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Coalition of Private Provider Associations, and the Association of Community Based Providers, to establish rates for the Intensive In-Home Service based on quality indicators and standards, such as the use of evidence-based practices.				
EE. The Department of Medical Assistance Services shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to expand principles of care coordination to all geographic areas, populations, and services under programs administered by the department. The expansion of care coordination shall be based on the principles of shared financial risk such as shared savings, performance benchmarks or risk and improving the value of care delivered by measuring outcomes, enhancing quality, and monitoring expenditures. The department shall engage stakeholders, including beneficiaries, advocates, providers, and health plans, during the development and implementation of the care coordination projects. Implementation shall include specific requirements for data collection to ensure the ability to monitor utilization, quality of care, outcomes, costs, and cost savings. The department shall report by November 1 of each year to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees detailing implementation progress including, but not limited to, the number of individuals enrolled in care coordination, the geographic areas, populations and services affected and cost savings achieved. Unless otherwise delineated, the department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change. The intent of this Item may be achieved through several steps, including, but not limited to, the following:				
<p>a. In fulfillment of this Item, the department and the Department of Behavioral Health and Developmental Services, in collaboration with the Community Services Boards and in consultation with appropriate stakeholders, shall develop a blueprint for the development and implementation of a care coordination model for individuals in need of behavioral health services not currently provided through a managed care organization. The overall goal of the project is to improve the value of behavioral health services purchased by the Commonwealth of Virginia without compromising access to behavioral health services for vulnerable populations. Targeted case management services will continue to be the responsibility of the Community Services Boards. The blueprint shall: (i) describe the steps for development and implementation of the program model(s) including funding, populations served, services provided, timeframe for program implementation, and education of clients and providers; (ii) set the criteria for medical necessity for community mental health rehabilitation services; and (iii) include the following principles:</p> <ol style="list-style-type: none"> 1. Improves value so that there is better access to care while improving equity. 2. Engages consumers as informed and responsible partners from enrollment to care delivery. 3. Provides consumer protections with respect to choice of providers and plans of care. 4. Improves satisfaction among providers and provides technical assistance and incentives for quality improvement. 5. Improves satisfaction among consumers by including consumer representatives on provider panels for the development of policy and planning decisions. 6. Improves quality, individual safety, health outcomes, and efficiency. 7. Develops direct linkages between medical and behavioral services in order to make it easier for consumers to obtain timely access to care and services, which could include up to full integration. 8. Builds upon current best practices in the delivery of behavioral health services. 9. Accounts for local circumstances and reflects familiarity with the community where services are provided. 10. Develops service capacity and a payment system that reduces the need for involuntary commitments and prevents default (or diversion) to state hospitals. 				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
11. Reduces and improves the interface of vulnerable populations with local law enforcement, courts, jails, and detention centers.				
12. Supports the responsibilities defined in the Code of Virginia relating to Community Services Boards and Behavioral Health Authorities.				
13. Promotes availability of access to vital supports such as housing and supported employment.				
14. Achieves cost savings through decreasing avoidable episodes of care and hospitalizations, strengthening the discharge planning process, improving adherence to medication regimens, and utilizing community alternatives to hospitalizations and institutionalization.				
15. Simplifies the administration of acute psychiatric, community mental health rehabilitation, and medical health services for the coordinating entity, providers, and consumers.				
16. Requires standardized data collection, outcome measures, customer satisfaction surveys, and reports to track costs, utilization of services, and outcomes. Performance data should be explicit, benchmarked, standardized, publicly available, and validated.				
17. Provides actionable data and feedback to providers.				
18. In accordance with federal and state regulations, includes provisions for effective and timely grievances and appeals for consumers.				
b. The department may seek the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to develop and implement a care coordination model, that is consistent with the principles in paragraph a., for individuals in need of behavioral health services to be effective July 1, 2019. This model may be applied to individuals on a mandatory basis. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this Act.				
FF. The Department of Medical Assistance Services shall make programmatic changes in the provision of Residential Treatment Facility (Level C) and Levels A and B residential services (group homes) for children with serious emotional disturbances in order ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.				
GG. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing centers accredited by the Commission for the Accreditation of Birthing Centers. Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology applied in a manner similar to the reimbursement methodology for ambulatory surgery centers. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.				
HH. The department may seek federal authority through amendments to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to develop and implement programmatic and system changes that allow expedited enrollment of Medicaid eligible recipients into Medicaid managed care, most importantly for pregnant women. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this Act.				
II.1. The Department of Medical Assistance Services, related to appeals administered by and for the department, shall have authority to amend regulations to:				
i. Utilize the method of transmittal of documentation to include email, fax, courier, and electronic transmission.				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
ii.				
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ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

to effect such change.

MM. The Department of Medical Assistance Services shall amend its State Plan under Title XIX of the Social Security Act to implement reasonable restrictions on the amount of incurred dental expenses allowed as a deduction from income for nursing facility residents. Such limitations shall include: (i) that routine exams and x-rays, and dental cleaning shall be limited to twice yearly; (ii) full mouth x-rays shall be limited to once every three years; and (iii) deductions for extractions and fillings shall be permitted only if medically necessary as determined by the department.

NN. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia, and effective upon the availability of subsidized private health insurance offered through a Health Benefits Exchange in Virginia as articulated through the federal Patient Protection and Affordable Care Act (PPACA), the Department of Medical Assistance Services shall eliminate, to the extent not prohibited under federal law, Medicaid Plan First and FAMIS Moms program offerings to populations eligible for and enrolled in said subsidized coverage in order to remove disincentives for subsidized private healthcare coverage through publicly-offered alternatives. To ensure, to the extent feasible, a smooth transition from public coverage, DMAS shall endeavor to phase out such coverage for existing enrollees once subsidized private insurance is available through a Health Benefits Exchange in Virginia. The department shall implement any necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

OO. The Department of Medical Assistance Services shall have authority to amend the State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any waivers thereof, to implement requirements of the federal Patient Protection and Affordable Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP eligibility determination and case management standards and practices, including the Modified Adjusted Gross Income (MAGI) methodology. The department shall have authority to implement such standards and practices upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

PP. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a Medicaid Physician and Managed Care Liaison Committee including, but not limited to, representatives from the following organizations: the Virginia Academy of Family Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia Medical Group Management Association; and the Medical Society of Virginia. The committee shall also include representatives from each of the department's contracted managed care organizations and a representative from the Virginia Association of Health Plans. The committee will work with the department to investigate the implementation of quality, cost-effective health care initiatives, to identify means to increase provider participation in the Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and to address other matters as raised by the department or members of the committee. The Committee shall establish an Emergency Department Care Coordination work group comprised of representatives from the Committee, including the Virginia College of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Academy of Family Physicians and the Virginia Association of Health Plans to review the following issues: (i) how to improve coordination of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care provider incentive funding on improved interoperability between hospital and provider systems; and (iii) methods for formalizing a statewide emergency department collaboration to improve care and treatment of Medicaid recipients and increase cost efficiency in the Medicaid program, including recognized best practices for emergency departments. The committee shall meet semi-annually, or more frequently if requested by the department or members of the committee. The department, in cooperation with the committee, shall report on the committee's activities annually to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than October 1 each year.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>QQ.1. The Department of Medical Assistance Services shall seek federal authority through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to implement a comprehensive value-driven, market-based reform of the Virginia Medicaid/FAMIS programs.</p> <p>2. The department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. Any coordination of non-traditional behavioral health services covered under contract with qualified health plans or through other means shall adhere to the principles outlined in paragraph EE.a. This reformed service delivery model shall be mandatory, to the extent allowed under the relevant authority granted by the federal government and shall, at a minimum, include (i) limited high-performing provider networks and medical/health homes; (ii) financial incentives for high quality outcomes and alternative payment methods; (iii) improvements to encounter data submission, reporting, and oversight; (iv) standardization of administrative and other processes for providers; and (v) support of the health information exchange.</p> <p>3.a. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, the Department of Medical Assistance Services shall have the authority to (1) amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act and (2) begin the process of implementing a § 1115 demonstration project to transform the Medicaid program for newly eligible individuals pursuant to the provisions of 4.c. and eligible individuals enrolled in the existing Medicaid program. DMAS shall submit the § 1115 demonstration waiver application to CMS for approval. The department shall provide updates on the progress of the State Plan amendments and demonstration waiver applications to the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, upon request, and provide for participation in discussions with CMS staff. The department shall respond to all requests for information from CMS on the State Plan Amendments and demonstration waiver applications in a timely manner.</p> <p>b. The demonstration project shall include the following elements in the design: The Department of Medical Assistance Services shall develop a supportive employment and housing benefit targeted to high risk Medicaid beneficiaries with mental illness, substance use disorder, or other complex, chronic conditions who need intensive, ongoing support to obtain and maintain employment and stable housing.</p> <p>c. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this Act.</p> <p>4. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA are modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law following the date the department is notified of a reduction in Federal Medical Assistance Percentage.</p> <p>RR.1. Effective July 1, 2014, the Department of Medical Assistance Services shall replace the current Disproportionate Share Hospital (DSH) methodology with the following methodology:</p> <p>a) DSH eligible hospitals must have a total Medicaid Inpatient Utilization Rate equal to 14 percent or higher in the base year using Medicaid days eligible for Medicare DSH or a Low Income Utilization Rate in excess of 25 percent and meet other federal requirements. Eligibility for out of state cost reporting hospitals shall be based on total Medicaid utilization or on total Medicaid NICU utilization equal to 14 percent or higher.</p> <p>b) Each hospital's DSH payment shall be equal to the DSH per diem multiplied by each hospital's eligible DSH days in a base year. Days reported in provider fiscal years in state FY 2011 will be the base year for FY 2015 prospective DSH payments. DSH will be recalculated</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

annually with an updated base year. DSH payments are subject to applicable federal limits.

c) Eligible DSH days are the sum of all Medicaid inpatient acute, psychiatric and rehabilitation days above 14 percent for each DSH hospital subject to special rules for out of state cost reporting hospitals. Eligible DSH days for out of state cost reporting hospitals shall be the higher of the number of eligible days based on the calculation in the first sentence times Virginia Medicaid utilization (Virginia Medicaid days as a percent of total Medicaid days) or the Medicaid NICU days above 14 percent times Virginia NICU Medicaid utilization (Virginia NICU Medicaid days as a percent of total NICU Medicaid days). Eligible DSH days for out of state cost reporting hospitals who qualify for DSH but who have less than 12 percent Virginia Medicaid utilization shall be 50 percent of the days that would have otherwise been eligible DSH days.

d) Additional eligible DSH days are days that exceed 28 percent Medicaid utilization for Virginia Type Two hospitals (excluding Children's Hospital of the Kings Daughters).

e) The DSH per diem shall be calculated in the following manner:

a. The DSH per diem for Type Two hospitals is calculated by dividing the total Type Two DSH allocation by the sum of eligible DSH days for all Type Two DSH hospitals. For purposes of DSH, Type Two hospitals do not include Children's Hospital of the Kings Daughters (CHKD) or any hospital whose reimbursement exceeds its federal uncompensated care cost limit. The Type Two Hospital DSH allocation shall equal the amount of DSH paid to Type Two hospitals in state FY 2014 increased annually by the percent change in the federal allotment, including any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.

b. The DSH per diem for State Inpatient Psychiatric Hospitals is calculated by dividing the total State Inpatient Psychiatric Hospital DSH allocation by the sum of eligible DSH days. The State Inpatient Psychiatric Hospital DSH allocation shall equal the amount of DSH paid in state FY 2013 increased annually by the percent change in the federal allotment, including any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.

c. The DSH per diem for CHKD shall be three times the DSH per diem for Type Two hospitals.

d. The DSH per diem for Type One hospitals shall be 17 times the DSH per diem for Type Two hospitals.

2. Each year, the department shall determine how much Type Two DSH has been reduced as a result of the Affordable Care Act and adjust the percent of cost reimbursed for outpatient hospital reimbursement.

3. The department shall convene the Hospital Payment Policy Advisory Council at least once a year to consider additional changes to the DSH methodology.

4. The department shall have the authority to implement these reimbursement changes effective July 1, 2014, and prior to completion of any regulatory process in order to effect such changes.

SS. The Department of Medical Assistance Services shall have authority to amend the State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any waivers thereof, to implement requirements of the federal Patient Protection and Affordable Care Act (PPACA), P.L. 111-148, as it pertains to implementation of Medicaid and CHIP eligibility determination and case management standards and practices, including the Modified Adjusted Gross Income (MAGI) methodology and, notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the process for administrative appeals of MAGI-related eligibility determinations. The department shall have authority to implement such standards and practices upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.

TT.1. Notwithstanding § 32.1-330 of the Code of Virginia, the Department of Medical Assistance Services shall improve the preadmission screening process for individuals who

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
will be eligible for long-term care services, as defined in the state plan for medical assistance. The community-based screening team shall consist of a licensed health care professional and a social worker who are employees or contractors of the Department of Health or the local department of social services, or other assessors contracted by the department. The department shall not contract with any entity for whom there exists a conflict of interest. For community-based screening for children, the screening shall be performed by an individual or entity with whom the department has entered into a contract for the performance of such screenings.				
2. The department shall track and monitor all requests for screenings and report on those screenings that have not been completed within 30 days of an individual's request for screening. The screening teams and contracted entities shall use the reimbursement and tracking mechanisms established by the department.				
3. The Department of Medical Assistance Services shall promulgate regulations to implement these provisions to be effective within 280 days of its enactment. The department may implement any changes necessary to implement these provisions prior to the promulgation of regulations undertaken in order to effect such changes.				
UU.1.a. There is hereby appropriated sum-sufficient nongeneral funds for the Department of Medical Assistance Services (DMAS) to pay the state share of supplemental payments for qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. Qualifying private hospitals shall consist of any hospital currently enrolled as a Virginia Medicaid provider and owned or operated by a private entity in which a Type One hospital has a non-majority interest. The supplemental payments shall be based upon the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance Services. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes.				
b. The department shall adjust capitation payments to Medicaid managed care organizations for the purpose of securing access to Medicaid hospital services for the qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals). The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by the Centers for Medicare and Medicaid Services (CMS). No payment shall be made without approval from CMS.				
2.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental payments to Medicaid physician providers with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the supplemental payment shall be based on the difference between the average commercial rate approved by CMS and the payments otherwise made to physicians. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.				
b. The department shall increase payments to Medicaid managed care organizations for the purpose of securing access to Medicaid physician services in Eastern Virginia, through higher rates to physicians affiliated with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth subject to applicable limits. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments, and provider payment requirements, subject to approval by CMS. No				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

payment shall be made without approval from CMS.

c. Funding for the state share for these Medicaid payments is authorized in Item 254.

3.a. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance Services (State Plan) to implement a supplemental Medicaid payment for local government-owned nursing homes. The total supplemental Medicaid payment for local government-owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the supplemental Medicaid payment hereunder. However, DMAS shall not submit such State Plan amendment to CMS until it has entered into an intergovernmental agreement with eligible local government-owned nursing homes or the local government itself which requires them to transfer funds to DMAS for use as the state share for the supplemental Medicaid payment each nursing home is entitled to and to represent that each has the authority to transfer funds to DMAS and that the funds used will comply with federal law for use as the state share for the supplemental Medicaid payment. If a local government-owned nursing home or the local government itself is unable to comply with the intergovernmental agreement, DMAS shall have the authority to modify the State Plan. The department shall have the authority to implement the reimbursement change consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

b. If by June 30, 2017, the Department of Medical Assistance Services has not secured approval from the Centers for Medicare and Medicaid Services to use a minimum fee schedule pursuant to 42 C.F.R. § 438.6(c)(1)(iii) for local government-owned nursing homes participating in Commonwealth Coordinated Care Plus (CCC Plus) at the same level as and in lieu of the supplemental Medicaid payments authorized in Section XX.3.a., then DMAS shall: (i) exclude Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes from CCC Plus; (ii) pay for such excluded recipient's nursing home services on a fee-for-service basis, including the related supplemental Medicaid payments as authorized herein; and (iii) prohibit CCC Plus contracted health plans from in any way limiting Medicaid recipients from electing to receive nursing home services from local government-owned nursing homes. The department may include in CCC Plus Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes in the future when it has secured federal CMS approval to use a minimum fee schedule as described above.

4. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to implement a supplemental payment for clinic services furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH may transfer general fund to the department from funds already appropriated to VDH to cover the non-federal share of the Medicaid payments. The department shall have the authority to implement the reimbursement change effective July 1, 2015, and prior to the completion of any regulatory process undertaken in order to effect such changes.

5. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 with more than 50 percent Medicaid inpatient utilization in fiscal year 2014 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement these reimbursement changes effective July 1, 2016, and prior to the completion of any regulatory process undertaken in order to effect such change.

6.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental Medicaid payments to the primary teaching hospitals affiliated with a

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
<p>Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth and an LCME accredited medical school located in Planning District 5 that has a partnership with a public university. The amount of the supplemental payment shall be based on the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance and/or the department's contracts with managed care organizations. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment or the managed care contracts approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS.</p>				
<p>b. Funding for the state share for these Medicaid payments is authorized in Item 254 and Item 4-5.03.</p>				
<p>c. Payments authorized in this subsection shall sunset after the effective date of a statewide supplemental payment for private acute care hospitals authorized in Item 3-5.16. For purposes of the upper payment limit, the department shall prorate the upper payment limit if the sunset date is mid-fiscal year. The department shall have the authority to implement this change prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>7. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient and outpatient payment for Chesapeake Regional Hospital based on the difference between reimbursement with rates using an adjustment factor of 100% minus current authorized reimbursement subject to the inpatient and outpatient Upper Payment Limits for non-state government owned hospitals. The department shall include in its contracts with managed care organizations a minimum fee schedule for Chesapeake Regional Hospital consistent with rates using an adjustment factor of 100%. The department shall adjust capitation payments to Medicaid managed care organizations to fund this minimum fee schedule. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval. Prior to submitting the State Plan Amendment or making the managed care contract changes, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS). No payments shall be made without CMS approval.</p>				
<p>8.a. There is hereby appropriated sum-sufficient nongeneral funds for the department to pay the state share of supplemental payments for nursing homes owned by Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. The total supplemental payment shall be based on the difference between the Upper Payment Limit of 42 CFR § 447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall enter into a transfer agreement with any Type One hospital whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.</p>				
<p>b. The department shall adjust capitation payments to Medicaid managed care organizations to fund a minimum fee schedule compliant with requirements in 42 C.F.R. § 438.6(c)(1)(iii) at a level consistent with the State Plan amendment authorized above for nursing homes owned by Type One hospitals. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospitals whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by CMS. No payment shall be made without approval from CMS.</p>				
<p>VV. The Department of Medical Assistance Services shall amend the State Plan for Medical</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Assistance to provide coverage for cessation services for tobacco users, including pharmacology, group and individual counseling, and other treatment services including the most current version of or an official update to the Clinical Health Guideline "Treating Tobacco Use and Dependence" published by the Public Health Service of the U.S. Department of Health and Human Services. These services shall be subject to copayment requirements. The department shall have authority to implement this reimbursement change effective July 1, 2014 and prior to the completion of any regulatory process undertaken in order to effect such changes.				
WW. The Department of Medical Assistance Services shall have the authority to implement Section 1902(a)(10)(A)(i)(IX) of the federal Social Security Act to provide Medicaid benefits up until the age of 26 to individuals who are or were in foster care at least until the age of 18 in any state.				
XX.1. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for comprehensive dental services to pregnant women receiving services under the Medicaid program to include: (i) diagnostic, (ii) preventive, (iii) restorative, (iv) endodontics, (v) periodontics, (vi) prosthodontics both removable and fixed, (vii) oral surgery, and (viii) adjunctive general services.				
2. The Department of Medical Assistance Services is authorized to amend the FAMIS MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS enrollees to add coverage for dental services to align with pregnant women's coverage under Medicaid.				
3. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XXI of the Social Security Act to plan to allow enrollment for dependent children of state employees who are otherwise eligible for coverage.				
4. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.				
YY. The Department of Medical Assistance Services shall convene a workgroup to evaluate and develop strategies and recommendations to improve payment policies and coordination of care in the Medicaid program to encourage the effective and efficient provision of care by providers and health care systems serving Medicaid members. The workgroup shall include representatives from the Virginia Hospital and Healthcare Association, hospitals, the Virginia Association of Health Plans, managed care organizations, emergency department and primary care physicians, and other stakeholders deemed necessary by the department. The workgroup shall: (i) evaluate the appropriate coordination of services and cooperation among Medicaid managed care organizations (MCOs), hospitals, physicians, social services organizations, and nonprofit organizations to achieve a reduction in hospital readmissions, improved health outcomes, and reduced overall costs of care for conditions with high rates of hospital readmission in the Medicaid program; (ii) examine the role of hospital discharge planning and MCO care coordinators in assisting Medicaid beneficiaries with access to appropriate care and services post-discharge and other factors that may contribute to higher rates of readmission such as social determinants of health that could impact a patient's readmission status; (iii) assess the effectiveness of past and current mechanisms to improve outcomes and readmission rates by hospitals and health care systems and best practices and models from federal programs and other states; (iv) assess how to prevent inappropriate utilization of emergency department services; (v) examine the role of MCO care coordinators in assisting Medicaid beneficiaries access to appropriate care, including Medicaid beneficiary access to and the availability and use of alternative non-emergency care options, adequacy of MCO provider networks and reimbursement for primary care and alternative non-emergency care options, and the effectiveness of past and current mechanisms to improve the use of alternative non-emergent care by Medicaid beneficiaries; (vi) evaluate the impact of freestanding emergency departments and hospital emergency department marketing on emergency department utilization along with lower-cost options for triage of non-emergency cases to alternative settings; (vii) consider other states efforts to address emergency department utilization, including the use of medical				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

and health homes, alternative primary care sites, and programs to coordinate the health needs of “super-utilizers”; and (viii) consider strategies to engage in value-based payment arrangements and other forms of financial incentives to encourage appropriate utilization of services and cooperation by health care providers and systems in improving health care outcomes, including a review of designated Performance Withhold Program measures, Clinical Efficiency measures, and other existing or potential programs. The department shall provide data on emergency room utilization and hospital readmissions of Medicaid beneficiaries to the workgroup to assist in its evaluation and analysis. The department shall report on the workgroup's findings and recommendations to the Joint Subcommittee for Health and Human Resources Oversight by December 15, 2020.

ZZ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid inpatient utilization in fiscal year 2009 to the maximum allowed by the Centers for Medicare and Medicaid Services. The department shall have the authority to implement these reimbursement changes effective July 1, 2015, and prior to completion of any regulatory process undertaken in order to effect such change.

AAA. The Department of Medical Assistance Services (DMAS) shall amend its July 1, 2016, managed care contracts in order to conform to the requirement pursuant to House Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior authorization of drug benefits.

BBB.1. Out of this appropriation, \$3,100,000 the first year and \$3,850,000 the second year from the general fund and \$3,100,000 the first year and \$3,850,000 the second year from nongeneral funds shall be used for supplemental payments to fund the fourth year of graduate medical education for two residents who began their residencies in July 2017, the second and third years of graduate medical education of 13 funded slots for residents beginning their residencies in July 2018, the second year of graduate medical education of 16 funded slots for residencies in July 2019, the first and second years of graduate medical education for two residents in July 2020, who were awarded last year but their hiring was delayed, 27 slots for residents beginning their residencies in July 2020, provided to hospitals as awarded by the Virginia Health Care Workforce Authority, and 25 slots for residents beginning their residencies in July 2021.

2. The supplemental payment for each qualifying residency slot shall be \$100,000 annually minus any Medicare residency payment for which the sponsoring institution is eligible. For any residency program at a facility whose Medicaid payments are capped by the Centers for Medicare and Medicaid Services, the supplemental payments for each qualifying residency slot shall be \$50,000 from the general fund annually minus any Medicare residency payments for which the residency program is eligible. Supplemental payments shall be made for up to four years for each qualifying resident. Payments shall be made quarterly following the same schedule used for other medical education payments.

3. The Department of Medical Assistance Services shall submit a State Plan amendment based on the authorization in BBB.1. of this Item to make supplemental payments for graduate medical education residency slots. The supplemental payments are subject to federal Centers for Medicare and Medicaid Services approval. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

4.a. Effective July 1, 2017, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (2 residencies), Carilion Medical Center (6 residencies), Centra Lynchburg General Hospital (1 residency), Riverside Regional Medical Center (2 residencies), Bon Secours St. Francis Medical Center (2 residencies). The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies.

b. Effective July 1, 2018, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (1 residency), Maryview Hospital (1 residency) and Carilion Medical Center (6 residencies). The department shall make supplemental payments to Carilion Medical Center for 2 psychiatric residencies and to Sentara Norfolk General for 1 OB/GYN residency and 2

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2. The Department of Medical Assistance Services shall have the authority to make programmatic changes in the provision of all Substance Abuse Treatment Outpatient, Community Based and Residential Treatment services (group homes and facilities) for individuals with substance abuse disorders in order to ensure parity between the substance abuse treatment services and the medical and mental health services covered by the department and to ensure comprehensive treatment planning and care coordination for individuals receiving behavioral health and substance use disorder services. The department shall ensure appropriate utilization and cost efficiency, and adjust reimbursement rates within the limits of the funding appropriated for this purpose based on current industry standards. The department shall consider all available options including, but not limited to, service definitions, prior authorization, utilization review, provider qualifications, and reimbursement rates for the following Medicaid services: substance abuse day treatment for pregnant women, substance abuse residential treatment for pregnant women, substance abuse case management, opioid treatment, substance abuse day treatment, and substance abuse intensive outpatient. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.				
3. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any waivers thereof to include peer support services to children and adults with mental health conditions and/or substance use disorders. The department shall work with its contractors, the Department of Behavioral Health and Developmental Services, and appropriate stakeholders to develop service definitions, utilization review criteria and provider qualifications. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.				
4. The Department of Medical Assistance Services shall, prior to the submission of any state plan amendment or waivers to implement paragraphs CCC.1., CCC.2., and CCC.3., submit a plan detailing the changes in provider rates, new services added, other programmatic changes, and a certification of budget neutrality to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees.				
DDD. The Department of Medical Assistance Services (DMAS), in consultation with the appropriate stakeholders, shall seek federal authority via a state plan amendment to cover low-dose computed tomography (LDCT) lung cancer screenings for high-risk adults. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.				
EEE. The Department of Medical Assistance Services shall not expend any appropriation for an approved Delivery System Reform Incentive Program (DSRIP) §1115 waiver unless the General Assembly appropriates the funding. The department shall notify the Chairmen of the House Appropriations and Senate Finance Committees within 15 days of any final negotiated waiver agreement with the Centers for Medicare and Medicaid Services.				
FFF. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the managed care regulations to specify that all contracts with health plans in a Medicaid managed care delivery model, including long-term services and supports, require reimbursement to nursing facility and specialized care services at no less than the Medicaid established per diem rate for Medicaid covered days, using the department's methodologies, unless the managed care organization and the nursing facility or specialized care services provider mutually agree to an alternative payment. The department shall have authority to implement this provision prior to the completion of any regulatory process in order to effect such change.				
GGG.1. The Department of Medical Assistance Services shall monitor the capacity available under the Upper Payment Limit (UPL) for all hospital supplemental payments and adjust payments accordingly when the UPL cap is reached. The department shall make an adjustment to stay under the UPL cap by reducing or eliminating as necessary supplemental payments to hospitals based on when the first supplemental payments were actually made so that the newest supplemental payments to hospitals would be impacted first and so on.				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

2. The Department of Medical Assistance Services shall have the authority to implement reimbursement changes deemed necessary to meet the requirements of this paragraph prior to the completion of any regulatory process in order to effect such changes.

HHH.1. By October 1, 2019, the Department of Medical Assistance Services shall require consumer-directed aides providing personal care, respite care and companion services in the Medicaid Commonwealth Coordinated Care (CCC) Plus Waiver and Developmental Disability waiver programs and the Early and Periodic Screening Diagnosis and Treatment (EPSDT) program to utilize an Electronic Visit Verification (EVV) system. ~~Nothing~~*Notwithstanding Item 482.20 of this act, nothing* in this paragraph shall apply to live-in caretakers, who shall be exempt from the EVV requirements beginning January 1, 2021. The department is authorized to contract with a vendor to provide access to an EVV system for use by consumer-directed aides.

2. For personal care, respite care and companion services agencies, the department shall work with the appropriate stakeholders to develop standards for electronic visit verification systems and certification requirements to ensure EVV systems used by such agencies meet all federal requirements and are capable of providing the necessary data the department may require.

3. Nothing stated above shall apply to respite services provided by a DBHDS licensed provider in a DBHDS licensed program site such as a group home, sponsored residential home, supervised living, supported living or similar facility/location licensed to provide respite, as allowed by the Centers for Medicare and Medicaid.

4. The department shall ensure that implementation of electronic visit verification complies with all requirements of the federal Centers of Medicare and Medicaid Services. The department shall have authority to implement these provisions prior to the completion of any regulatory process in order to effect such changes.

5. The Department of Planning and Budget shall transfer from Item 317 to this item an appropriation necessary to cover the administrative costs for managed care organizations to implement the live-in caretaker exemption required pursuant to paragraph HHH.1. in this item.

III.1. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the formula for indirect medical education (IME) for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 as a substitute for DSH payments. The formula for these hospitals for indirect medical education for inpatient hospital services provided to Medicaid patients but reimbursed by capitated managed care providers shall be identical to the formula for Type One hospitals. The IME payments shall continue to be limited such that total payments to freestanding children's hospitals with greater than 50 percent Medicaid utilization do not exceed the federal uncompensated care cost limit to which disproportionate share hospital payments are subject, excluding third party reimbursement for Medicaid eligible patients. The department shall have the authority to implement these changes effective July 1, 2017, and prior to completion of any regulatory action to effect such changes.

2. The Department of Medical Assistance Services (DMAS) shall have the authority to create additional hospital supplemental payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 to replace payments that have been reduced due to the federal regulation on the definition of uncompensated care costs effective June 2, 2017. These new payments shall equal what would have been paid to the freestanding children's hospitals under the current disproportionate share hospital (DSH) formula without regard to the uncompensated care cost limit. These additional hospital supplemental payments shall take precedence over supplemental payments for private acute care hospitals. If the federal regulation is voided, DMAS shall continue DSH payments to the impacted hospitals and adjust the additional hospital supplemental payments authorized in this paragraph accordingly. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effectuate such change.

JJJ. For the period beginning September 1, 2016 until 180 days after publication and

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	distribution of the Developmental Disabilities Waivers provider manual by the Department of Medical Assistance Services (DMAS), retraction of payment from Developmental Disabilities Waivers providers following an audit by DMAS or one of its contractors is only permitted when the audit points identified are supported by the Code of Virginia, regulations, DMAS general providers manuals, or DMAS Medicaid Memos in effect during the date of services being audited.			
	<p>KKK. The Department of Medical Assistance Services shall submit a report annually on all supplemental payments made to hospitals through the Medicaid program. This report shall include information for each hospital and by type of supplemental payment (Disproportionate Share Hospital, Graduate Medical Education, Indirect Medical Education, Upper Payment Limit program, and others). The report shall include total Medicaid payments from all sources and calculate the percent of overall payments that are supplemental payments. Furthermore, it shall include a description of each type of supplemental payment and the methodology used to calculate the payments. Each report shall reflect the data for the prior three fiscal years and shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by September 1 each year.</p> <p>LLL. Effective July 1, 2018, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to make the following changes. The department shall: (i) eliminate eligibility for Disproportionate Share Hospital (DSH) payments for Children's National Medical Center (CNMC); (ii) increase the annual indirect medical education (IME) payments for CNMC by the amount of DSH the hospital was eligible for in fiscal year 2018; and (iii) reduce the Type 2 DSH allocation by this same amount. The department shall have the authority to implement these changes effective July 1, 2018, and prior to completion of any regulatory action to effect such change.</p> <p>MMM.1. The Department of Medical Assistance Services shall work with stakeholders to review and adjust medical necessity criteria for Medicaid-funded nursing services including private duty nursing, skilled nursing, and home health. The department shall adjust the medical necessity criteria to reflect advances in medical treatment, new technologies, and use of integrated care models including behavioral supports. The department shall have the authority to amend the necessary waiver(s) and the State Plan under Titles XIX and XXI of the Social Security Act to include changes to services covered, provider qualifications, medical necessity criteria, and rates and rate methodologies for private duty nursing. The adjustments to these services shall meet the needs of members and maintain budget neutrality by not requiring any additional expenditure of general fund beyond the current projected appropriation for such nursing services.</p> <p>2. The department shall have authority to implement these changes to be effective July 1, 2019. The department shall also have authority to promulgate any emergency regulations required to implement these necessary changes within 280 days or less from the enactment dated of this act. The department shall submit a report and estimates of any projected cost savings to the Chairmen of the House Appropriations and Senate Finance Committees 30 days prior to implementation of such changes.</p> <p>NNN. Effective July 1, 2019, the department shall amend the State Plan for Medical Assistance to clarify payment rules for new nursing homes or renovations that qualify for mid-year rate adjustments, to include the following:</p> <ol style="list-style-type: none"> 1. For any facility whose Fair Rental Value report has less than 12 months of experience, the department shall develop an occupancy schedule that represents average statewide occupancy by month of operation for use in calculating the per diem rate in lieu of a minimum occupancy requirement or actual occupancy. 2. Any new beds or renovations placed in service between the reporting year and the rate year shall be treated as a mid-year rate adjustment. No new rate will be made after April 30. Rate updates that fall between May 1 and June 30 shall be effective July 1 of the same year. 3. The department shall annualize real estate taxes, property taxes and property insurance costs that do not represent a full year's cost. 4. Costs shall be based on currently available documentation at the time but are subject to audit. The department may use any reasonable method to estimate costs for which there is 			

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

inadequate documentation. Any adjustments based on subsequent documentation or audit for a current rate year shall be applied beginning with the next rate year.

5. The department shall have 15 days from the date of the provider's submission to determine if the filing is complete for purposes of setting a rate for a new or renovated facility. The facility shall have 15 days from the date the filing is deemed incomplete to submit the required information. The deadline for setting the rate shall be extended for 30 days after the filing is deemed complete.

6. Providers may propose a phased renovation subject to approval by the department. The phased renovation may include reductions to available beds. Any modifications to the proposed renovation are also subject to approval by the department.

7. The department shall have the authority to implement these reimbursement changes effective July 1, 2019 and prior to the completion of any regulatory process undertaken in order to effect such change.

OOO. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any relevant waivers thereof to modify reimbursement for Hospice services provided to patients residing in facilities to include at least 100 percent of the relevant Medicaid facility rate for that individual, a component commonly referred to as "room and board." To the extent allowed under federal law and regulation, the Department shall further amend the State plan and/or relevant waivers thereof to pay this "room and board" rate in effect with no discount applied to the facility directly, thus eliminating the Hospice from its role in passing-through this facility payment to the facility. To the extent federal approval of this direct payment component is dependent on whether it is in the State Plan or in relevant waivers, the Department shall implement the direct payment where federal approval is achieved. The department shall have authority to implement these changes effective July 1, 2019 and prior to the completion of any regulatory process undertaken in order to effect such change.

PPP. Effective July 1, 2019, the Department of Medical Assistance Services shall increase the telehealth originating site facility fee to 100 percent of the Medicare rate and shall reflect changes annually based on any changes in the Medicare rate. The department shall exempt Federally Qualified Health Centers and Rural Health Centers from this reimbursement change. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

QQQ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase reimbursement for Critical Access Hospitals by using an adjustment factor or percent of cost reimbursement of 100% for inpatient operating and capital rates and outpatient rates effective July 1, 2019. The department shall have the authority to implement these changes effective July 1, 2019 and prior to completion of any regulatory action to effect such change.

RRR. The Department of Medical Assistance Services shall pursue any and all alternatives and cost based reimbursement models to allow a private hospital in rural Southwest Virginia that has closed in the last five years to recoup capital startup costs and minimize operating losses for the next five years, including but not limited to optimizing federal matching dollars in accordance with federal law.

SSS. The Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services shall recognize the Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs and shall allow providers that are Department for the Aging and Rehabilitative Services vendors that hold a national three-year accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment staff competency requirements, provided the provider submits the results from their CARF surveys including recommendations received to the Department of Behavioral Health and Developmental Services so that the agency can verify that there are no recommendations for the standards that address staff competency.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
TTT. Effective July 1, 2019, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for primary care services by five percent and rates for Emergency Department services by one percent to reflect the equivalent of 70 percent of the 2018 Medicare rates. The department shall ensure through its contracts with managed care organizations that the rate increase is reflected in their rates to providers. The department shall have the authority to implement these reimbursement changes prior to the completion of the regulatory process.				
UUU. Effective July 1, 2019, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to create a separate service category for psychiatric services and to increase practitioner rates for psychiatric services by 21 percent to reflect the equivalent of 100 percent of the 2018 Medicare rates. All practitioners who bill these services shall receive new rates. The department shall have the authority to implement these reimbursement changes prior to the completion of the regulatory process.				
VVV. The Department of Medical Assistance Services shall amend its contracts with managed care organizations to require written notification and training to agency-directed personal care providers at least 60 days prior to the implementation of all changes to Quality Management Review and prior authorization policies and processes consistent with state and federal regulations.				
WWW. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to offer medically necessary treatment for substance use disorder in an Institution for Mental Diseases (IMD) for individuals enrolled in FAMIS MOMS, equivalent to such benefits offered to pregnant women under the Medicaid state plan and 1115 substance use disorder demonstration waiver. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.				
XXX. Effective July 1, 2020 upon federal approval but no earlier than April 1, 2021, the Department of Medical Assistance Services shall amend the State Plan under Title XIX of the Social Security Act to eliminate the 40 quarter work requirement for Lawful Permanent Residents who otherwise meet all Medicaid eligibility requirements. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.				
YYY.1. The Department of Medical Assistance Services (DMAS) shall have the authority to implement programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following existing Medicaid behavioral health services: assertive community treatment, mental health partial hospitalization programs, crisis intervention and crisis stabilization services.				
2. The department shall have the authority to develop new service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following new Medicaid behavioral health services: multi-systemic therapy, family functional therapy, intensive outpatient services, mobile crisis intervention services, 23 hour temporary observation services and residential crisis stabilization unit services.				
3. Effective on or after January 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: assertive community treatment, multi-systemic therapy and family functional therapy.				
4. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: intensive outpatient services, partial hospitalization programs, mobile crisis intervention services, 23 hour temporary observation services, crisis stabilization services and residential crisis stabilization unit services.				
5. Included in this Item is an additional \$3,028,038 the first year and \$10,273,553 the second year from the general fund and \$4,127,378 the first year and \$14,070,322 the second year from nongeneral funds to effect the changes required by paragraphs above. In the development and implementation of these changes, the department shall ensure appropriate utilization and cost efficiency. Reimbursement rate changes shall be budget neutral and must not exceed the funding appropriated in the Act for these services.				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
6. The Department of Medical Assistance Services shall, prior to the submission of any state plan amendment or waivers to implement these paragraphs, submit a plan detailing the changes in provider rates, new services added and other programmatic changes to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees.				
7. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.				
ZZZ. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the Preferred Office-Based Opioid Treatment (OBOT) model to include individuals with substance use disorders (SUD) that are covered in the Addiction and Recovery Treatment Services (ARTS) benefit. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.				
AAAA. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to extend coverage for pregnant women between 138% and 205% of the Federal Poverty Level to up to one year postpartum. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.				
BBBB.1. Effective July 1, 2021, the Department of Medical Assistance Services (DMAS) shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to implement a home visiting benefit for pregnant women at risk and postpartum women at risk of poor health outcomes. Prior to implementation, DMAS shall engage all relevant stakeholders in the development of the benefit and gaining the necessary federal approvals.				
2. Included in this Item is an additional \$1,054,300 the first year and \$11,750,159 the second year from the general fund and \$3,514,556 the first year and \$34,216,923 the second year from nongeneral funds to effect the changes required by paragraph BBBB.1. above. DMAS shall prepare a report that 1) identifies the services included in the proposed benefit; and 2) if the estimated cost of the benefit is consistent with the funding provided in this Act. DMAS shall provide this report, 30 days prior to the submission of a state plan amendment, to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.				
CCCC. The Department of Medical Assistance Services shall develop and implement episode-based payment models, or bundled payments, for the following conditions: maternity care, asthma, and congestive heart failure. The department shall develop these models with a goal of reducing costs and improving the quality of care for Medicaid members.				
DDDD.1. Effective July 1, 2020, Department of Medical Assistance Services (DMAS), in consultation with the Department of Behavioral Health and Developmental Services, shall increase provider payment rates for services delivered through the Developmental Disability (DD) waivers.				
<i>DDDD.1. Effective January 1, 2021, the Department of Medical Assistance Services (DMAS), in consultation with the Department of Behavioral Health and Developmental Services (DBHDS), shall increase provider payment rates for services delivered through the Community Living, Family and Individual Support, and Building Independence Developmental Disability (DD) waivers. The rate increase shall be provided for the following services: Group Home, Sponsored Residential and Group Day Support.</i>				
<i>2. Effective July 1, 2021, the Department of Medical Assistance Services (DMAS), in consultation with the Department of Behavioral Health and Developmental Services, shall increase provider payment rates for services delivered through the Community Living, Family and Individual Support, and Building Independence Developmental Disability</i>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p><i>(DD) waivers. The rate increase shall be provided for the following services: Independent Living Supports, Supported Living, In-home Support Services, Group Supported Employment, Workplace Assistance, Community Engagement, Community Coaching and Therapeutic Consultation.</i></p>				
<p>23. Included in this Item is an additional \$25,034,884 the first year and \$25,785,930 the second year from the general fund and \$25,034,884 the first year and \$25,785,930 the second year from the nongeneral funds to effect the changes required by the paragraph DDDD.1. above. The DMAS shall prepare a report that 1) identifies the implemented rate and rate increase percentage for each service impacted by this action; and 2) determines whether the estimated cost of each service is consistent with the funding provided in this Act. DMAS shall provide this report to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees by September <i>December</i> 1, 2020.</p>				
<p>34. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.</p>				
<p>EEEE. Effective July 1, 2020, the Department of Medical Assistance Services shall increase rates by 14.7 percent for psychiatric services to the equivalent of 110 percent of Medicare rates. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.</p>				
<p>FFFF. The Department of Medical Assistance Services, shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to provide care coordination services to individuals who are Medicaid eligible 30 days prior to release from incarceration. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.</p>				
<p>GGGG. Effective on and after July 1, 2020, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify reimbursement for nursing facility services such that the direct peer group price percentage shall be increased to 109.3 percent and the indirect peer group price percentage shall be increased to 103.3 percent. The department shall have the authority to implement these changes effective July 1, 2020 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>HHHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to implement a supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital up to its hospital-specific disproportionate share hospital limit (OBRA '93 DSH limit) as determined pursuant to 42 U.S.C. Section 1396r-4. The payment shall be made annually based upon the hospital's disproportionate share limit for the most recent year for which the disproportionate share limit has been calculated subject to the availability of DSH funds under the federal allotment of such funds to the department. Prior to submitting the State Plan Amendment, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share of the supplemental DSH payment. Payment of the supplemental DSH payment is contingent upon receipt of intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. In the event that Chesapeake Regional Hospital is ineligible to transfer or certify necessary funds pursuant to federal law, the department may amend the State Plan for Medical Assistance to terminate the supplemental DSH payment program. The department shall have the authority to implement these reimbursement changes consistent with effective date(s) approved by the Centers for Medicare and Medicaid Services (CMS). No payments shall be made without CMS approval. In the event, that CMS recoups supplemental DSH hospital funds from the department, Chesapeake Regional Hospital shall reimburse such funds to the department.</p>				
<p>III. Out of this appropriation, \$733,303 the first year and \$754,247 the second year from the general fund and \$733,303 the first year and \$754,247 the second year from nongeneral funds shall be used to increase the nursing facility direct and indirect operating rates by a uniform percentage for any nursing facilities that underwent a change in ownership subsequent to December 31, 2017, if the Medicaid cost report of a predecessor operator being used by the department to rebase Medicaid price-based operating rates effective July 1, 2020, was audited and the operating costs thereon were materially adjusted due to such predecessor not providing documentation of such costs to the department. The department shall amend the</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>State Plan for Medical Assistance effective July 1, 2020 through June 30, 2023 in order to implement this Item. The department shall also have the authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>JJJJ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that any nursing facility which thereafter loses its Medicaid capital reimbursement status as a hospital-based nursing facility because a replacement hospital was built at a different location and Medicare rules no longer allow the nursing home's cost to be included on the hospital's Medicare cost report shall have its first fair rental value (FRV) capital payment rate set at the maximum FRV rental rate for a new free-standing nursing facility with the date of acquisition for its capital assets being the date the replacement hospital is licensed. The department shall have the authority to implement these reimbursement changes effective July 1, 2020 and prior to the completion of the regulatory process.</p>				
<p>KKKK. Effective July 1, 2020, the department shall amend the State Plan for Medical Assistance to increase the direct and indirect operating rates from 15 percent to 25.4 percent above a facility's calculated price-based rates where at least 80 percent of the resident population have one or more of the following diagnoses: quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In addition, a qualifying facility must have at least 90 percent Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall have the authority to implement this reimbursement methodology change for rates on or after July 1, 2020, and prior to completion of any regulatory process in order to effect such change.</p>				
<p>LLLL. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish Specialized Care operating rates for fiscal years 2021 and 2022 by inflating the fiscal year 2020 rates using Virginia nursing home inflation. After fiscal year 2022, the department shall revert to the existing cost-based methodology. The department has the authority to implement this change notwithstanding current regulations and consistent with the approved State Plan amendment.</p>				
<p>MMMM. The Department of Medical Assistance Services shall require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid program Durable Medical Equipment fee schedule for the same service or item of durable medical equipment, prosthetics, orthotics, and supplies. The department shall have the authority to implement this reimbursement change effective July 1, 20202021 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>NNNN. The Department of Medical Assistance Services (DMAS) shall convene an advisory panel of representatives chosen by the Virginia Association of Community Services Boards (VACSB), the Virginia Association of Community-Based Providers (VACBP), the Virginia Coalition of Private Provider Associations (VCOPPA), Caliber, the Virginia Network of Private Providers (VNPP), and the Virginia Hospital and Healthcare Association. The advisory panel shall meet at least every two months with the appropriate staff from DMAS to review and advise on all aspects of the plan for and implementation of the redesign of behavioral health services with a specific focus on ensuring that the systemic plan incorporates development, and maintenance of sustainable business models. Upon advice of the Advisory panel, DMAS may assign staff, as necessary, to review operations of a sample of providers to examine the process for service authorization, the interpretation of the medical necessity criteria, and the claims processing by all Medicaid managed care organizations. DMAS will report their findings from this review to the advisory panel and to the Secretary of Health and Human Resources, and the Chairs of House Appropriations and Senate Finance by December 31, 2020.</p>				
<p>OOOO. The Department of Medical Assistance Services (DMAS) shall convene a workgroup of stakeholders to include representatives of Jill's House, SOAR 365, Virginia Sponsored Residential Provider Group, the Virginia Association of Community Services Boards, the Virginia Network of Private Providers and the Department of Behavioral Health and Developmental Services to review the existing and any proposed regulations governing the provision of respite or personal assistance services to determine the barriers</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>to the provision of these services in a center or residential setting other than the individual's home. DMAS shall consider the option of basing the reimbursement for center-based respite and personal assistance on the Level/Tier as determined by the individual's Supports Intensity Scale score. DMAS shall report on the conclusions of the workgroup to the Chairs of House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020, including whether the department needs emergency regulatory authority to make changes in order to minimize barriers to services and support broader appropriate utilization of the identified services.</p>			
	<p>PPPP. The Department of Medical Assistance Services shall review and consider amending regulations governing the practice and requirements for peer recovery services for individuals with mental illness and/or substance use disorder. In reviewing the regulations, the department shall convene stakeholders to assess the existing barriers to providing the service and assist in the development of emergency regulations. Stakeholders shall include, but not be limited to, the Virginia Organization of Consumers Asserting Leadership (VOCAL), Substance Abuse Addiction Recovery Alliance (SAARA), Virginia Network of Private Providers (VNPP), Mental Health America-Virginia (MHA-V), Virginia Association of Community Services Boards (VACSB), and National Alliance for Mental Illness-Virginia (NAMI-V). The department shall have the authority to promulgate emergency regulations to implement changes that are budget neutral within 280 days or less from the enactment of this act. The department shall submit changes that have a fiscal impact as part of the normal budget process for consideration in the 2021 Session.</p>			
	<p>QQQQ. The Department of Medical Assistance Services shall adjust the post eligibility special earnings allowance for individuals in the CCC Plus, Community Living, Family and Individual Support and Building Independence waiver programs to incentivize employment for individuals receiving waiver services. DMAS shall lower the number of hours from at least eight hours but less than 20 hours per week requirement to at least four hours but less than 20 hours per week. The Special Earnings Allowance for waiver participants allows a percentage of earned income to be disregarded when calculating an individual's contribution to the cost of their waiver services when earning income. The current requirement is at least eight hours but less than 20 hours per week for a disregard of up to 200 percent of Supplemental Security Income (SSI) and a disregard of up to 300 percent for individuals that work 20 hours or more per week.</p>			
	<p>RRRR. The Department of Medical Assistance Services shall conduct an analysis to determine if any additional payment opportunities could be directed to the primary teaching hospital affiliated with a Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth, based on the department's reimbursement methodology established for such payments. If such opportunity does exist, the department shall work with the entities to determine the framework for implementing such payments, including a reasonable cap on such payments so other qualifying entities are not adversely affected in future years.</p>			
	<p>SSSS.1. Effective July 1, 2020, the Department of Medical Assistance Services shall increase the rates for agency and consumer directed personal care, respite and companion services in the home and community based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by five percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>			
	<p>2. Effective July 1, 2021, the Department of Medical Assistance Services shall increase the rates for agency and consumer directed personal care, respite and companion services in the home and community based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by two percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>			
	<p>TTTT. Out of this appropriation, \$796,755 from the general fund and \$796,755 from nongeneral funds the first year and \$833,109 from the general fund and \$833,109 from nongeneral funds the second year shall be used to increase reimbursement rates for adult day health services provided through Medicaid home- and community-based waiver programs by 10 percent effective July 1, 2020. The department shall have the authority to implement these</p>			

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

include cases when patients are readmitted to a hospital for the same or a similar diagnosis within 30 days of discharge, excluding planned readmissions, obstetrical readmissions, admissions to critical access hospitals, or in any case where the patient was originally discharged against medical advice. If the patient is readmitted to the same hospital for a potentially preventable readmission then the payment for such cases shall be paid at 50 percent of the normal rate, except that a readmission within five days of discharge shall be considered a continuation of the same stay and shall not be treated as a new case. Similar diagnoses shall be defined as ICD diagnosis codes possessing the same first three digits. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change. The department shall report quarterly on the number of hospital readmissions, the cost, and the primary diagnosis of such readmissions to the Joint Subcommittee for Health and Human Resources Oversight.

CCCCC. The Department of Medical Assistance Services shall establish a workgroup of Medicaid managed care organizations, physicians and pharmacists and other stakeholders, as necessary, to assess policies and procedures, including risk sharing arrangements, reimbursement methods or other mechanisms to determine Medicaid coverage and reimbursement of FDA fast-track drugs and emerging-break-through technologies. The assessment shall include an examination of other states' approaches to determine Medicaid coverage, clinical criteria for coverage across the fee-for-service and managed care programs, risk sharing arrangements, and reimbursement methodologies including kick-payments or other pass-through arrangements that are consistent with the utilization and cost of the drug or technology. The assessment will also examine and make recommendations regarding the timeline for providing coverage from the date of FDA approval of the drug or technology. The workgroup shall report on issues and recommendations to the Joint Subcommittee for Health and Human Resources Oversight by September 1, 2020, including any budgetary or regulatory authority required to implement changes for such coverage.

DDDDD. The Department of Medical Assistance Services shall continue working with the Department of Behavioral Health and Developmental Services to complete the actions necessary to qualify to file a Section 1115 waiver application for Serious Mental Illness and/or Serious Emotional Disturbance. The department shall develop such a waiver application at the appropriate time that shall be consistent with the Addiction Treatment and Recovery Services substance abuse waiver program. The department shall develop a plan with a timeline and potential costs savings of such a waiver to the Commonwealth. The department shall provide an update on the status of the waiver by November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

EEEEEE.1. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement an actuarially sound risk adjustment model that addresses the behavioral health acuity differences among the Medicaid managed care organizations for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the Commonwealth Coordinated Care (CCC) Plus program. Behavioral Health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as the Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the risk adjustment.

2. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement differential capitation rates for members in behavioral health treatment versus those who are not, for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the CCC Plus program. The rates shall be actuarially sound and the behavioral health rates shall additionally incorporate risk adjustment to account for acuity differences amongst the managed care organizations. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as The Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

additional federal resources in supporting the needs of school children. The department shall report its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2020.

HHHHH. Free-standing emergency departments, also referred to as dedicated emergency departments as defined in 42 C.F.R. § 489.24(b) that operate as a department of a hospital subject to requirements of the federal Emergency Medical Treatment and Labor Act (42 U.S.C. § 1395dd), and is located off the main hospital campus or in an independent facility, shall submit to the payor upon billing for services rendered (i) the campus location in which their services were rendered, and (ii) an indicator specifying that the services were rendered in a free-standing emergency department.

IIII.1. Effective ~~January~~ July 1, 2021, the Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance under Title XIX of the Social Security Act to provide a comprehensive dental benefit to adults. The department shall work with its Dental Advisory Committee, including members of the Virginia Dental Association, the Virginia Health Catalyst, the Virginia Commonwealth University School of Dentistry, the Virginia Dental Hygienists Association, the Virginia Health Care Association, a representative of the developmental and intellectual disability community, the Virginia Department of Health and the administrator of the Smiles for Children program to develop the benefit. The benefit shall be modeled after the existing benefit for pregnant women. The benefit shall include preventive and restorative services and shall not include any cosmetic services or orthodontic services. The Dental Advisory Committee shall design a benefit that does not exceed the appropriated funds to provide such services. The department shall work with its dental benefit administrator, the Virginia Dental Association, the Virginia Association of Free and Charitable Clinics, the Virginia Community Healthcare Association and other stakeholders to ensure an adequate network of providers and awareness among beneficiaries. The department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the benefit design and plans for the implementation of the benefit by November 1, 2020. The department shall have authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this act.

2. The Department of Planning and Budget shall have the authority to transfer appropriation from Item 317 to Item 316 in this act, as needed, to fund the administrative costs of implementing the new Medicaid dental benefit for adults if the existing appropriation in Item 316 is insufficient.

JJJJ. The Department of Medical Assistance Services shall conduct a review of other state methods and strategies for providing sick leave to personal care attendants and evaluate feasible options for the Commonwealth to consider. The department shall report its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2020.

KKKK.1. The Department of Medical Assistance Services, in collaboration with the Virginia Department of Social Services, state workforce agencies and programs, and appropriate stakeholders, shall develop a referral system designed to connect current and newly eligible Medicaid enrollees to employment, training, education assistance and other support services. The department shall review current federal law and regulations that may allow through State Plan amendments, contracts, or other policy changes, the department to support such a referral program. The department shall provide new enrollees in the Medicaid program, that have been identified as being potentially unemployed or underemployed with information on all available state and federal programs available to them that offer training, education assistance or other types of employment support services. The department shall work with its contracted managed care organizations to facilitate referrals to employment related services. To the degree that resources are available in other state agencies or from federal grants to support the referral program and existing authority permits such use, the department shall coordinate the use of such programs to provide assistance to Medicaid enrollees.

2. The department shall report on development of the referral program and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

LLLLL. The Department of Medical Assistance Services shall increase nursing home and specialized care per diem rates by \$20 per day per patient effective ~~until June 30, 2021~~for the period of the Governor's Declaration of a State of Emergency due to COVID-19. Such adjustment shall be made through existing managed care capitation rates as a mandated specified rate increase for the period of the Governor's emergency declaration. DMAS shall adjust capitation rates to account for the nursing facility rate increase. ~~and reflect the duration of the Governor's emergency. Should the nursing facility rate increase necessitate state spending in excess of those funds appropriated in this Item; then, notwithstanding the provisions of §4-3.02 of this Act, the Secretary of Finance may authorize an interest-free treasury loan for DMAS to offset the cost of the required nursing facility rate increase.~~ The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care.

MMMMM. *The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities to define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows.*

NNNNN. *The Department of Medical Assistance Services shall submit a request to amend its 1915(c) Home and Community-Based Services (HCBS) waivers with an Emergency Preparedness and Response Appendix K to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic or until the Appendix K expires. The department shall have the authority to implement this change prior to the completion of the regulatory process.*

OOOOO. *The Department of Medical Assistance Services shall allow Medicaid agency-directed personal care and respite services to conduct telephonic supervisory visits by a licensed nurse (either a registered nurse or a licensed practical nurse (LPN)). A registered nurse must conduct the supervisory visit at least every 90 calendar days with the LPN making any other supervisory visits during that time. The department's forms shall be used to document the interaction during these phone calls and shall meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation. This flexibility shall remain in place only for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic.*

314. Not set out.

315. Medical Assistance Services for Low Income Children (46600).....			\$218,013,796	\$237,496,600
			\$213,912,225	\$228,204,922
Reimbursements for Medical Services Provided to Low-Income Children (46601).....	\$218,013,796	\$237,496,600		
	\$213,912,225	\$228,204,922		
Fund Sources: General.....	\$68,121,628	\$81,366,975		
	\$62,154,540	\$78,114,888		
Federal Trust.....	\$149,892,168	\$156,129,625		
	\$151,757,685	\$150,090,034		

Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medicaid Program Services (45600), if available, into this Item to be used as state match for federal Title XXI funds.

ITEM 316.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
316.	Not set out.				
317.	Not set out.				
317.10	Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.				
			FY 2021		FY 2022
	Supplemental Payments for Children's National Medical Center		\$354,766		\$354,766
	Fund Managed Care Contract Changes		\$812,600		\$1,014,350
	Increase Medicaid Rates for Anesthesiologists		\$253,376		\$262,491
	Increase Payment Rate by 9.5% for Nursing Homes with Special Populations		\$493,097		\$506,903
	Increase mental health provider rates		\$2,374,698		\$2,458,479
	Add 250 DD Waiver Slots in FY 2022		\$0		\$4,133,500
	Modify Nursing Facility Operating Rates at Four Facilities		\$733,303		\$754,247
	Increase Medicaid Nursing Facility Reimbursement		\$6,794,541		\$6,984,788
	Implement episodic payment models for certain conditions		\$75,957		\$124,707
	Increase DD Waiver Provider Rates Using Updated Data		\$21,395,221		\$22,037,077
	Increase Developmental Disability (DD) waiver rates		\$3,639,663		\$3,748,853
	Increase rates for skilled and private duty nursing services		\$6,245,286		\$6,245,286
	Provide care coordination prior to release from incarceration		\$347,803		\$465,440
	Increase Rates for Psychiatric Residential Treatment Facilities		\$7,599,696		\$7,599,696
	Medicaid Rate Setting Analysis		\$300,000		\$0
	Add Medicaid Adult Dental Benefits		\$8,743,420		\$25,304,935
	Allow Overtime for Personal Care Attendants		\$9,609,223		\$9,609,223
	Expand opioid treatment services		\$421,476		\$1,273,633
	Medicaid MCO Reimbursement for Durable Medical Equipment		\$345,621		\$352,534
	Modify Capital Reimbursement for Certain Nursing Facilities		\$119,955		\$119,955
	Allow FAMIS MOMS to access substance use disorder treatment in an institution for mental disease		\$307,500		\$356,775
	Fund home visiting services		\$0		\$11,750,159

ITEM 317.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund costs of Medicaid-reimbursable STEP-VA services		\$486,951		\$2,293,826
Extend FAMIS MOMS' postpartum coverage to 12 months		\$1,114,936		\$2,116,376
Enhance behavioral health services		\$3,028,038		\$10,273,553
Medicaid Works for Individuals with Disabilities		\$114,419		\$228,838
Exempt Live-in Caretakers from EVV Program		\$507,500		\$373,000
Expand Tobacco Cessation Coverage		\$34,718		\$34,718
Adjust medical residency award language		\$1,350,000		\$2,600,000
Increase Rate for Adult Day Health Care		\$796,755		\$833,109
Eliminate 40 quarter work requirement for legal permanent residents		\$1,172,091		\$3,289,890
Agency Total		\$79,572,610		\$127,501,107
Total for Department of Medical Assistance Services.....			\$16,837,588,064	\$17,981,096,468
			<i>\$17,063,136,781</i>	<i>\$17,820,593,922</i>
General Fund Positions.....	260.02	260.02		
Nongeneral Fund Positions.....	269.98	269.98		
Position Level.....	530.00	530.00		
Fund Sources: General.....	\$5,374,833,685	\$5,741,826,660		
	<i>\$5,080,884,916</i>	<i>\$5,660,313,505</i>		
Special.....	\$2,585,000	\$3,575,000		
Dedicated Special Revenue.....	\$1,349,813,042	\$1,422,956,718		
	<i>\$1,336,766,939</i>	<i>\$1,427,416,718</i>		
Federal Trust.....	\$10,110,356,337	\$10,812,738,090		
	<i>\$10,642,899,926</i>	<i>\$10,729,288,699</i>		

§ 1-62. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)

318.	Not set out.			
319.	Not set out.			
320.	Administrative and Support Services (49900).....		\$123,177,138	\$110,597,199
			<i>\$123,238,341</i>	<i>\$110,719,604</i>
	General Management and Direction (49901).....	\$21,016,747	\$21,016,747	
	Information Technology Services (49902).....	\$43,783,399	\$37,450,870	
	Architectural and Engineering Services (49904).....	\$2,731,753	\$2,731,753	
	Collection and Locator Services (49905).....	\$3,195,236	\$3,195,236	
	Human Resources Services (49914).....	\$615,324	\$615,324	
	Planning and Evaluation Services (49916).....	\$3,626	\$3,626	
	Program Development and Coordination (49933)....	\$51,831,053	\$45,583,643	
		<i>\$51,892,256</i>	<i>\$45,706,048</i>	
	Fund Sources: General.....	\$64,685,318	\$65,746,308	
		<i>\$64,746,521</i>	<i>\$65,868,713</i>	
	Special.....	\$20,996,019	\$15,555,090	
	Dedicated Special Revenue.....	\$8,200,000	\$0	
	Federal Trust.....	\$29,295,801	\$29,295,801	

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
K.	Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services, in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.			
L.1.	Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers.			
2.	At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees.			
3.	The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability.			
4.	In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.			
M.	The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.			
N.	Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for			

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

use of the knowledge center, an on-line training system.

O. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund shall be used to provide mental health first aid training and certification to recognize and respond to mental or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this activity, training, manuals, and certification for all those receiving the training.

P. Out of this appropriation, \$752,170 the first year and \$752,170 the second year from the general fund is provided to establish community support teams responsible for the development and oversight of a continuum of integrated community settings for individuals leaving state hospitals.

Q. The Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services shall recognize Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the developmental disability Medicaid waiver programs to allow providers that are Department of Aging and Rehabilitative Services (DARS) vendors that hold a national three-year accreditation from the National Council on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment competency requirements.

R. The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties.

S.1. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.

2. The department shall report within 30 days after the close of each quarter, the number of new slots for the fiscal year that have been allocated by Community Services and of those how many are accessing services. The report shall be provided on the department's website.

T.1. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund is provided for compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015. Any funds that are appropriated but remain unspent at the end of the fiscal year shall be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of an individual who died on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to certify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

5. Should the funding provided in the paragraph be exhausted prior to the end of the fiscal year, the department may use available special fund revenue balances to provide compensation. The department shall report to the Governor and the Chairmen of the House

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have applied.			
	U. The Department of Behavioral Health and Development Services and the Department of Medical Assistance Services shall not implement the proposed individualized supports budget process for the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs without the explicit authorization of the General Assembly through legislation or authorizing budget language.			
	V. The Department of Behavioral Health and Developmental Services shall report on the allocation and funding for Programs of Assertive Community Treatment (PACT) in the Commonwealth. The report shall include information on the cost of each team, the cost per individual served and the cost effectiveness of each PACT in diverting individuals from state and local hospitalization and stabilizing individuals in the community. The department shall provide the report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, of each year.			
	W. The Department of Behavioral Health and Developmental Services shall work with the Fairfax-Falls Church Community Services Board, and the provider, to ensure that future openings for the Miller House in Falls Church allow residents of Falls Church, that have been allocated a developmental disability waiver slot, be given first choice in the Miller House, if the group home is appropriate to meet their needs. In addition, the department shall work with the Community Services Board and the City of Falls Church to explore options for establishing a special allocation within the Community Services Board allocation of waiver slots for Falls Church residents who are on the Priority One waiting list and could live in the Miller House when future openings occur in the group home.			
	X. The Department of Behavioral Health and Developmental Services shall lease 25 acres of land at Eastern State Hospital to Hope Family Village Corporation for one dollar for the development of a village of residence and common areas to create a culture of self-care and neighborly support for families and their loved ones impacted by serious mental illness. The department shall work with the Hope Family Village Corporation to identify a 25 acre plot of land that is suitable for the project.			
	Y. The Department of Behavioral Health and Developmental Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15, of each year.			
	Z.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the status of the closure of Central Virginia Training Center. As part of this review process the joint subcommittee may evaluate options for those individuals in any remaining training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review any plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.			
	2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain any remaining training centers at a level of detail as determined by the joint subcommittee. The quarterly reports for the first, second and third quarter shall be due to the joint subcommittee 20 days after the close of the quarter. The fourth quarter report shall be due on August 15 of each year.			
	AA. Notwithstanding the provisions of the Acts of Assembly, Chapter 610, of the 2019 Session or any other provision of law, the Department of General Services is hereby authorized to sell, pursuant to § 2.2-1156, certain real property in Carroll County outside the town of Hillsville on which the former Southwestern Virginia Training Center was			

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

situated, subject to the following conditions: (1) the sale price shall be, at a minimum, an amount sufficient to fully cover any debt or other financial obligations currently on the property; (2) the purchaser shall be responsible for all transactional expenses associated with the transfer of the property; and (3) the sale shall be made to a health care company that agrees to use the property for the provision of health care services for a minimum of five years established through a deed restriction.

BB. Included in this item is \$150,000 the first year and \$150,000 the second year from the general fund to support substance abuse treatment utilizing non-narcotic, long-acting, injectable prescription drug treatment regimens ("treatment") used in conjunction with drug treatment court programs. Such treatment may be utilized in approved drug treatment court programs. In allocating such funding, the department shall consider the rate of fatalities within the locality, whether a drug treatment court program is available and whether such program utilizes medication-assisted treatment. The drug treatment court programs utilizing this funding shall use these resources to support provider fees, counseling and patient monitoring for participants, and medication to participants in which the costs of treatment services would not otherwise be covered. The Department of Behavioral Health and Developmental Services shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the number of participants, the number of drug courts that utilized the funding and the number of treatments administered. Any adult drug treatment court that accesses this funding shall provide all necessary information to the Department of Behavioral Health and Developmental Services to prepare this report.

CC.1. Out of this appropriation, \$7,500,000 the first year and \$7,500,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services (DBHDS) to pursue alternative inpatient options to state behavioral health hospital care through the establishment of two-year pilot projects that will reduce census pressures on state hospitals. Proposals shall be evaluated on: (i) the expected impact on state hospital bed use, including the impact on the extraordinary barrier list; (ii) the speed by which the project can become operational; (iii) the start-up and ongoing costs of the project; (iv) the sustainability of the project without the use of ongoing general funds; (v) the alignment between the project target population and the population currently being admitted to state hospitals; and (vi) the applicant's history of success in meeting the needs of the target population. No project shall be allocated more than \$2.5 million each year. Projects may include public-private partnerships, to include contracts with private entities. The department shall give preference to projects that serve individuals who would otherwise be admitted to a state hospital operated by DBHDS, that can be rapidly implemented, and provide the best long-term outcomes for patients. Consideration may be given to regional projects addressing comprehensive psychiatric emergency services, complex medical and neuro-developmental needs of children and adolescents receiving inpatient behavioral health services, and addressing complex medical needs of adults receiving inpatient behavioral health services. Any unexpended balance in this appropriation on June 30, 2021, shall be reappropriated for this purpose in the next fiscal year to fund project costs.

2. The department shall report quarterly on projects awarded with details on each project and its projected impact on the state behavioral health hospital census. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than 30 days after each quarter ends.

3. Notwithstanding any other provision of law, the contracts DBHDS enters into pursuant to paragraph AA.1. shall be exempt from competition as otherwise required by the Virginia Public Procurement Act (§§ 2.2-4300 through 2.2-4377, Code of Virginia).

DD. The Department of Behavioral Health and Developmental Services, in collaboration with the Department of General Services, shall establish a workgroup to inventory the department's vacant and surplus properties and buildings and develop a plan for the potential disposition of those properties. The plan shall include various cost options for the demolition of buildings, environmental remediation, options to fund bond defeasance costs, or other costs necessary to prepare the property to be sold or utilized for a different purpose. The workgroup shall initially focus on the Central Virginia Training Center in Madison Heights, vacant buildings at the Southwestern Virginia Mental Health Institute in Marion, and the previous Southern Virginia Training Center in Petersburg. The department shall submit the plan by November

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

15, 2020 to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

EE. The Department of Behavioral Health and Developmental Services shall conduct a review of the Commonwealth's Sexually Violent Predator Program to examine programmatic and community options that could reduce the number of individuals that are committed to the Virginia Center for Behavioral Health. The department shall report on these options to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020.

FF. The Department of Behavioral Health and Developmental Services shall develop a plan to convert Crisis Intervention Team Assessment Centers (CITACs) to 24-hour, seven-day operations and moving toward regional CITAC sites. This plan shall include the costs and recommended areas of the Commonwealth for at least three assessment centers in fiscal year 2022. The department shall submit the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020.

GG. The Department of Behavioral Health and Developmental Services is authorized to collaborate with the Children's Hospital of the King's Daughters (CHKD) to develop a memorandum of understanding (MOU) for dedicating a portion of the future bed capacity of a 60-bed mental health hospital at CHKD for use in providing treatment services to children or adolescents that may otherwise be admitted to the Commonwealth Center for Children and Adolescents (CCCA). The MOU should detail the priority populations that would be best served at CHKD and that assists the Commonwealth in reducing census pressure on CCCA. As part of the MOU the department and CHKD shall develop an estimated financial contribution for the potential benefit of such an arrangement to the Commonwealth. The department shall report on the details of the MOU to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2020.

HH. Out of this appropriation, \$940,000 the first year and \$940,000 the second year from the general fund shall be provided to Commonwealth Autism Services to assist in coordination of services for people with developmental disabilities in regards to autism assessments and services in Virginia.

321. Not set out.

321.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide additional funds for the Virginia Mental Health Access Program	\$4,224,388	\$4,224,388
Provide funds for administrative costs of STEP-VA	\$726,807	\$1,222,908
Train workforce in preparation for behavioral health redesign	\$129,253	\$129,253
Jewish Foundation for Group Homes	\$89,396	\$35,818
Adverse childhood experiences	\$143,260	\$143,260

ITEM 321.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
initiative				
Alternative transportation from state hospitals		\$150,000		\$150,000
Increase funding for statewide discharge assistance plans		\$7,500,000		\$12,500,000
Provide grants to recovery residences		\$250,000		\$250,000
Pilot Programs for facility census reduction		\$7,500,000		\$7,500,000
Agency Total		\$20,713,104		\$26,155,627
Total for Department of Behavioral Health and Developmental Services.....			\$178,602,337	\$170,068,820
			\$178,663,540	\$170,191,225
General Fund Positions.....	474.50	474.50		
	475.50	475.50		
Nongeneral Fund Positions.....	31.75	31.75		
Position Level.....	506.25	506.25		
	507.25	507.25		
Fund Sources: General.....	\$116,540,991	\$124,648,403		
	\$116,602,194	\$124,770,808		
Special.....	\$21,152,603	\$15,711,674		
Dedicated Special Revenue.....	\$11,200,000	\$0		
Federal Trust.....	\$29,708,743	\$29,708,743		

Grants to Localities (790)

322.	Financial Assistance for Health Services (44500).....			\$540,317,960	\$562,590,641 \$565,590,641
	Community Substance Abuse Services (44501).....	\$122,527,688	\$122,527,688		
	Community Mental Health Services (44506).....	\$318,733,256	\$338,381,297 \$341,381,297		
	Community Developmental Disability Services (44507).....	\$99,057,016	\$101,681,656		
	Fund Sources: General.....	\$446,517,960	\$472,590,641 \$475,590,641		
	Dedicated Special Revenue.....	\$3,800,000	\$0		
	Federal Trust.....	\$90,000,000	\$90,000,000		

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.

B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.

C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.

D. The Department of Behavioral Health and Developmental Services shall make payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.

E. Failure of a board to participate in Medicaid covered services and to meet all requirements

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Comprehensive Services Act for At-Risk Youth and Families.</p>			
	<p>O. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6, 19.2-176, 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 Code of Virginia.</p>			
	<p>P. Out of this appropriation, \$10,475,000 the first year and \$10,475,000 the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual or developmental disabilities and co-occurring mental health or behavioral disorders.</p>			
	<p>Q. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from the general fund shall be used for community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or provide discharge assistance for patients in a state mental health facility.</p>			
	<p>R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be used for crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.</p>			
	<p>S. Out of this appropriation, \$8,400,000 the first year and \$8,400,000 the second year from the general fund shall be used to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders. These funds, divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention, diagnosis, and treatment of children with mental health disorders. Funds may also be used to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or near their communities. The Department of Behavioral Health and Developmental Services shall include details on the use of these funds in its annual report on the System Transformation, Excellence and Performance in Virginia (STEP-VA) process.</p>			
	<p>T.1. Out of this appropriation, \$10,500,000 the first year and \$10,500,000 the second year from the general fund shall be used for up to 32 drop-off centers to provide an alternative to incarceration for people with serious mental illness and individuals with acquired brain injury and co-occurring serious mental health illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.</p>			
	<p>2. Out of this appropriation, \$1,800,000 the first year and \$1,800,000 the second year from the general fund is provided for Crisis Intervention assessment centers in six unserved rural communities.</p>			

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
3. Out of this appropriation, \$657,648 the first year and \$657,648 the second year from the general fund is provided for CIT training programs in six rural communities.				
U. Out of this appropriation, \$2,750,000 the first year and \$2,750,000 the second year from the general fund shall be for crisis services for children with intellectual or developmental disabilities.				
V. Out of this appropriation, \$35,500,441 the first year and \$35,500,411 the second year from the general fund shall be used to provide community-based services or acute inpatient services in a private facility to individuals residing in state hospitals who have been determined clinically ready for discharge, and for continued services for those individuals currently being served under a discharge assistance plan. Of this appropriation, \$1,305,000 the first year and \$1,305,000 the second year shall be allocated for individuals currently or previously residing at Western State Hospital.				
W. Out of this appropriation, \$620,000 the first year and \$620,000 the second year from the general fund shall be used for telepsychiatry and telemedicine services.				
X. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund shall be used for community-based mental health outpatient services for youth and young adults.				
Y. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to increase mental health inpatient treatment purchased in community hospitals. Priority shall be given to regions that exhaust available resources before the end of the year in order to ensure treatment is provided in the community and do not result in more restrictive placements.				
Z.1. Out of this appropriation, \$25,583,710 the first year and \$34,038,710 the second year from the general fund is provided for programs for permanent supportive housing for individuals with serious mental illness.				
2. The Department of Behavioral Health and Developmental Services shall report on the number of individuals who are discharged from state behavioral health hospitals who receive supportive housing services, the number of individuals who are on the hospitals' extraordinary barrier list who could receive supportive housing services, and the number of individuals in the community who receive supportive housing services and whether they are at risk of institutionalization. In addition, the department shall report on the average length of stay in permanent supportive housing for individuals receiving such services and report how the funding is reinvested when individuals discontinue receiving such services. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committee by November 1 of each year.				
AA. Out of this appropriation, \$400,000 the first year and \$400,000 the second year is provided for rental subsidies and associated costs for individuals served through the Rental Choice VA program.				
BB. Out of this appropriation, \$7,897,833 the first year from the general fund and \$3,800,000 the first year from the Behavioral Health and Developmental Services Trust Fund and \$13,062,833 the second year from the general fund shall be used for a program of rental subsidies for individuals with intellectual and developmental disabilities.				
CC. Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided to increase access to medication assisted treatment for individuals with substance use disorders who are addicted to opioids. In expending this amount, the department shall ensure that preferred drug classes shall include non-narcotic, non-addictive, injectable prescription drug treatment regimens. The department shall ensure that a portion of the funding is used for non-narcotic, non-addictive, prescription drug treatment regimens for individuals who are: (i) on probation; (ii) in an institution, prison, or jail; or (iii) not able for clinical or other reasons to participate in buprenorphine or methadone based drug treatment regimens.				
DD. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided for community detoxification and sobriety services for				

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
individuals in crisis.				
EE. Out of this appropriation, \$880,000 the first year and \$880,000 the second year from the general fund is provided for one regional, multi-disciplinary team for older adults. This team shall provide clinical, medical, nursing, and behavioral expertise and psychiatric services to nursing facilities and assisted living facilities.				
FF. Out of this appropriation, \$1,652,400 the first year and \$1,652,400 the second year from the general fund shall be used to provide permanent supportive housing to pregnant or parenting women with substance use disorders.				
GG. Out of this appropriation, \$11,025,231 the first year and \$11,025,231 the second year from the general fund shall be used to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities.				
HH. Out of this appropriation, \$3,000,000 the first year and \$3,700,800 the second year from the general fund is provided for discharge planning at jails for individuals with serious mental illness. Funding shall be used to create staff positions in Community Services Boards and will be implemented at up to five jails with a high percentage of inmates with serious mental illness.				
II. Out of this appropriation, \$708,663 the first year and \$708,663 the second year from the general fund is provided to establish an Intercept 2 diversion program in up to three rural communities. The funding shall be used for staffing and to provide access to treatment services.				
JJ. Out of this appropriation, \$1,100,000 the first year and \$1,100,000 the second year from the general fund is provided to establish the Appalachian Telemental Health Initiative, a telemental health pilot program. Any funds that remain unspent at the end of each fiscal year shall be carried forward to the subsequent fiscal year.				
KK. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with Best Buddies Virginia to expand inclusion services for people with intellectual and developmental disabilities to the Richmond and Virginia Beach areas of the state.				
LL. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided to the Fairfax-Falls Church Community Services Board to fully fund its Program of Assertive Community Treatment (PACT) Team.				
MM.1. Out of this appropriation, \$62,739,824 the first year and \$68,490,045 the second year from the general fund is provided for services by Community Services Boards and Behavioral Health Authorities pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.				
2. Of the amounts in MM.1., \$10,795,651 the first year and \$10,795,651 the second year from the general fund is provided for same day access to mental health screening services.				
3. Of the amounts in MM.1., \$7,440,000 the first year and \$7,440,000 the second year from the general fund is provided for primary care outpatient screening services.				
4. Of the amounts in MM.1., \$24,424,032 the first year and \$21,924,980 the second year from the general fund is provided for outpatient mental health and substance use services.				
5. Out of the amounts in MM.1., \$2,000,000 the first year and \$2,000,000 the second year from the general fund is provided for crisis detoxification services.				
6. Out of the amounts in MM.1., \$7,800,000 the first year and \$13,954,924 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders.				
7. Out of the amounts in MM.1., \$4,263,141 the first year and \$3,840,490 the second year from the general fund is provided for military and veterans services.				
8. Out of the amounts in MM.1., \$2,817,000 the first year and \$5,334,000 the second year				

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

from the general fund is provided for peer support and family services.

9. Out of the amounts in MM.1., \$3,200,000 the first year and \$3,200,000 the second year from the general fund is provided for the ancillary costs of expanding services at Community Services Boards and Behavioral Health Authorities.

10. Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, effective July 1, 2021, the core of services provided by Community Services Boards and Behavioral Health Authorities within cities and counties that they serve shall include, in addition to those set forth in subdivisions B 1, 2, and 3 of § 37.2-500 of the Code of Virginia and subdivisions C 1, 2, and 3 of § 37.2-601 of the Code of Virginia, (i) outpatient mental health and substance abuse services, (ii) peer support and family support services, and (iii) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility. In addition, Community Services Boards and Behavioral Health Authorities shall continue to expand the availability of crisis services for individuals with mental health or substance use disorders, as funded in MM.6. of this Item and Items 313 and 320 of this Act. Psychiatric rehabilitation, care coordination, and case management services shall not be required services but may be provided subject to available funding.

NN. Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, no Community Services Board or Behavioral Health Authority shall be required to provide any service pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process, beyond those services funded in Chapter 854, 2019 Acts of Assembly. Any new service requirements shall be subject to appropriation and allotment of funds for that purpose.

OO. Out of this appropriation, \$3,000,000 the second year from the general fund shall be provided to establish one mental health awareness response and community understanding services alert system programs and community care teams in each of the Department of Behavioral Health and Developmental Services' regions pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each region shall receive \$600,000 for this purpose.

322.10 A. Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Increase permanent supportive housing capacity	\$8,500,000	\$17,000,000
Expand forensic discharge planning programs in jails	\$1,400,000	\$2,100,800
Provide funds for partial implementation of STEP-VA	\$19,704,173	\$30,151,414
Agency Total	\$29,604,173	\$49,252,214

B: Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, and paragraph MM. of Item 322 of this Act, no Community Services Board or Behavioral Health Authority shall be required to provide any service pursuant to the to the System

ITEM 322.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Transformation, Excellence and Performance in Virginia (STEP-VA) process; beyond those services funded in Chapter 854, 2019 Acts of Assembly. Any new service requirements shall be subject to appropriation and allotment of funds for that purpose.				
Total for Grants to Localities.....			\$540,317,960	\$562,590,641 \$565,590,641
Fund Sources: General.....	\$446,517,960	\$472,590,641 \$475,590,641		
Dedicated Special Revenue.....	\$3,800,000	\$0		
Federal Trust.....	\$90,000,000	\$90,000,000		

Mental Health Treatment Centers (792)

- 323. Not set out.
- 324. Not set out.
- 325. Not set out.
- 326. Not set out.
- 327. Not set out.
- 328. Not set out.

328.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022	
Provide for increased pharmacy costs at state facilities	\$966,638	\$966,638	
Increase funding for safety and security in state facilities	\$2,299,637	\$3,066,182	
Add critical clinical staffing at the Commonwealth Center for Children and Adolescents	\$765,428	\$765,428	
Agency Total	\$4,031,703	\$4,798,248	
Total for Mental Health Treatment Centers.....		\$447,627,285	\$445,056,219
General Fund Positions.....	4,260.00	4,260.00	
Nongeneral Fund Positions.....	613.00	613.00	
Position Level.....	4,873.00	4,873.00	
Fund Sources: General.....	\$388,498,317	\$390,927,251	
Special.....	\$58,928,968	\$53,928,968	
Federal Trust.....	\$200,000	\$200,000	

- 329. Not set out.

ITEM 329.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
330.	Not set out.				
331.	Not set out.				
332.	Not set out.				
333.	Not set out.				

Virginia Center for Behavioral Rehabilitation (794)

- 334. Not set out.
- 335. Not set out.
- 336. Not set out.
- 337. Not set out.
- 338. Not set out.

338.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Support expanded facility and projected census growth	\$536,003	\$5,393,750
Agency Total	\$536,003	\$5,393,750
Total for Virginia Center for Behavioral Rehabilitation.....		\$51,782,685 \$56,640,432
General Fund Positions.....	793.50	886.50
Position Level.....	793.50	886.50
Fund Sources: General.....	\$51,782,685	\$56,640,432
Grand Total for Department of Behavioral Health and Developmental Services.....		\$1,293,779,984 \$1,292,811,471 \$1,293,841,187 \$1,295,933,876
General Fund Positions.....	5,634.00 5,635.00	5,727.00 5,728.00
Nongeneral Fund Positions.....	1,247.75	1,247.75
Position Level.....	6,881.75 6,882.75	6,974.75 6,975.75
Fund Sources: General.....	\$1,021,968,939	\$1,056,435,713
Special.....	\$1,022,030,142	\$1,059,558,118
	\$136,702,302	\$116,267,015

ITEM 338.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Dedicated Special Revenue.....	\$15,000,000	\$0		
Federal Trust.....	\$120,108,743	\$120,108,743		

§ 1-63. DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (262)

- 339. Not set out.
- 340. Not set out.
- 341. Not set out.
- 342. Not set out.
- 343. Not set out.
- 344. Not set out.
- 345. Not set out.
- 346. Not set out.

346-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Dementia Case Management	\$150,000	\$150,000		
Centers for Independent Living	\$425,000	\$425,000		
Brain Injury Services	\$1,000,000	\$1,000,000		
Align personal attendant services hourly pay with Medicaid rates	\$99,320	\$99,320		
Jewish Social Services Agency	\$50,000	\$50,000		
Agency Total	\$1,724,320	\$1,724,320		
Total for Department for Aging and Rehabilitative Services.....			\$237,907,115	\$237,907,115
General Fund Positions.....	82.76	82.76		
Nongeneral Fund Positions.....	882.26	882.26		
Position Level.....	965.02	965.02		
Fund Sources: General.....	\$63,378,200	\$63,378,200		
Special.....	\$12,849,556	\$12,849,556		
Dedicated Special Revenue.....	\$1,824,937	\$1,824,937		
Federal Trust.....	\$159,854,422	\$159,854,422		

Wilson Workforce and Rehabilitation Center (203)

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

347. Not set out.

348. Not set out.

348.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021		FY 2022
Funding for Vehicle Purchase	\$80,000		\$0
Agency Total	\$80,000		\$0
Total for Wilson Workforce and Rehabilitation Center.....			\$23,126,402
General Fund Positions.....	58.80	58.80	
Nongeneral Fund Positions.....	193.20	193.20	
Position Level.....	252.00	252.00	
Fund Sources: General.....	\$5,722,704	\$5,642,704	
Special.....	\$17,215,735	\$17,215,735	
Federal Trust.....	\$187,963	\$187,963	
Grand Total for Department for Aging and Rehabilitative Services.....			\$261,033,517
General Fund Positions.....	141.56	141.56	
Nongeneral Fund Positions.....	1,075.46	1,075.46	
Position Level.....	1,217.02	1,217.02	
Fund Sources: General.....	\$69,100,904	\$69,020,904	
Special.....	\$30,065,291	\$30,065,291	
Dedicated Special Revenue.....	\$1,824,937	\$1,824,937	
Federal Trust.....	\$160,042,385	\$160,042,385	

§ 1-64. DEPARTMENT OF SOCIAL SERVICES (765)

349. Program Management Services (45100).....			\$52,444,822 \$56,005,680	\$49,918,659
Training and Assistance to Local Staff (45101).....	\$5,177,672	\$5,177,672		
Central Administration and Quality Assurance for Benefit Programs (45102).....	\$14,774,193 \$18,335,051	\$12,682,884		
Central Administration and Quality Assurance for Family Services (45103).....	\$15,639,009	\$15,846,400		
Central Administration and Quality Assurance for Community Programs (45105).....	\$10,890,414	\$10,845,088		
Central Administration and Quality Assurance for Child Care Activities (45107).....	\$5,963,534	\$5,366,615		
Fund Sources: General.....	\$22,988,078	\$21,282,524		
Special.....	\$100,000	\$100,000		

ITEM 349.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Federal Trust.....	\$29,356,744 \$32,917,602	\$28,536,135		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Office of Children's Services teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

2. The forecast of expenditures shall detail the incremental general fund and federal fund adjustments required by the forecast each year in the biennial budget. The Department of Planning and Budget shall convene a meeting on or before October 15 of each year with the appropriate staff from the Department of Social Services, and the House Appropriations and Senate Finance Committees to review current trends and assumptions used in the forecasts prior to their finalization.

C. The Department of Social Services shall provide administrative support and technical assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in Sections 63.2-2100 through 63.2-2103, Code of Virginia.

D. Out of this appropriation, \$1,829,111 the first year and \$1,829,111 the second year from the general fund and \$1,829,111 the first year and \$1,829,111 the second year from nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.

E.1. Out of this appropriation, ten positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the ten positions, with two working out of each regional office, shall assess and review all foster care spending to ensure that state and federal standards are met. None of these positions shall be used for quality, information technology, or clerical functions.

2. By September 1 of each year, the department shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding the foster care program's statewide spending, error rates and compliance with state and federal reviews.

F. Out of this appropriation, \$187,549 the first year from the Temporary Assistance for Needy Families block grant shall be provided to manage the summer feeding pilot program, beginning June 2020 and ending August 2020.

G. The Department of Social Services shall provide an annual report on the activities of the Office of New Americans by December 1 of each year.

H. Out of this appropriation, \$3,560,858 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to fund a one-time food benefit payment to families with children enrolled in Head Start.

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
350. Financial Assistance for Self-Sufficiency Programs and Services (45200).....			\$293,632,171 \$310,443,424	\$148,847,863
Temporary Assistance for Needy Families (TANF) Cash Assistance (45201).....	\$81,777,467	\$76,773,813		
Temporary Assistance for Needy Families (TANF) Employment Services (45212).....	\$21,657,833	\$21,657,833		
Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213).....	\$1,017,741	\$1,017,741		
Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214).....	\$59,216,801	\$38,707,424		
At-Risk Child Care Subsidies (45215).....	\$124,635,948 \$141,235,948	\$5,364,671		
Unemployed Parents Cash Assistance (45216).....	\$5,326,381 \$5,537,634	\$5,326,381		
Fund Sources: General.....	\$79,487,600 \$96,087,600	\$79,487,600		
Federal Trust.....	\$214,144,571 \$214,355,824	\$69,360,263		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. It is hereby acknowledged that as of June 30, 2019 there existed with the federal government an unexpended balance of \$151,404,869 in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the TANF program. Based on projected spending levels and appropriations in this act, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at \$132,072,240 on June 30, 2020; \$78,587,022 on June 30, 2021; and \$33,342,303 on June 30, 2022.

B. No less than 30 days prior to submitting any amendment to the federal government related to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees as well as the Director, Department of Planning and Budget written documentation detailing the proposed policy changes. This documentation shall include an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

C. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

D. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

E. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
social services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program. The department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.				
F. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.				
G. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.				
H.1. Out of this appropriation, \$10,703,748 the first year and \$2,500,000 the second year from nongeneral funds is included for Head Start wraparound child care services.				
2. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for these wraparound services.				
I. Out of this appropriation, \$2,647,305 the first year and \$2,647,305 the second year from the general fund and \$72,503,762 the first year and from federal funds shall be provided to support state child care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for child care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with child care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.				
J. Out of this appropriation, \$600,000 the first year from nongeneral funds shall be used to provide scholarships to students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education.				
K. Out of this appropriation, \$505,000 the first year from nongeneral funds shall be used to provide training of individuals in the field of early childhood education.				
L. Out of this appropriation, \$300,000 the first year from nongeneral funds shall be used to provide child care assistance for children in homeless and domestic violence shelters.				
M. Out of this appropriation, the Department of Social Services shall use \$4,800,000 the first year and \$4,800,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant to provide to each TANF recipient with two or more children in				

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the assistance unit a monthly TANF supplement equal to the amount the Division of Child Support Enforcement collects up to \$200, less the \$100 disregard passed through to such recipient. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.

N. The Board of Social Services shall combine Groups I and II for the purposes of Temporary Assistance to Needy Families cash benefits and use the Group II rates for the new group.

O. The Department of Social Services shall increase the Temporary Assistance for Needy Families (TANF) cash benefits and income eligibility threshold by 15 percent effective July 1, 2020.

P. Out of this appropriation, \$5,240,499 the first year from the Temporary Assistance for Needy Families block grant shall be provided for a one-year summer feeding program pilot. This pilot shall provide fifty dollars for each of the months of June, July, and August on a qualifying child's family electronic benefits transaction (EBT) card. The funding shall be used to purchase meals for qualifying low-income children in areas that are currently unserved by but summer feeding programs. The pilot shall end on August 31, 2020. The department shall report on program performance and shall include monthly expenditures, number of children served, and localities in which children were served. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance committees by November 1, 2020.

Q. The Department of Social Services shall study the resource cliff faced by families receiving public assistance when income increases enough to reduce or terminate the family's eligibility for public assistance. The report shall address how the structure and terms of eligibility affect the ability of participants to move toward self-sufficiency. The report shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance committees on or before August 1, 2021.

R. Out of this appropriation, \$16,600,000 the first year from the Temporary Assistance for Needy Families block grant shall be transferred to Direct Aid for Public Education to fund current Virginia Preschool Initiative (VPI) slots.

S. Out of this appropriation, \$16,600,000 the first year from the Child Care Development Fund block grant balance shall be used to support child care funding in Virginia for TANF recipients currently receiving child care and for families receiving child care subsidies, including Head Start wraparound services.

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

U. Out of this appropriation, \$211,253 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall fund a one-time payment to TANF UP recipients.

ITEM 350.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
351.	Not set out.				
352.	Not set out.				
353.	Not set out.				
354.	Child Welfare Services (46900).....			\$272,522,205	\$268,732,264
	Foster Care Payments (46901).....	\$60,738,976	\$60,735,138		
		\$62,693,500			
	Supplemental Child Welfare Activities (46902).....	\$47,356,349	\$43,570,246		
	Adoption Subsidy Payments (46903).....	\$147,606,780	\$147,606,780		
		\$145,652,256			
	Prevention Services (46905).....	\$16,820,100	\$16,820,100		
	Fund Sources: General.....	\$125,977,900	\$131,074,062		
		\$120,214,088			
	Special.....	\$2,434,593	\$2,434,593		
	Dedicated Special Revenue.....	\$585,265	\$585,265		
	Federal Trust.....	\$143,524,447	\$134,638,344		
		\$149,288,259			

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.

E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements, except parental placements where the legal guardian is a child placing agency at the time of the adoption. This restriction does not apply to existing adoption assistance agreements.

F.1. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase the number of foster care children adopted.

2. Beginning July 1, 2017, the department shall provide an annual report, not later than 45 days after the end of the state fiscal year, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget.

G. Out of this appropriation, \$14,864,476 the first year and \$14,864,476 the second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second year from

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

nongeneral funds shall be provided for special needs adoptions.

H. Out of this appropriation ~~\$61,019,627~~ \$57,160,459 the first year and \$61,019,627 the second year from the general fund and \$61,019,627 the first year and \$61,019,627 the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.

I. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of Virginia.

J.1. Notwithstanding the provisions of § 63.2-1302, Code of Virginia, the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. This provision shall not alter the legal responsibilities of the local departments of social services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to appeal.

2. Out of this appropriation, \$342,414 the first year and \$342,414 the second year from the general fund and \$215,900 the first year and \$215,900 the second year from nongeneral funds shall be provided for five positions to execute these negotiations.

K.1. The Department of Social Services shall partner with Patrick Henry Family Services to implement a pilot program in the area encompassing Planning District 11 (Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children for children and families in crisis. The pilot program will allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person by a properly executed power of attorney any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. The program will allow for an option of a one-time 90 day extension.

2. The department shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in 22 VAC 40-131 and 22 VAC 40-191:

(i) The pilot program organization shall meet the background check requirements described in 22 VAC 40-191.

(ii) The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint (22 VAC 40-131-90).

(iii) The pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff (22 VAC 40-131-210 and 22 VAC 40-131-150).

L.1. Out of this appropriation, \$2,925,954 the first year and \$2,925,954 the second year from the general fund and \$2,886,611 the first year and \$2,886,611 the second year from nongeneral funds shall be available for the expansion of foster care and adoption assistance as authorized in the federal Foster Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351; P.L. 11-148).

2. In order to implement the Fostering Futures program, the Department of Social Services shall set out the requirements for program participation in accordance with 42 U.S.C. 675 (8) (B) (iv) and shall provide the format of an agreement to be signed by the local department of social services and the youth. The definition of a child for the purpose of the Fostering Futures program shall be any natural person who has reached the age of 18

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

years but has not reached the age of 21. The Department of Social Services shall develop guidance setting out the requirements for local implementation including a requirement for six-month reviews of each case and reasons for termination of participation by a youth. The guidance shall also include a definition of a supervised independent living arrangement which does not include group homes or residential facilities. Implementation of this program includes the extension of adoption assistance to age 21 for youth who were adopted at age 16 or older and who meet the program participation requirements set out in guidance by the Department of Social Services.

3. The Department of Social Services shall issue guidance for the program's eligibility requirements and shall be available, on a voluntary basis, to an individual upon reaching the age of 18 who:

- (i) was in the custody of a local department of social services either:
 - (a) prior to reaching 18 years of age, remained in foster care upon turning 18 years of age; or
 - (b) immediately prior to commitment to the Department of Juvenile Justice and is transitioning from such commitment to self-sufficiency.
- (ii) and who is:
 - (a) completing secondary education or an equivalent credential; or
 - (b) enrolled in an institution that provides post-secondary or vocational education; or
 - (c) employed for at least 80 hours per month; or
 - (d) participating in a program or activity designed to promote employment or remove barriers to employment; or
 - (e) incapable of doing any of the activities described in subdivisions (a) through (d) due to a medical condition, which incapability is supported by regularly updated information in the program participant's case plan.

4. Implementation of extended foster care services shall be available for those eligible youth reaching age 18 on or after July 1, 2016.

M.1. Out of this appropriation, \$7,517,668 the first year and \$7,517,668 the second year from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from nongeneral funds shall be available for the reinvestment of adoption general fund savings as authorized in title IV, parts B and E of the federal Social Security Act (P.L. 110-351).

2. Of the amounts in paragraph M.1. above, \$3,078,595 the first year and \$3,078,595 the second year from the general fund shall be used to develop a case management module for a comprehensive child welfare information system (CCWIS). In the development of the CCWIS, the department shall not create any future obligation that will require the appropriation of general fund in excess of that provided in this Act. Should additional appropriation, in excess of the amounts identified in this paragraph, be needed to complete development of this or any other module for the CCWIS, the department shall notify the Chairmen of the House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget.

3. Beginning September 1, 2018, the department shall also provide semi-annual progress reports that includes current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget.

N. Out of this appropriation, \$1,009,563 the first year and \$1,009,563 the second year from nongeneral funds shall be used to fund ten positions that support the child protective services hotline.

O. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund and \$50,000 the first year and \$50,000 the second year from nongeneral funds shall be used to fund one position that supports Virginia Fosters.

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
P.	Out of this appropriation, \$851,000 the first year and \$851,000 the second year from the general fund is provided for training, consultation and technical support, and licensing costs associated with establishing evidence-based programming as identified in the federal Family First Prevention Services Act (FFPSA) Evidence-Based Programs Clearinghouse.			
Q.	The Department of Social Services shall develop a plan to provide access statewide to a Kinship Navigator Program which will provide services to kinship caregivers who are having trouble finding assistance for their unique needs and to help these caregivers navigate their locality's service system, as well as federal and state benefits.			
R.	Out of this appropriation, \$100,000 the first year and \$200,000 the second year from the general fund shall be provided to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Funding shall be made available, up to the limits of this appropriation, to local departments of social services to reimburse foster care providers for increases to their existing motor vehicle insurance premiums that occur because a foster care youth in their care has been added to their insurance policy. The program may also reimburse foster care providers for additional coverage (i.e. an umbrella policy or the equivalent) that provides liability protection should a foster care youth get into or cause a catastrophic accident. Additionally, funding shall be made available to foster care youth in Virginia's Fostering Futures Program to assist in covering the cost of obtaining motor vehicle insurance. The department shall develop reimbursement policies for foster care providers and foster care youth. The department shall coordinate and administer the driver's licensing program based on best practices from similar programs in other states, to include developing educational or training materials that educate foster parents, private providers, and foster youth about (i) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); (ii) Department of Motor Vehicles requirements to obtain a learner's permit and driver's license; (iii) what funding and resources are available to assist in this process, to include, paying school lab fees for "Behind the Wheel" or paying a private driving education company; and (iv) why getting a driver's license on time is important for normalcy and a successful transition to adulthood. The department shall provide information on how many foster care youth were supported by this program and any recommendations to improve the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.			
S.	The Department of Social Services shall create an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home Licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster care: (i) live in safe and appropriate homes under local department of social services and court oversight; (ii) receive monthly financial assistance and supportive services to help meet their needs; and (iii) can access the permanency options offered by Virginia's Kinship Guardianship Assistance Program.			
T.	The Department of Social Services shall offset \$5,000,000 the first year of the general fund cost of implementing the Family First Prevention Services Act with federal Family First Transition Act funding for approved services and activities.			
U.	The Commissioner shall establish a five-year plan for the Commonwealth to prevent child abuse and neglect. In developing this plan, the Department shall collaborate with the Department for Behavioral Health & Developmental Services, Department of Health, Department of Education, Family and Children's Trust and other relevant state agencies and stakeholders. This plan shall be focused on primary prevention, be trauma informed, include a public health framework on abuse prevention, promote positive youth development, and be asset and strength based. The plan shall reference and coordinate with any other state plans or programs that deal with issues related to child abuse prevention such as, but not limited to, teen pregnancy prevention, youth substance use, school dropout, domestic violence/family violence, and foster care prevention. The			

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Commissioner shall convene a work group to assist with developing this plan. The workgroup shall include, but not be limited to, the following stakeholders: Families Forward Virginia, VOICES for Virginia's Children, and the Virginia Poverty Law Center. The Commissioner shall report the plan to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Youth by July 1, 2021.</p> <p>V. Within 10 days of the enactment of this Act, the Department of Social Services (DSS) shall generate an estimate of the annual impact of enhanced federal Medical Assistance Percentages (FMAP), associated with federal H.R. 6021, the Families First Coronavirus Response Act (FFCRA), on all Title IV-E foster care and adoptions programs as appropriated in this Act. The agency shall report these estimates by fiscal year, fiscal quarter, service area and fund detail, to the Department of Planning and Budget (DPB) and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within the required timeframe. DPB is authorized to unallot an amount of state funds equal to the general fund savings identified in the DSS report. Upon expiration of the enhanced FMAP, DPB is authorized to re-allot funding for those quarters for which assumed enhanced FMAP is not available.</p>				
355.	Not set out.			
356.	Financial Assistance to Community Human Services Organizations (49200).....		\$59,707,967	\$56,207,967
			\$62,107,967	\$57,957,967
	Community Action Agencies (49201).....	\$21,263,048	\$21,263,048	
	Volunteer Services (49202).....	\$3,866,340	\$3,866,340	
	Other Payments to Human Services Organizations (49203).....	\$34,578,579	\$31,078,579	
		\$36,978,579	\$32,828,579	
	Fund Sources: General.....	\$1,174,500	\$674,500	
	Federal Trust.....	\$58,533,467	\$55,533,467	
		\$60,933,467	\$57,283,467	

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, \$185,725 the first year and \$185,725 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Community Action Partnership to provide outreach, education and tax preparation services via the Virginia Earned Income Tax Coalition and other community non-profit organizations to citizens who may be eligible for the federal Earned Income Tax Credit. The contract shall require the Virginia Community Action Partnership to report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. The annual report from the Virginia Community Action Partnership shall also detail actual expenditures for the program including the sub-contractors that were utilized. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1 each year.

3. Out of this appropriation, \$7,750,000 the first year and \$7,750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with local Community Action Agencies to provide an array of services designed to meet the needs of low-income individuals and families, including the elderly and migrant workers. Services may include, but are not limited to, child care, community and economic development, education, employment, health and nutrition, housing, and transportation.

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
4. Out of this appropriation, \$1,125,000 the first year and \$1,125,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project. Applicants selected for the pilot project shall provide a match of no less than 20 percent of the grant, including in-kind services. The Department of Social Services shall report to the General Assembly annually on the progress of the pilot project and shall complete a final report on the project no later than six years after the commencement of the project.				
B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-5400 et seq.				
C. Out of this appropriation, \$8,617,679 the first year and \$8,617,679 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with programs that follow the evidence-based Healthy Families America home visiting model that promotes positive parenting, improves child health and development, and reduces child abuse and neglect. The Department of Social Services shall use a portion of the funds from this item to contract with the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Virginia Healthy Families programs.				
E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from nongeneral funds shall be provided for the Child Abuse Prevention Play (the play) administered by Virginia Repertory Theatre. The contract shall include production and live performances of the play that teach child safety awareness to prevent child abuse.				
F. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund shall be provided to contract with the Virginia Alzheimer's Association Chapters to provide dementia-specific training to long-term care workers in licensed nursing facilities, assisted living facilities and adult day care centers who deal with Alzheimer's disease and related disorders.				
G. Out of this appropriation, \$1,000,000 \$1,500,000 the first year and \$1,000,000 \$1,500,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Northern Virginia Family Services (NVFS) to provide supportive services that address the basic needs of families in crisis, including the provision of food, financial assistance to prevent homelessness, access to health services, and adult workforce development programs. The contract shall require NVFS to provide an intake process that identifies the needs and appropriate services for those in crisis. Outcomes will be measured utilizing surveys provided to those who receive services and NVFS will report quarterly on survey results.				
H. Out of this appropriation, \$405,500 the first year and \$405,500 the second year from the general fund and \$1,136,500 the first year and \$1,136,500 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with child advocacy centers (CAC) to provide a comprehensive, multidisciplinary team response to allegations of child abuse in a dedicated, child-friendly setting. The contracts shall require CACs to provide forensic interviews, victim support and advocacy services, medical evaluations, and mental health services to victims of child abuse and neglect with the expected outcome of reducing child abuse and neglect. The department shall allocate four percent to Children's Advocacy Centers of Virginia (CACVA), the recognized chapter of the National Children's Alliance for Virginia's Child Advocacy Centers, for the purpose of assisting and supporting the development, continuation, and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers (CACs). Of the remaining 96 percent, (i) 65 percent shall be distributed to a baseline allocation determined by the accreditation status of the CAC: (a) developing and associate centers 100 percent of base; (b) accredited centers 150 percent of base; and (c) accredited centers with satellite facilities 175 percent of base; and (ii) 35 percent shall be allocated according to established criteria to include: (a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent determined by child population; and (c) 50 percent determined by the number of counties and independent cities serviced.				
I.1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided				

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>to contract with the Virginia Early Childhood Foundation (VECF) to support the health and school readiness of Virginia's young children prior to school entry. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided.</p>				
<p>2. Of the amounts in paragraph I.1. above, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be used to provide information and assistance to parents and families and to facilitate partnerships with both public and private providers of early childhood services. VECF will track and report statewide and local progress on a biennial basis. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.</p>				
<p>3. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.</p>				
<p>J. Out of this appropriation \$2,000,000 the first year and \$2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and mentoring programs.</p>				
<p>K.1. Out of this appropriation, \$7,500,000 the first year and \$7,500,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for competitive grants for community employment and training programs designed to move low-income individuals out of poverty through programs designed to assist TANF recipients in obtaining and retaining competitive employment with the prospect of a career path and wage growth and other supportive services designed to break the cycle of poverty and permanently move individuals out of poverty. Of this amount, \$2,000,000 shall be provided for competitive grants provided through Employment Services Organizations (ESOs).</p>				
<p>2.a. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for a second round of grants for community employment and training programs designed to move low-income individuals out of poverty by obtaining and retaining competitive employment with the prospect of a career path and wage growth. The local match requirement shall be reduced to 10 percent, including in-kind services, for grant recipients located in Virginia counties or cities with high fiscal stress as defined by the Commission on Local Government fiscal stress index.</p>				
<p>b. Out of the amounts in 2.a., at least \$300,000 the first year and \$300,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided through a contract with the City of Richmond, Office of Community Wealth for services provided through the Center for Workforce Innovation.</p>				
<p>3. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the the Temporary Assistance to Needy Families (TANF) block grant shall be provided for a third round of competitive grants for community employment and training programs. Out of this amount, \$450,000 each year shall be provided for competitive grants through Employment Services Organizations. The department may encourage applicants to consider developing programs that align or coordinate with the Medicaid Referral program to be developed pursuant to language in Item 313 of this act.</p>				
<p>4. The Department of Social Services shall award grants to qualifying programs through a memorandum of understanding which articulates performance measures and outcomes including the number of individuals participating in services, number of individuals hired into employment, the number of unique employers hiring individuals through organizational programs and activities, the average starting wage of individuals hired, reductions in the rate of poverty, as well as process measures such as how the program targets improvement in poverty over a three to five year period and fits in with long term community goals for reducing poverty. Grants shall require local matching funds of at least a 25 percent, including in-kind services.</p>				

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
5. Community employment and training programs and ESOs shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on the implementation of the programs and any performance and outcome data collected through the memorandum of understanding by June 1 of each year.				
L. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking. The contract shall require YFT to provide individual assessments/individual service planning; individual and group counseling; room and board; coordination of medical and mental health services and referrals; independent living services for youth transitioning out of foster care; active supervision; education; and family reunification services. Youth for Tomorrow shall submit monthly progress reports on activities conducted and progress achieved on outputs, outcomes and other functions/activities during the reporting period. On October 1 of each year, YFT shall provide an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees that details program services, outputs and outcomes.				
M. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Visions of Truth Community Development Corporation in Portsmouth, Virginia. The funding will support the Students Taking Responsibility in Valuing Education (STRIVE) suspension/dropout prevention program.				
N. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Early Impact Virginia to continue its work in support of Virginia's voluntary home visiting programs. These funds may be used to hire three full-time staff, including a director and an evaluator, and to continue Early Impact Virginia's training partnerships. Early Impact Virginia shall have the authority and responsibility to determine, systematically track, and report annually on the key activities and outcomes of Virginia's home visiting programs; conduct systematic and statewide needs assessments for Virginia's home visiting programs at least once every three years; and to support continuous quality improvement, training, and coordination across Virginia's home visiting programs on an ongoing basis. Early Impact Virginia shall report on its findings to the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2019 and annually thereafter.				
O. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Laurel Center in Winchester to provide program services to survivors of domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and Warren County at the Center's residential facility for survivors.				
P. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be provided for the Department of Social Services to contract with Adoption Share, Inc. for the purpose of a pilot program to operate the Family-Match application, which is an online matching tool for state case workers to use in matching foster care children with the best families.				
Q. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to FACETS to provide homeless assistance services in Northern Virginia.				
R. Out of this appropriation, \$3,000,000 the first year from the Temporary Assistance for Needy Families block grant shall be provided for one-time funding to contract with the Virginia Federation of Food Banks to provide child nutrition programs.				
S. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year for the Temporary Assistance for Needy Families block grant shall be provided to the Virginia Transit Association to offer competitive grants for public transportation (as				

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

defined in Virginia Code §33.2-100) and public transportation demand management service fare passes. The Virginia Transit Association shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chaimen of the House Appropriations and Senate Finance committees.

T. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to United Community to offer wrap-around services for low-income families. United Community shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chaimen of the House Appropriations and Senate Finance committees.

U. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Lighthouse Community Center, a nonprofit organization in Planning District 11, to provide housing assistance, or other eligible services, for individuals transitioning out of the criminal justice system and domestic violence situations contingent on contracting for services eligible under the TANF block grant.

V. Out of this appropriation, \$500,000 the first year from the general fund shall be provided to the Laurel Center for expansion of education, outreach, program services, and new career and education support.

W. Out of this appropriation, \$650,000 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to food banks for the emergency food supply package program for fall 2020 and winter 2021. Funding authorized in this paragraph shall only be expended when no other federal funding source is available for this purpose.

X. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Cornerstones to provide wrap-around services that solve urgent or on-going requirements for housing, childcare, food or financial assistance that address the needs of families. The contract shall require Cornerstones to report annually on outcomes.

Y. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Portsmouth Volunteers for the Homeless to provide wrap-around services for homeless individuals.

Z. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Menchville House to provide supportive services for homeless individuals.

AA. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Family Restoration Services of Hampton to provide supportive services to families in need.

357.	Regulation of Public Facilities and Services (56100)..			\$35,317,447	\$15,956,745
	Regulation of Adult and Child Welfare Facilities (56101).....	\$32,251,460	\$12,890,758		
	Background Investigation Services (56106).....	\$3,065,987	\$3,065,987		
	Fund Sources: General.....	\$6,246,227	\$6,588,125		
	Special.....	\$3,143,517	\$3,143,517		

ITEM 357.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Federal Trust.....	\$25,927,703	\$6,225,103		

Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in licensing offices so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all child care facilities receive, at a minimum, the two visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child and adult care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.

E. Out of this appropriation, \$8,853,833 and 59 positions the first year from the federal Child Care and Development Fund (CCDF) shall be provided to address the workload associated with licensing, inspecting and monitoring family day homes, pursuant to § 63.2-1704, Code of Virginia. The Department of Social Services shall provide an annual report, not later than October 1 of each year for the preceding state fiscal year ending June 30, on the implementation of this initiative to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget.

F. The Department of Social Services shall work with localities that currently inspect child day care centers and family day homes to minimize duplication and overlap of inspections pursuant to § 63.2-1701.1, Code of Virginia.

G. No child day center, family day home, or family day system licensed in accordance with Chapter 17, Title 63.2; child day center exempt from licensure pursuant to § 63.2-1716; registered family day home; family day home approved by a family day system; or any child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant shall employ; continue to employ; or permit to serve as a volunteer who will be alone with, in control of, or supervising children any person who has an offense as defined in § 63.2-1719. All employees and volunteers shall undergo the following background check by July 1, 2017 and every 5 years thereafter, as required by the federal Child Care and Development Block Grant Act of 2014 (CCDBG).

H. 1. A child day program that operates for children of essential personnel *or those who have been identified as needing in-person services*, who are in need of child care as a result of the COVID-19 pandemic, shall be exempt from licensure. Programs operating under this emergency licensing exemption must file an exemption with the Department and abide by the requirements set forth in § 63.2-1715(C) and (D), Code of Virginia. The Commissioner shall have the authority to inspect these programs only upon receipt of a complaint, except as otherwise provided by law.

2. An instructional program operating under § 63.2-1715 (A), Code of Virginia solely for children of essential personnel must file with the Commissioner a statement indicating the

ITEM 357.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

intent to operate the program and identifying that the program will operate solely for the children of essential personnel *or those who have been identified as needing in-person services*. All emergency child care programs shall follow Centers for Disease Control and Prevention and Virginia Department of Health guidance on safety measures to prevent the spread of COVID-19.

I. When a child day program operates in response to the COVID-19 pandemic, a background check for an individual associated with a child day program operating solely for children of essential personnel *or those who have been identified as needing in-person services* shall not be required for any individual who has completed a background check under the provisions of § 63.2-1720.1 or § 63.2-1721.1, Code of Virginia within the previous two years and who continues to be eligible. The Department shall establish a process regarding background check portability, and child day program providers seeking portability must follow this process.

J. Any public or accredited private school may operate emergency child care for preschool or school aged children of essential personnel *or those who have been identified as needing in-person services* during a declared state or local emergency due to COVID-19. Such programs shall be exempt from licensure (§ 63.2-1715, Code of Virginia) and shall be subject to safety and supervisory standards, including background checks, established by the local school division or accredited private school offering the program. All emergency child care programs shall follow Centers for Disease Control and Prevention and Virginia Department of Health guidance on safety measures to prevent the spread of COVID-19.

358. Not set out.

359. Administrative and Support Services (49900).....			\$119,439,453	\$113,236,291
			\$119,439,453	
			\$119,617,496	
General Management and Direction (49901).....	\$5,172,009	\$5,172,009		
Information Technology Services (49902).....	\$86,563,405	\$80,360,243		
	\$86,741,448			
Accounting and Budgeting Services (49903).....	\$10,584,962	\$10,584,962		
Human Resources Services (49914).....	\$5,714,069	\$5,714,069		
Planning and Evaluation Services (49916).....	\$4,114,012	\$4,114,012		
Procurement and Distribution Services (49918).....	\$3,900,031	\$3,900,031		
Public Information Services (49919).....	\$3,004,654	\$3,004,654		
Financial and Operational Audits (49929).....	\$386,311	\$386,311		
Fund Sources: General.....	\$45,867,828	\$45,582,828		
Special.....	\$175,000	\$175,000		
Federal Trust.....	\$73,396,625	\$67,478,463		
	\$73,574,668			

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

B. It is the intent of the General Assembly that the Commissioner, Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

C.1. Out of this appropriation, \$627,458 the first year and \$627,458 the second year from the general fund and \$969,542 the first year and \$969,542 the second year from nongeneral funds shall be provided to support the statewide 2-1-1 Information and Referral System which provides resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

ITEM 359.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education and Workforce, and the Secretary of Public Safety and Homeland Security shall assist in this effort by requesting all affected agencies within their secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.				
3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the department's electronic mailings to all local and regional offices at least biannually.				
D.1. Within 30 days of awarding or amending any contract related to the Virginia Case Management System (VaCMS), the Department of Social Services (DSS) shall provide the Chairmen of the House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget with a copy of the contract, including any fiscal implications.				
2. Prior to the award of any contract that will potentially obligate the Commonwealth to future unappropriated spending, the department shall receive prior written concurrence from Director, Department of Planning and Budget. Any approved increases in funding requests shall be reported by DSS to the Chairmen of House Appropriations and Senate Finance Committees within 30 days.				
E. At least 60 days prior to the modification of any public guidance document, handbook, manual, or state plan, the Department of Social Services (DSS) shall provide written notification to the Governor and the Director of the Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment may require any 1) future state regulatory action; 2) increase in local costs; and/or 3) any state expenditure beyond that which is appropriated in this Act. This notice does not exempt the agency from any requirements set forth within § 4-5.03 of this Act.				
F. The Superintendent of Public Instruction shall convene a work group to develop and establish a plan to transfer the Child Care Development Fund grant from the Virginia Department of Social Services to the Virginia Department of Education no later than July 1, 2021. The work group shall include representatives of (i) the Secretariats of Education and Health and Human Resources; (ii) relevant state agencies, including the Department of Planning and Budget, the Office of the Attorney General, the Department of Education, and the Department of Social Services; (iii) relevant regulatory boards, including the Board of Education; and (iv) the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The goal of this transfer is to house responsibility of child care and education programs under one agency. The plan shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director of the Department of Planning and Budget no later than August 15, 2020. Such plan shall confirm the funding amounts and positions that need to be transferred between the impacted agencies, and shall identify any savings or additional costs associated with the transfer of these programs. The review shall also assess any potential administrative impacts on the Department of Social Services and the Department of Education.				
G. Out of this appropriation, \$250,000 the first year from the general fund is provided for the agency to contract with a vendor for assistance in evaluating the agency's needs for a new child welfare system, developing detailed cost estimates and a timeline for implementation. The department shall submit a plan for a new child welfare system to the Governor and the Chairs of the House Appropriations and Senate Finance and				

ITEM 359.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Appropriations Committees by October 1, 2020.

H. The Department of Social Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year. For the report due August 15, 2020, the department shall provide a summary of all organizational changes implemented since January 1, 2018.

I. Notwithstanding any other provision of law, the Department of Social Services (DSS) shall have temporary authority to make any changes to relevant State Plans, request waivers from applicable Federal agencies, change eligibility criteria for benefits and services, and payment levels for applicable programs in response to the COVID-19 pandemic and new authorities and funding made available by the federal government to effect those policies necessary to ensure that benefits are available to eligible populations in response to COVID-19. Prior to the implementation of any change, DSS must receive written approval from the Governor. Within 15 days of implementing changes in response to COVID-19, DSS shall send a list of such actions to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The provisions of this paragraph, as well as any actions implemented under its authority, shall be in accordance with the Governor's emergency declaration for COVID-19 and be in effect for the period specified therein.

J. Out of this appropriation, \$178,043 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to fund payment structure changes to implement one-time food benefit payments to families with children enrolled in Head Start.

360. Not set out.

361. Not set out.

361-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Create a driver's license program for foster care youth	\$100,000	\$200,000
Increase TANF benefits and income eligibility	\$1,159,901	\$1,159,901
Provide prevention services for children and families	\$3,410,050	\$8,410,050
Adjust local staff minimum salary to stabilize workforce	\$5,592,707	\$5,592,707
Allocate one-time funding for the Laurel Center	\$500,000	\$0
Implement emergency approval process for kinship caregivers	\$75,000	\$75,000

ITEM 361.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Continue Linking Systems of Care program		\$187,443		\$467,116
Improve planning and operations of state-run emergency shelters		\$188,945		\$152,117
Fund 2-1-1 VIRGINIA contract costs		\$153,614		\$153,614
Fund adult licensing and child welfare unit licensing		\$0		\$2,130,394
Fund an evaluation team for evidence-based practices		\$801,328		\$765,187
Implement Family First evidence-based services		\$1,074,500		\$1,074,500
Fund the child welfare forecast		\$722,339		\$722,339
Fund local departments of social services prevention services		\$12,455,329		\$17,437,461
Fund foster care and adoptions cost of living adjustments		\$2,262,173		\$2,262,173
Fund emergency shelter management software and application		\$492,800		\$154,000
Fund child welfare systems improvements		\$250,000		\$0
Fund the replacement of the agency licensing system		\$2,220,134		\$431,638
Agency Total		\$31,646,263		\$41,188,197
Total for Department of Social Services.....			\$2,259,041,962	\$2,073,260,415
			\$2,281,992,116	\$2,075,010,415
General Fund Positions.....	653.00	661.00		
Nongeneral Fund Positions.....	1,224.50	1,074.50		
Position Level.....	1,877.50	1,735.50		
Fund Sources: General.....	\$469,712,196	\$477,257,300		
	\$480,548,384			
Special.....	\$697,516,427	\$697,516,427		
Dedicated Special Revenue.....	\$9,244,920	\$9,244,920		
Federal Trust.....	\$1,082,568,419	\$889,241,768		
	\$1,094,682,385	\$890,991,768		

362. Not set out.

363. Not set out.

§ 1-65. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)

364. Not set out.

365. Not set out.

366. Not set out.

367. Not set out.

368. Not set out.

369. Not set out.

369.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted

ITEM 369.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.</p>				
		FY 2021		FY 2022
Maintain independent living teachers for blind, vision impaired, or DeafBlind individuals		\$397,842		\$397,842
Increase workforce services for vision impaired individuals		\$1,583,020		\$1,583,020
Agency Total		\$1,980,862		\$1,980,862
Total for Department for the Blind and Vision Impaired.....			\$77,242,746	\$78,742,746
General Fund Positions.....	62.60	62.60		
Nongeneral Fund Positions.....	92.40	92.40		
Position Level.....	155.00	155.00		
Fund Sources: General.....	\$9,270,198	\$9,270,198		
Special.....	\$1,964,409	\$1,964,409		
Enterprise.....	\$52,868,817	\$54,368,817		
Trust and Agency.....	\$278,109	\$278,109		
Federal Trust.....	\$12,861,213	\$12,861,213		
370. Not set out.				
371. Not set out.				
Grand Total for Department for the Blind and Vision Impaired.....			\$80,315,474	\$81,815,474
General Fund Positions.....	62.60	62.60		
Nongeneral Fund Positions.....	118.40	118.40		
Position Level.....	181.00	181.00		
Fund Sources: General.....	\$9,624,306	\$9,624,306		
Special.....	\$2,008,409	\$2,008,409		
Enterprise.....	\$52,918,817	\$54,418,817		
Trust and Agency.....	\$298,109	\$298,109		
Federal Trust.....	\$15,465,833	\$15,465,833		
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....			\$21,933,306,865	\$22,894,276,509
			\$22,181,866,939	\$22,738,646,368
General Fund Positions.....	8,293.65	8,398.65		
	8,294.65	8,399.65		
Nongeneral Fund Positions.....	6,404.12	6,257.12		
Position Level.....	14,697.77	14,655.77		
	14,698.77	14,656.77		
Fund Sources: General.....	\$7,468,723,560	\$7,882,977,228		
	\$7,185,672,182	\$7,804,586,478		
Special.....	\$1,041,223,626	\$1,021,778,339		

ITEM 371.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Enterprise.....	\$52,918,817	\$54,418,817		
Trust and Agency.....	\$1,724,096	\$1,724,096		
Dedicated Special Revenue.....	\$1,525,759,093	\$1,584,024,629		
	\$1,512,712,990	\$1,588,484,629		
Federal Trust.....	\$11,842,957,673	\$12,349,353,400		
	\$12,387,615,228	\$12,267,654,009		

ITEM 372.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF NATURAL RESOURCES

§ 1-66. SECRETARY OF NATURAL RESOURCES (183)

372.	Administrative and Support Services (79900).....			\$748,431	\$748,431
	General Management and Direction (79901).....	\$748,431	\$748,431		
	Fund Sources: General.....	\$640,939	\$640,939		
	Federal Trust.....	\$107,492	\$107,492		

Authority: Title 2.2, Chapter 2, Article 7; and § 2.2-201, Code of Virginia.

A. The Secretary of Natural Resources shall report to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation, and Natural Resources, and the House Committees on Appropriations and Conservation and Natural Resources, by November 4 of each year on implementation of the Chesapeake Bay nutrient reduction strategies. The report shall include and address the progress and costs of point source and nonpoint source pollution strategies. The report shall include, but not be limited to, information on levels of dissolved oxygen, acres of submerged aquatic vegetation, computer modeling, variety and numbers of living resources, and other relevant measures for the General Assembly to evaluate the progress and effectiveness of the tributary strategies. In addition, the Secretary shall include information on the status of all of Virginia's commitments to the Chesapeake Bay Agreements.

B. It is the intent of the General Assembly that a reserve be created within the Virginia Water Quality Improvement Fund to support the purposes delineated within the Virginia Water Quality Improvement Act of 1997 (WQIA 1997) when year-end general fund surpluses are unavailable. Consequently, 15 percent of any amounts appropriated to the Virginia Water Quality Improvement Fund due to annual general fund revenue collections in excess of the official estimates contained in the general appropriation act shall be withheld from appropriation, unless otherwise specified. When annual general fund revenue collections do not exceed the official revenue estimates contained in the general appropriation act, the reserve fund may be used for WQIA 1997 purposes as directed by the General Assembly within the general appropriation act.

C. The Secretary of Natural Resources, with the assistance of the Directors of the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Game and Inland Fisheries, and the Department of Historic Resources, shall provide an annual report to the Chairmen of the House Appropriations and Senate Finance Committees of all projects undertaken pursuant to a settlement or mitigation agreement upon which the Secretary of Natural Resources is an authorized signatory on behalf of the Governor by November 15 each year until all terms of the settlement or mitigation agreement are satisfied. In addition, whenever a settlement or mitigation agreement is finalized, the Secretary shall provide a copy of, and explanation of, the terms of such settlement to the Chairmen of the House Appropriations and Senate Finance Committees within 15 days.

D.1. There is hereby established the Interagency Environmental Justice Working Group, to be comprised of 10 environmental justice coordinators representing each of the Governor's Secretaries. The Secretary of Natural Resources shall designate a chairman and vice chairman from among the membership of the Working Group.

2. The Working Group shall conduct an assessment of the processes and resources required of state agencies to develop agency-specific environmental justice policies. In conducting its assessment, the Working Group shall provide that agency policies at a minimum: (i) ensure environmental justice is meaningfully considered in the administration of agency regulations; (ii) consistently identify environmental justice communities and fenceline communities; (iii) identify how such communities are affected by agencies' regulatory activities; (iv) consider the economic development and infrastructure needs of environmental justice communities and fenceline communities in agency decision-making processes; and (v) contain robust public participation plans for residents of environmental justice communities and fenceline communities potentially affected by agency actions.

3. The Working Group shall provide the findings of its assessment, and associated recommendations, to the Chairs of the House Appropriations and Senate Finance and

ITEM 372.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Appropriations Committees by December 1, 2020.				
Total for Secretary of Natural Resources.....			\$748,431	\$748,431
General Fund Positions.....	5.00	5.00		
Position Level.....	5.00	5.00		
Fund Sources: General.....	\$640,939	\$640,939		
Federal Trust.....	\$107,492	\$107,492		

§ 1-67. DEPARTMENT OF CONSERVATION AND RECREATION (199)

373.	Land and Resource Management (50300).....			\$105,847,453	\$65,391,756 \$95,741,756
	Soil and Water Conservation (50301).....	\$64,707,113	\$39,251,416 \$69,601,416		
	Dam Inventory, Evaluation and Classification and Flood Plain Management (50314).....	\$18,788,552	\$3,788,552		
	Natural Heritage Preservation and Management (50317).....	\$4,660,697	\$4,660,697		
	Financial Assistance to Soil and Water Conservation Districts (50320).....	\$7,691,091	\$7,691,091		
	Technical Assistance to Soil and Water Conservation Districts (50322).....	\$1,200,000	\$1,200,000		
	Agricultural Best Management Practices Cost Share Assistance (50323).....	\$8,800,000	\$8,800,000		
	Fund Sources: General.....	\$84,681,496	\$44,225,799 \$74,575,799		
	Special.....	\$995,861	\$995,861		
	Dedicated Special Revenue.....	\$12,251,202	\$12,251,202		
	Federal Trust.....	\$7,918,894	\$7,918,894		

Authority: Title 10.1, Chapters 1, 2, 5, 6, 7, and 21.1; Title 62.1, Chapter 3.1, Code of Virginia.

A.1. Out of the amounts appropriated for Financial Assistance to Virginia Soil and Water Conservation Districts, \$12,141,091 the first year and \$12,141,091 the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support as well as base funding for technical assistance. These funds shall be distributed upon approval by the Virginia Soil and Water Conservation Board to the districts in accordance with the Board's established financial allocation policy. These amounts shall be in addition to any other funding provided to the districts for technical assistance pursuant to subsections B. and C. of this Item for appropriations in excess of \$35,000,000. Of this amount, \$6,209,091 the first year and \$6,209,091 the second year from the general fund shall be distributed to the districts for core administrative and operational expenses (personnel, training, travel, rent, utilities, office support, and equipment) based on identified budget projections and in accordance with the Board's financial allocation policy; \$4,550,000 the first year and \$4,550,000 the second year for base technical assistance support; \$312,000 the first year and \$312,000 the second year from the general fund shall be distributed at a rate of \$3,000 per dam for maintenance; \$500,000 the first year and \$500,000 the second year from the general fund for small dam repairs of known or suspected deficiencies; \$400,000 the first year and \$400,000 the second year from the general fund for the purchase and installation of remote monitoring equipment for District-owned high and significant hazard dams; and \$170,000 the first year and \$170,000 the second year to the department to provide district support in accordance with Board policy, including, but not limited to, services related to auditing, bonding, contracts, and training. The amount appropriated for small dam repairs of known or suspected deficiencies and the purchase and installation of remote monitoring equipment is authorized for transfer to the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund.

2. The department shall provide a semi-annual report on or before February 15 and August

ITEM 373.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>15 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on each Virginia soil and water conservation district's budget, revised budget, previous year's balance budget, and expenditure for the following: (i) the federal Conservation Reserve Enhancement Program, (ii) the use of Agricultural Best Management Cost-Share Program funds within the Chesapeake Bay watershed, (iii) the use of Agricultural Best Management Cost-Share Program funds within the Southern Rivers area, and (iv) the amount of Technical Assistance funding. The August 15 report shall reflect cumulative amounts.</p>				
<p>3. As part of the semi-annual report, the department shall assess the impact of settlement agreements with the Commonwealth entered into between July 1, 2017, and June 30, 2022, on achieving an effective level of Soil and Water Conservation District technical assistance funding and the implementation of agricultural best management practices pursuant to § 10.1-546.1., Code of Virginia. The department shall include in its report any amounts from the settlements including: 1) estimation of the timeline and amount for each fiscal year to implement agricultural best management practices; and 2) estimation of the timeline and amount for each fiscal year of additional technical assistance provided as a result of the additional funding from the settlements.</p>				
<p>B.1. Notwithstanding § 10.1-2129A., Code of Virginia, \$46,315,697 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount in the first year, \$2,250,000 shall be appropriated to the Department for the following specified statewide uses: \$500,000 shall be used for the Commonwealth's match for participation in the Federal Conservation Reserve Enhancement Program (CREP); \$500,000 shall be transferred to the Virginia Association of Soil and Water Conservation Districts to be used for the Virginia Conservation Assistance Program (VCAP); \$750,000 shall be allocated for special nonpoint source reduction projects to include, but not be limited to, poultry litter transport and grants related to the development and certification of Resource Management Plans developed pursuant to § 10.1-104.7; \$250,000 shall be transferred to the Department of Forestry for water quality grants; and \$250,000 to the Department for the development and continued maintenance of the Conservation Application Suite including costs related to servers and necessary software licenses. The Department of Forestry shall submit a report by August 15, 2020, to the Department of Conservation and Recreation specifying uses of funds received. Pursuant to paragraph B of Item 372, \$4,857,829 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund.</p>				
<p>2. Of the remaining amount in the first year, \$39,207,868 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a sub fund of the Water Quality Improvement Fund. Notwithstanding any other provision of law, the funds transferred to the Virginia Natural Resources Commitment Fund shall be distributed by the Department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies, as follows: \$27,062,591, shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, \$11,598,254 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively outside the Chesapeake Bay watershed, and an additional \$547,023 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.</p>				
<p>3. This appropriation meets the mandatory deposit requirements associated with the FY 2019 excess general fund revenue collections and discretionary year-end general fund balances.</p>				
<p>C.1. Out of the appropriation in this Item, \$20,860,000 the second year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount in the second year, \$2,250,000 shall be appropriated to the department for the following specified statewide uses: \$500,000 shall be used for the Commonwealth's match for participation in the Federal Conservation Reserve Enhancement Program (CREP); \$500,000 shall be transferred to the Virginia Association of Soil and Water Conservation Districts to be used for the Virginia Conservation Assistance Program (VCAP); \$750,000 shall be allocated for special nonpoint source reduction projects to include but not be limited to poultry litter transport and grants related to the development and certification of Resource Management Plans developed pursuant to § 10.1-104.7; \$250,000 shall be transferred to the Department of Forestry for water quality grants; and</p>				

ITEM 373.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>\$250,000 to the Department for the development and continued maintenance of the Conservation Application Suite including costs related to servers and necessary software licenses. The Department of Forestry shall submit a report by August 15, 2021, to the Department of Conservation and Recreation specifying uses of funds received.</p>				
<p>2. Of the remaining amount in the second year, \$18,610,000 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a sub fund of the Water Quality Improvement Fund. Notwithstanding any other provision of law, the funds transferred to the Virginia Natural Resources Commitment Fund shall be distributed by the department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies, as follows: \$13,027,000 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, \$5,583,000 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively outside the Chesapeake Bay watershed.</p>				
<p>D. It is the intent of the General Assembly, that notwithstanding the provisions of § 10.1-2132, Code of Virginia, the department is authorized to make Water Quality Improvement Grants to state agencies.</p>				
<p>E.1 Out of the appropriation in this Item, \$10,000,000 the first year and \$10,000,000 the second year from the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, is hereby appropriated. The funds shall be dispersed by the department pursuant to § 10.1-2128.1, Code of Virginia.</p>				
<p>2. The source of an amount estimated at \$10,000,000 the first year and \$10,000,000 the second year to support the nongeneral fund appropriation to the Virginia Natural Resources Commitment Fund shall be the recordation tax fee established in Part 3 of this act.</p>				
<p>3. Out of this amount, a total of thirteen percent, or \$1,300,000, whichever is greater, shall be appropriated to Virginia Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices, and \$8,700,000 for Agricultural Best Management Practices Cost-Share Assistance. Of the amount deposited for Cost-Share Assistance, seventy percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, and thirty percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively outside of the Chesapeake Bay watershed.</p>				
<p>F.1. Out of the appropriation in this Item, \$2,583,531 in the first year and \$2,583,531 in the second year from the funds designated in Item 3-1.01.C. of this act are hereby appropriated to the Virginia Water Quality Improvement Fund and designated for deposit to the reserve fund established pursuant to paragraph B of Item 372. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to § 10.1-2129, Code of Virginia.</p>				
<p>2. Notwithstanding the provisions of §§ 10.1-2128, 10.1-2129 and 10.1-2128.1, Code of Virginia, it is the intent of the General Assembly that the department use interest earnings from the Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund to support one position to administer grants from the fund.</p>				
<p>G. Out of the appropriation in this Item, \$15,000 the first year and \$15,000 the second year from the general fund is provided to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.</p>				
<p>H. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to landowners within the district and to recover a portion of the cost for use of district-owned conservation equipment. Such recoveries shall not exceed the amounts expended by a district on these services and equipment.</p>				

ITEM 373.	Item Details(\$)		Appropriations(\$)		
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022	
<p>I. Unless specified otherwise in this Item, it is the intent of the General Assembly that balances in Soil and Water Conservation be used first, and then balances from Agricultural Best Management Practices Cost Share Assistance be used for the Commonwealth's statewide match for participation in the federal Conservation Reserve Enhancement Program (CREP).</p>					
<p>J. The Water Quality Agreement Program shall be continued in order to protect the waters of the Commonwealth through voluntary cooperation with lawn care operators across the state. The department shall encourage lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer application. If appropriate, then the program may be transferred to another state agency.</p>					
<p>K. Out of the appropriation in this Item, \$250,000 the first year and \$250,000 the second year from the general fund is provided to the department to make available competitive grants to provide Chesapeake Bay meaningful watershed educational experiences. The department may enter into two-year contracts contingent on funding being available in the second year of the biennium.</p>					
<p>L. Out of the appropriation in this Item, \$200,000 the first year and \$200,000 the second year from the general fund is provided to the department for technical assistance to support Shoreline Erosion Advisory Services as established in § 10.1-702, Code of Virginia.</p>					
<p>M. Out of the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to the Natural Heritage Program in support of active preserve management activities across Virginia's 63 Natural Area Preserves as identified by the Board of Conservation and Recreation.</p>					
<p>N. Notwithstanding § 54.1, Chapter 4, the U.S. Department of Agriculture's Natural Resources Conservation Service and Department of Conservation and Recreation Central Office staff may provide engineering services to the Department of Conservation and Recreation and the local Soil and Water Conservation Districts for design and construction of agriculture best management practices.</p>					
<p>O.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, \$15,732,147 the first year and \$732,147 the second year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, established pursuant § 10.1-603.17, Code of Virginia.</p>					
<p>2. Out of the amounts deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, \$15,000,000 the first year from the general fund shall be authorized for the major modification, upgrade, or rehabilitation of dams owned or maintained by the Department of Conservation and Recreation and the Virginia Soil and Water Conservation Districts to bring impounding structures into compliance with the Dam Safety Act requirements promulgated by the Virginia Soil and Water Conservation Board pursuant to § 10.1-605, Code of Virginia.</p>					
<p>3. Unobligated balances in the Dam Safety, Flood Prevention and Protection Assistance Fund may be utilized in an amount not to exceed \$60,000 to perform activities necessary to update the flood protection plan for the Commonwealth and to make the plan accessible online. Once these activities are complete, the department will maintain and update the plan as needed within existing resources.</p>					
<p><i>P.1. Notwithstanding any other provision of law, this appropriation includes \$30,350,000 the second year from the general fund which shall be deposited to the Virginia Water Quality Improvement Fund established pursuant to the Water Quality Improvement Act of 1997. The Secretary of Natural Resources shall develop and submit a plan for the allocation of these funds no later than November 1, 2020.</i></p>					
<p><i>2. This appropriation meets the mandatory deposit requirements associated with the FY 2020 discretionary year-end general fund balances.</i></p>					
374.	Leisure and Recreation Services (50400).....			\$74,050,589	\$73,177,420
	Preservation of Open Space Lands (50401).....	\$16,650,193	\$16,650,193		
	Design and Construction of Outdoor Recreational Facilities (50403).....	\$894,593	\$894,593		

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
State Park Management and Operations (50404).....	\$50,006,739	\$49,873,570		
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406).....	\$6,499,064	\$5,759,064		
Fund Sources: General.....	\$37,572,732	\$36,699,563		
Special.....	\$27,511,003	\$27,511,003		
Dedicated Special Revenue.....	\$3,717,124	\$3,717,124		
Federal Trust.....	\$5,249,730	\$5,249,730		

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

3. The Department of Conservation and Recreation and the Virginia Outdoors Foundation shall review the Hayfields Farm property, consisting of approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A, located at 524 Hayfields Lane in McDowell, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October, 1 2020 on its suitability as a recreational area pursuant to §10.1-200 et. seq., Code of Virginia, for development as a state or regional park. In its review, the agencies shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including but not limited to camping, fishing, hiking, bird watching, equestrian activities, and biking; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of the property's conservation values and natural resources.

B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund and \$1,900,000 the first year and \$1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to \$275,000 the first year and \$275,000 the second year from the general fund shall be paid for the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this item is \$376,364 the first year and \$376,364 and five positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

G. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this Item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-40 and C-41 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Items C-40 and C-41 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such acquisitions.

H.1. Included in the amounts for State Park Management and Operations is \$590,944 the first year and \$590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

I. Included in the amount for this Item is \$198,752 the first year and \$198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amount for this Item is \$150,000 the first year and \$150,000 the second year from the nongeneral fund amounts appropriated in Item 451 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

K. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

L. The Department of Conservation and Recreation shall review the Brandy Station and Cedar Mountain properties and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on their suitability as a historical and recreational area pursuant to §10.1-200 et. seq., Code of Virginia, or

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

development as a state or regional park. In its review, the Department shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including heritage tourism, primitive camping, fishing, bow hunting, boating, equestrian activities, biking and historical and military education; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

M. Included in the amounts for this item is \$160,800 the first year and \$160,800 the second year and two positions from the general fund to support staffing and operations at Mason Neck State Park.

N. The Director, Department of Conservation and Recreation, shall assess the feasibility of costs of (i) connecting Mason Neck State Park to a public water supply, and (ii) replacing equipment and providing necessary upgrades to the Park's current well water system. The Director shall report the findings and recommendations of the assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2020.

O. Included in the amount for this item, \$740,000 the first year from the general fund is provided to the City of Danville to develop Riverfront Park. This amount shall be matched by a local appropriation of at least \$740,000 prior to any disbursement from this Item.

P. The Department of Conservation and Recreation shall, no later than November 1, 2021, provide to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations an assessment of the feasibility for development of a linear park along the Shenandoah Valley rail corridor from Front Royal to Broadway, Virginia. The assessment shall include the potential timeline for abandonment of existing Norfolk Southern rail sections B51.0 to B84.0 and CW84.0 to CW99.5, anticipated annual user revenues, and all start-up and ongoing costs of operation as a satellite facility of Seven Bends and Shenandoah State Parks. The Departments of Transportation and Rail and Public Transportation shall provide any technical assistance as may be required in developing the cost assessment.

375. Not set out.

375-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Increase dam safety floodplain management positions	\$229,637	\$229,637
Environmental Literacy Program	\$170,000	\$170,000
Increase funding for the Virginia Land Conservation Fund	\$5,500,000	\$5,500,000
Riverfront Park Danville	\$740,000	\$0
Natural Bridge State Park Operations	\$376,364	\$376,364
Establish a dam safety lead engineer position	\$170,758	\$170,758
Mason Neck State Park Staffing	\$160,800	\$160,800

ITEM 375.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Support state park operations		\$556,000		\$556,000
Pocahontas State Park New Cabin O&M		\$152,273		\$152,273
Provide funding for management of Green Pastures Recreation Area		\$342,678		\$209,509
Provide for preventative maintenance needs at state parks		\$500,000		\$500,000
Provide a supplemental deposit to the Water Quality Improvement Fund		\$0		\$25,410,000
Supplemental Water Quality Improvement Fund amount	\$3,840,000			\$0
Increase funding for dam rehabilitation projects	\$15,000,000			\$0
Agency Total		\$27,738,510		\$33,435,341
Total for Department of Conservation and Recreation.....			\$190,581,067	\$149,252,201 <i>\$179,602,201</i>
General Fund Positions.....	435.50	435.50		
Nongeneral Fund Positions.....	46.50	46.50		
Position Level.....	482.00	482.00		
Fund Sources: General.....	\$132,722,253	\$91,393,387 <i>\$121,743,387</i>		
Special.....	\$28,721,864	\$28,721,864		
Dedicated Special Revenue.....	\$15,968,326	\$15,968,326		
Federal Trust.....	\$13,168,624	\$13,168,624		

§ 1-68. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)

376.	Not set out.			
377.	Water Protection (51200).....		\$47,728,146	\$52,894,920
	Water Protection Permitting (51225).....	\$8,954,437		\$11,054,476
	Water Protection Compliance and Enforcement (51226).....	\$8,247,453		\$8,599,703
	Water Protection Outreach (51227).....	\$2,938,270		\$2,938,270
	Water Protection Planning and Policy (51228).....	\$8,451,889		\$8,569,623
	Water Protection Monitoring and Assessment (51229).....	\$11,525,815		\$14,122,566
	Water Protection Stormwater Management (51230)....	\$7,610,282		\$7,610,282
	Fund Sources: General.....	\$25,228,739		\$30,395,513
	Special.....	\$1,919,279		\$1,919,279
	Trust and Agency.....	\$25,500		\$25,500
	Dedicated Special Revenue.....	\$12,084,183		\$12,084,183
	Federal Trust.....	\$8,470,445		\$8,470,445

Authority: Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.

A. Out of this appropriation, \$51,500 the first year and \$51,500 the second year from the general fund is designated for annual membership dues for the Ohio River Valley Water Sanitation Commission.

B.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing not more than 50 percent of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2. The regulations adopted by the State Water Control Board to initially implement the provisions of this Item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia.				
C. Out of the appropriation for this item, \$151,500 the first year and \$151,500 the second year from the general fund is designated for the annual membership dues for the Interstate Commission on the Potomac River Basin.				
D.1. Notwithstanding § 62.1-44.15:56, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Environmental Quality, in accordance with § 62.1-44.15:56 A (i), Code of Virginia.				
2. The State Water Control Board is authorized to amend the Erosion and Sediment Control Regulations (9 VAC 25-840 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§2.2-4006 et seq.) of the Administrative Process Act.				
E. Beginning October 1, 2015, there shall be a \$3.75 fee imposed on each dry ton of exceptional quality biosolids cake sewage sludge that is land applied pursuant to § 62.1-44.19:3P, Code of Virginia, until such fee is altered, amended or rescinded by the State Water Control Board.				
F.1. The Department shall work in conjunction with the Virginia Economic Development Partnership to facilitate the development of long-term offsetting methods within the Virginia Nutrient Credit Exchange as set out in Item 130 of this act.				
2. The Department shall work with permittees operating under the Chesapeake Bay Watershed Nutrient General Permit and interested stakeholders through a workgroup including local government representatives, the Chesapeake Bay Foundation and the James River Association to review the assumptions used in estimating the effluent nutrient concentrations and trends of wastewater facilities and to identify cost-effective options to achieve wastewater nutrient load levels with reasonable assurance consistent with the needs of the Chesapeake Bay TMDL Phase III Watershed Implementation Plan. The review shall be completed and provided to the Chairs of the House Appropriations Committee, the Senate Finance and Appropriations Committee, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Committee on Agriculture, Conservation, and Natural Resources and the Virginia delegation of the Chesapeake Bay Commission by December 1, 2020. The Department shall continue issuing Water Quality Improvement Fund grants for additional nutrient removal projects in accordance with the appropriations under Items 379 and C-70 of this act and §§ 10.1-1186.01 and 10.1-2117 of the Code of Virginia.				
G. Notwithstanding any other provision of law, any Virginia Stormwater Management Program authority is authorized to charge a voluntary fee of \$30,000 for review of sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres for an expedited stormwater management program plan review. Any individual or firm electing to pay the voluntary fee shall be guaranteed the total government review time shall not exceed 45 days excluding any applicant's time in responding to questions. Any amounts paid to DEQ above the \$9,600 fee shall be used by DEQ to increase the staffing level of the reviewers of these applications.				
H. Out of the amounts in this Item, \$2,730,601 the first year and \$2,730,601 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.				
I. The Department shall assess current provisions of the Virginia Erosion and Sediment Control Act, Storm Water Management Act, and the Chesapeake Bay Preservation Act and identify any areas of inconsistency, conflict, and duplication within and among the existing administrative regulations across the three regulatory programs and analyze the				

ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

impact on locally administered programs for MS4 permit localities under the Virginia Stormwater Management Act. A final report of the assessment, and all associated recommendations for increasing the efficiency and improving the integration of the current regulatory framework, shall be submitted to the Governor and the General Assembly no later than April 1, 2021.

J. Out of the amounts appropriated for this item, \$231,000 the first year and \$231,000 the second year is provided for regional water resource planning activities.

K. The Department shall assess alternative reimbursement models and reimbursement amounts for nutrient removal grants provided to projects serving a locality or localities with: (i) high fiscal stress as defined by the Composite Fiscal Stress Index; (ii) median household incomes below the Commonwealth's average; and (iii) the capacity of ratepayers to absorb the additional costs of financing nutrient removal projects. The Department shall provide a report detailing its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 15, 2020.

L. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry, local governments and members of the public, to produce recommendations for the Governor and General Assembly to improve the long-term sustainability of the Virginia Stormwater Management Fund established by § 62.1-44.15:29 and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by November 1, 2020.

2. The provisions of 9VAC25-900, Virginia Administrative Code, shall be considered to have satisfied the conditions of § 62.1-44.15:35, Code of Virginia, for the establishment of an application fee schedule in accordance with § 62.1-44.19:20, Code of Virginia.

378.	Air Protection (51300).....			\$21,472,948	\$22,064,948
	Air Protection Permitting (51325).....	\$5,415,049	\$5,877,049		
	Air Protection Compliance and Enforcement (51326)				
		\$6,189,758	\$6,189,758		
	Air Protection Outreach (51327).....	\$1,262,360	\$1,262,360		
	Air Protection Planning and Policy (51328).....	\$4,040,995	\$4,040,995		
	Air Protection Monitoring and Assessment (51329)...	\$4,564,786	\$4,694,786		
	Fund Sources: General.....	\$2,530,380	\$3,122,380		
	Enterprise.....	\$9,766,599	\$9,766,599		
	Dedicated Special Revenue.....	\$5,195,992	\$5,195,992		
	Federal Trust.....	\$3,979,977	\$3,979,977		

Authority: Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to \$300,000 the first year and \$300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322, Code of Virginia. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

ITEM 378.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

2. The State Air Pollution Control Board shall adopt regulations to prohibit the sale, lease, rent, installation or entry into commerce in Virginia of any products or equipment that use or will use hydrofluorocarbons for the applications and end uses restricted by Appendix U and Appendix V of Subpart G of 40 C.F.R. Part 82, as those read on January 3, 2017. *Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth, until the Board has solicited input from such manufacturers in order to determine and set by regulation a feasible date by which such manufacturers must be required to comply. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department.*

3. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2021. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the amounts in this Item, \$84,451 the first year and \$84,451 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.

379. Not set out.

380. Not set out.

~~380.10~~ Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Air Protection	\$1,386,451	\$1,978,451
Land Protection	\$1,659,834	\$1,659,834
Water Protection	\$3,142,973	\$8,309,747
Agency Total	\$6,189,258	\$11,948,032
Total for Department of Environmental Quality.....		\$190,909,048 \$196,667,822
General Fund Positions.....	413.50	413.50
Nongeneral Fund Positions.....	564.50	564.50
Position Level.....	978.00	978.00
Fund Sources: General.....	\$49,052,749	\$54,811,523
Special.....	\$9,578,011	\$9,578,011
Enterprise.....	\$13,091,877	\$13,091,877
Trust and Agency.....	\$38,274,531	\$38,274,531
Dedicated Special Revenue.....	\$51,586,558	\$51,586,558
Federal Trust.....	\$29,325,322	\$29,325,322

ITEM 381.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
381.	Not set out.				
382.	Not set out.				
383.	Administrative and Support Services (59900).....			\$10,332,931	\$10,332,931
	General Management and Direction (59901).....	\$6,983,303	\$6,983,303		
	Information Technology Services (59902).....	\$3,349,628	\$3,349,628		
	Fund Sources: Dedicated Special Revenue.....	\$8,829,996	\$8,829,996		
	Federal Trust.....	\$1,502,935	\$1,502,935		

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairman of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairman of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairmen of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project’s South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

4. Any agency that exercises the authority granted in paragraph D-1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit:

a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts:

ITEM 383.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects; purchase of mitigation bank credits; or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat.				
384.	Not set out.			
	Total for Department of Game and Inland Fisheries		\$67,952,102	\$66,841,461
	Nongeneral Fund Positions.....	496.00	496.00	
	Position Level.....	496.00	496.00	
	Fund Sources: Dedicated Special Revenue.....	\$51,794,539	\$50,683,898	
	Federal Trust.....	\$16,157,563	\$16,157,563	

§ 1-70. DEPARTMENT OF HISTORIC RESOURCES (423)

385. Not set out.

386. Not set out.

386.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide funding for the Center for African-American History and Culture at Virginia Union University	\$1,000,000	\$0
Provide additional funding to support staff salaries	\$123,360	\$123,360
Provide additional funding to support the Historical Highway Marker program	\$200,000	\$0
Provide funding to digitize highway markers for the Virginia African American History Trail	\$100,000	\$0
Provide funding to increase the Director's salary	\$15,968	\$15,968
Provide funding to support a cemetery preservationist position	\$108,337	\$108,337
Provide additional funding for Montpelier	\$1,000,000	\$0
Provide funding to the County of Brunswick	\$50,000	\$0
Provide funding to County of Fairfax for NOVA Parks	\$250,000	\$0
Provide additional funding for the	\$250,000	\$250,000

ITEM 386.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Battlefield Preservation Fund				
Provide funding to County of Arlington		\$75,000		\$0
Provide additional funding and positions for underwater archaeology program		\$159,479		\$159,479
Provides funding to the City of Richmond for cultural initiatives		\$1,000,000		\$0
Provides funding to the City of Charlottesville for cultural initiatives		\$500,000		\$0
Provides funding to the City of Alexandria to support cultural initiatives		\$2,443,000		\$0
Provide funding and add language for the County of Gloucester		\$100,000		\$0
Provides funding to the City of Staunton for the Woodrow Wilson Presidential Library		\$250,000		\$0
Agency Total		\$7,625,144		\$657,144
Total for Department of Historic Resources.....			\$16,131,072	\$9,143,072
General Fund Positions.....	29.50	29.50		
Nongeneral Fund Positions.....	19.00	19.00		
Position Level.....	48.50	48.50		
Fund Sources: General.....	\$12,887,248	\$5,899,248		
Special.....	\$934,668	\$934,668		
Commonwealth Transportation.....	\$115,642	\$115,642		
Dedicated Special Revenue.....	\$97,799	\$97,799		
Federal Trust.....	\$2,095,715	\$2,095,715		

§ 1-71. MARINE RESOURCES COMMISSION (402)

- 387. Not set out.
- 388. Not set out.
- 389. Not set out.
- 390. Not set out.

390.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding for a coastal resiliency manager position	\$78,250	\$78,150
Provide funding for the removal of a derelict barge in Belmont Bay	\$250,000	\$0

ITEM 390.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Provide funding for outboard motors		\$96,436		\$0
Provide funding for a position in the fisheries observer program		\$81,795		\$57,695
Provide funding for unmanned aerial vehicles		\$18,672		\$0
Virginia Aquarium and Marine Science Foundation		\$50,000		\$0
Agency Total		\$575,153		\$135,845
Total for Marine Resources Commission.....			\$29,805,830	\$29,250,622
General Fund Positions.....	138.50	138.50		
Nongeneral Fund Positions.....	31.00	31.00		
Position Level.....	169.50	169.50		
Fund Sources: General.....	\$16,645,466	\$16,205,558		
Special.....	\$7,895,835	\$7,780,535		
Commonwealth Transportation.....	\$313,768	\$313,768		
Dedicated Special Revenue.....	\$1,519,961	\$1,519,961		
Federal Trust.....	\$3,430,800	\$3,430,800		
TOTAL FOR OFFICE OF NATURAL RESOURCES.....			\$496,127,550	\$451,903,609
				\$482,253,609
General Fund Positions.....	1,022.00	1,022.00		
Nongeneral Fund Positions.....	1,157.00	1,157.00		
Position Level.....	2,179.00	2,179.00		
Fund Sources: General.....	\$211,948,655	\$168,950,655 \$199,300,655		
Special.....	\$47,130,378	\$47,015,078		
Commonwealth Transportation.....	\$429,410	\$429,410		
Enterprise.....	\$13,091,877	\$13,091,877		
Trust and Agency.....	\$38,274,531	\$38,274,531		
Dedicated Special Revenue.....	\$120,967,183	\$119,856,542		
Federal Trust.....	\$64,285,516	\$64,285,516		

ITEM 391.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

§ 1-72. SECRETARY OF PUBLIC SAFETY AND HOMELAND SECURITY (187)

391.	Administrative and Support Services (79900).....			\$1,230,902	\$1,230,902
	General Management and Direction (79901).....	\$1,230,902	\$1,230,902		
	Fund Sources: General.....	\$1,230,902	\$1,230,902		

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety and Homeland Security shall present revised six-year state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Chairmen of the House and Senate Courts of Justice Committees by October 15 of each year. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall continue to work with other secretaries to (i) develop services intended to improve the re-entry of offenders from prisons and jails to general society and (ii) enhance the coordination of service delivery to those offenders by all state agencies. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15 of each year.

C. Included in the appropriation for this item is \$500,000 the first year and \$500,000 the second year from the general fund for the Commonwealth's nonfederal cost match requirement to accomplish the United States Corps of Engineers Regional Reconnaissance Flood Control Study for both the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress. Any balances not needed to complete these studies may be used to conduct a comparable study in the Northern Virginia region.

D. The Secretary shall report on the requirements of Item 381 H. of Chapter 854, 2019 Acts of Assembly, by November 15, 2020.

E.1. The Secretary of Public Safety and Homeland Security shall continue the expanded work group established in Item 381 of Chapter 854, 2019 Acts of Assembly. The expanded work group shall examine the workload impact, as well as other fiscal and policy impacts, on the Commonwealth's public safety and judicial agencies as a whole. The Executive Secretary of the Supreme Court shall submit the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020. All state agencies and local subdivisions shall provide assistance as requested by the working group.

2. The expanded workgroup shall include representatives of the Supreme Court, the State Compensation Board, staff of the House Appropriations and Senate Finance and Appropriations Committees, Department of Criminal Justice Services, Commonwealth's Attorneys, local governments, and other stakeholders deemed appropriate by the Secretary.

3. Prior to the preparation of the November 15, 2020 report, each Commonwealth's Attorney's office in a locality that employs body worn cameras, in conjunction with the law enforcement agency using body worn cameras, shall report to the Compensation Board and the workgroup the following information on a quarterly basis, in a format prescribed by the Board:

a. The number of hours of body worn camera video footage received from their law enforcement agencies. The number of hours should additionally be broken down into corresponding categories of felonies, misdemeanors and traffic offenses. Any recorded event that results in charges for two or more of the above categories shall be reported in the most serious category;

ITEM 391.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

- b. The number of hours spent in the course of redacting videos; and
- c. Any other data determined relevant and necessary by the workgroup for this analysis.

F. The Secretary of Public Safety and Homeland Security shall establish an E-911 Border Response Workgroup. The Workgroup shall assess the deficiencies related to the timely routing of Emergency 911 (E911) calls to the appropriate public-safety answering point (PSAP) across either state or county borders. At a minimum, the workgroup should work with stakeholders to collect information on problems with the current system and processes; review mitigation solutions already implemented by localities and citizen groups; determine best practices; and provide inputs and recommendations to the General Assembly on technology, training, and compensation that would be necessary to address the identified deficiencies. The Secretary shall provide the recommendations of the Workgroup to the Governor and General Assembly no later than April 1, 2021.

392. Not set out.

Total for Secretary of Public Safety and Homeland Security.....			\$1,813,799	\$1,813,799
General Fund Positions.....	6.00	6.00		
Nongeneral Fund Positions.....	3.00	3.00		
Position Level.....	9.00	9.00		
Fund Sources: General.....	\$1,230,902	\$1,230,902		
Federal Trust.....	\$582,897	\$582,897		

393. Not set out.

394. Not set out.

395. Not set out.

§ 1-73. DEPARTMENT OF CORRECTIONS (799)

396. Not set out.

397. Not set out.

398. Not set out.

399. Not set out.

400. Not set out.

401. Not set out.

402. Administrative and Support Services (39900).....			\$180,872,172	\$185,414,528
			\$182,326,925	\$189,901,083
General Management and Direction (39901).....	\$29,590,256	\$29,590,256		
Information Technology Services (39902).....	\$76,272,749	\$82,208,398		
	\$77,577,502	\$86,694,953		
Accounting and Budgeting Services (39903).....	\$6,167,913	\$6,167,913		
Architectural and Engineering Services (39904).....	\$18,341,254	\$17,391,254		
	\$18,491,254			
Jail Regulation, Inspections, and Investigations (39905).....	\$777,916	\$834,623		
Human Resources Services (39914).....	\$10,958,078	\$10,958,078		
Planning and Evaluation Services (39916).....	\$2,192,152	\$1,692,152		
Procurement and Distribution Services (39918).....	\$16,665,022	\$16,665,022		
Training Academy (39929).....	\$10,801,318	\$10,801,318		

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Offender Classification and Time Computation Services (39930).....	\$9,105,514	\$9,105,514		
Fund Sources: General.....	\$170,537,188	\$178,079,544		
	\$171,991,941	\$182,566,099		
Special.....	\$10,184,984	\$7,184,984		
Dedicated Special Revenue.....	\$150,000	\$150,000		

Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$600,000 the first year and \$600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382, based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

K. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is \$370,125 the first year and \$426,832 the second year from the general fund and four positions to assist the Board of Corrections in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in local correctional facilities.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$37,400 the first year and \$37,400 the second year from the general fund, and \$420,993 the first year and \$112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Department of Corrections is authorized to purchase from the Town of Craigsville approximately 122 acres, more or less, located adjacent to the Augusta Correctional Center. In consideration for this acreage, the Department will provide wastewater treatment services to the Town at no cost for a period adequate to equal the value of the property conveyed. The value of the property shall be established by averaging the value of one appraisal provided by the Department of Corrections and one by the Town of

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Craigsville.

P. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

Q. Included within the appropriation for this item is \$10,807,975 the first year and \$16,217,315 the second year from the general fund and \$7,592,004 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities.

R. The Department of Corrections shall evaluate and determine the costs for assuming state management of Lawrenceville Correctional Center at the end of the current contract and report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2020. The report shall include an implementation timeline for transitioning from private management to state agency management and propose a structure and cost estimate for the delivery of healthcare services to offenders housed in the facility.

S. Out of this appropriation, \$370,125 the first year and \$426,832 the second year from the general fund is provided for four full-time jail death investigators for the Board of Corrections.

T. Out of this appropriation, \$500,000 the first year from the general fund is provided to contract with third parties for an evaluation of the Department of Corrections' medical services delivery model that may include best practices in correctional healthcare, quality management, and other innovative strategies in creating a more efficient system of providing cost effective and quality healthcare. The department shall provide an update with any findings or recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

U. The Department of Corrections shall evaluate options to increase programs that increase hours of exposure to mental health or behavioral health counseling, spiritual counseling, and or recreation, for persons in restrictive housing and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021.

V. Included in the appropriation for this Item is ~~\$950,000~~ \$1,100,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
11. House Bill 1004 and Senate Bill 479 --	\$50,000			
12. House Bill 1211 --	\$50,000			
13. House Bill 1414 and Senate Bill 890 --	\$50,000			
14. House Bill 1524 --	\$50,000			
15. House Bill 1553 --	\$50,000			
16. Senate Bill 14 --	\$50,000			
17. Senate Bill 42 --	\$50,000			
18. Senate Bill 64 --	\$50,000			
19. Senate Bill 439 --	\$50,000			
20. <i>House Bill 5045 and Senate Bill 5030 --</i>	<i>\$50,000</i>			
21. <i>House Bill 5049 --</i>	<i>\$50,000</i>			
22. <i>House Bill 5098 --</i>	<i>\$50,000</i>			

W.1. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, the Director shall, during the duration of the declared emergency, have the authority to (i) discharge from incarceration or (ii) place into a lower level of supervision, including probation supervision, home electronic incarceration, or other forms of community corrections, any prisoner committed to the Department who has less than one year of his sentence remaining to be served prior to his scheduled release if the Director determines that (a) any such discharge or placement during the declared emergency will assist in maintaining the health, safety, and welfare of any prisoner discharged or placed or the prisoners remaining in state correctional facilities and (b) any such discharge or placement is compatible with the interests of society and public safety.

2. The provisions of this section shall not apply to a prisoner convicted of a Class 1 felony or a sexually violent offense as defined in § 37.2-900 of the Code of Virginia.

3. The Director shall develop procedures for implementing the provisions of this section which shall include provisions addressing reentry planning in accordance with § 53.1-32.2 of the Code of Virginia. To the extent practicable, the Director shall comply with all provisions of the Virginia Code relating to providing notice of a prisoner's discharge; however, any failure to comply with such notice provisions shall not affect the Director's authority to discharge a prisoner pursuant to this section.

4. The provisions of this section shall expire on July 1, 2021.

X. Included in the appropriation for this item is \$1,304,753 in the first year and \$4,486,555 in the second year and twelve positions from the general fund for the Department to implement the time computation provisions of House Bill 5148 and Senate Bill 5034 of the 2020 Special Session I.

402:10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend:

ITEM 402.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:				
		FY 2021		FY 2022
Implement an electronic healthcare records system in all state correctional facilities		\$0		\$8,935,649
Fund pilot programs between the Department of Corrections and university health systems to provide offender medical care		\$3,646,925		\$5,935,253
Adjust salaries for correctional officers		\$6,831,121		\$7,864,561
Provide funding to study offender medical service delivery in state correctional facilities		\$500,000		\$0
Provide additional operating funds for Lawrenceville Correctional Center		\$994,331		\$994,331
Transfer funding for the Department of Corrections' electronic health records system		\$3,000,000		\$3,000,000
Provide funding and two positions to support Board of Corrections jail investigations		\$170,125		\$226,832
Agency Total		\$15,142,502		\$26,956,626
Total for Department of Corrections.....			\$1,391,608,214	\$1,403,539,116
			\$1,393,062,967	\$1,408,025,671
General Fund Positions.....	12,331.00	12,331.00		
	<i>12,343.00</i>	<i>12,343.00</i>		
Nongeneral Fund Positions.....	233.50	233.50		
Position Level.....	12,564.50	12,564.50		
	<i>12,576.50</i>	<i>12,576.50</i>		
Fund Sources: General.....	\$1,321,178,538	\$1,336,109,440		
	<i>\$1,322,633,291</i>	<i>\$1,340,595,995</i>		
Special.....	\$65,859,284	\$62,859,284		
Dedicated Special Revenue.....	\$2,739,074	\$2,739,074		
Federal Trust.....	\$1,831,318	\$1,831,318		

§ 1-74. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)

403.	Criminal Justice Training and Standards (30300).....			\$4,544,348	\$4,544,348
				\$6,205,778	\$5,817,209
	Criminal Justice Training Services (30303).....	\$2,942,994	\$2,942,994		
	Standards and Training (30304).....	\$1,059,769	\$1,059,769		
		<i>\$2,412,673</i>	<i>\$1,473,254</i>		
	Criminal Justice Academy Inspections and Audit Services (30307).....	\$541,585	\$541,585		
		<i>\$850,111</i>	<i>\$1,400,961</i>		
	Fund Sources: General.....	\$4,292,613	\$4,292,613		
		<i>\$5,954,043</i>	<i>\$5,565,474</i>		
	Special.....	\$251,735	\$251,735		

Authority: Title 9.1, Chapter 1, Code of Virginia.

A. The Director of the Department of Criminal Justice Services (the Director) and the Board of Criminal Justice Services (the Board) shall, in conjunction with the relevant stakeholders, review all of the compulsory minimum training standards which are applicable to law-enforcement officers and update them as needed. The Director and the Board shall ensure that the training standards appropriately educate law-enforcement officers in the areas of mental health, community policing, and serving individuals who are disabled. The updated

ITEM 403.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>compulsory minimum training standards shall, where appropriate, include consideration of, but not be limited to, the recommendations of the President's Task Force on 21st Century Policing. The Director shall identify current resources available to officers in dealing with situations related to mental health and identify what resources are needed. Any updates to the compulsory minimum training standards shall be completed by June 30, 2022, and shall be reported to the Chairmen of the House Committees on Militia, Police, and Public Safety, Courts of Justice, and Appropriations, and to the Chairmen of the Senate Committees for Courts of Justice and Finance.</p>				
<p>B. Included in the amounts appropriated for this item is \$280,000 the first year and \$280,000 the second year from the general fund for the Department to provide annual trainings on active shooter scenarios to school and community personnel.</p>				
<p>C. Included in the amounts appropriated for this item is \$427,630 the first year and \$427,630 the second year from the general fund for oversight and management of the school resource officer and school security officer certification and training programs, the provision of basic training courses for school resource officers and school personnel, and development and update Virginia-specific training resources for school resource officers and school security officers.</p>				
<p>D.1. Included in the amounts appropriated for this item is \$595,630 the first year and \$595,630 the second year from the general fund for the purpose of expanding training provided to members of threat assessment teams.</p>				
<p>2. Included in the amounts appropriated for this item is \$125,000 the first year and \$125,000 the second year from the general fund for the development of a case management tool for use by threat assessment teams, consistent with the provisions of House Bill 1734 of the 2019 Session of the General Assembly.</p>				
<p>E. Included in the amounts appropriated for this item is \$871,890 the first year and \$871,890 the second year from the general fund to enhance school safety training provided to Virginia school personnel, to include hosting live trainings and conferences, developing online training and curricula, and developing Virginia-specific school safety resources.</p>				
<p><i>F. Included in the appropriation for this item is \$124,848 the first year and \$249,695 the second year from the general fund and two positions to support proposed legislation in the 2020 Special Session I of the General Assembly related to the decertification of law-enforcement officers.</i></p>				
<p><i>G. Included in the appropriation for this item is \$56,895 the first year and \$113,790 the second year from the general fund and one position to support proposed legislation in the 2020 Special Session I of the General Assembly related to the expansion of the decertification process of law-enforcement personnel.</i></p>				
<p><i>H. Included in the appropriation for this item is \$50,000 the first year and \$50,000 the second year from the general fund to support proposed legislation in the 2020 Special Session I of the General Assembly related to the development of a statewide officer database for purposes of sharing information between law-enforcement agencies.</i></p>				
<p><i>I. Included in the appropriation for this item is \$1,363,561 the first year and \$727,122 the second year from the general fund and six positions to support proposed legislation in the 2020 Special Session I of the General Assembly to establish statewide mandatory minimum training standards for law-enforcement training academies. The funding in the first year under this paragraph includes \$1.0 million for the Department to contract with a third party to develop curriculum and training standards required by the provisions of House Bill 5109 and Senate Bill 5030 of the 2020 Special Session I.</i></p>				
<p><i>J. Included within the appropriation for this item is \$66,127 in the first year and \$132,254 in the second year from the general fund and one position to support a data analyst to analyze data from the Community Policing Database.</i></p>				
404.	Criminal Justice Research, Planning and Coordination (30500).....		\$868,563 \$929,766	\$868,563 \$990,968

ITEM 404.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Criminal Justice Research, Statistics, Evaluation, and Information Services (30504).....	\$868,563 \$929,766	\$868,563 \$990,968		
Fund Sources: General.....	\$868,563 \$929,766	\$868,563 \$990,968		

Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.

A. Included in the amounts appropriated for this item is \$400,000 the first year and \$400,000 the second year from the general fund for the ongoing costs of conducting the School Climate Survey.

B. Included in the appropriation for this item is \$145,000 the first year and \$145,000 the second year from the general fund for the sex trafficking response coordination activities of the Department, pursuant to the provisions of House Bill 2576 and Senate Bill 1669 of the 2019 Session of the General Assembly.

C. Out of this appropriation, \$149,174 the first year and \$149,174 the second year from the general fund is provided to establish the Virginia sexual assault forensic examiner coordination program, pursuant to House Bill 475 and Senate Bill 373 of the 2020 Session of the General Assembly.

D. Included in the appropriation for this item is \$61,203 the first year and \$122,405 the second year and one position from the general fund for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System.

405. Not set out.

406. Financial Assistance for Administration of Justice Services (39000).....			\$147,575,754 \$154,034,849	\$148,474,168 \$148,587,958
Criminal Justice Assistance Grants (39002).....	\$138,620,230 \$145,022,430	\$139,270,230		
Criminal Justice Grants Fiscal Management Services (39003).....	\$628,179 \$685,074	\$628,179 \$741,969		
Criminal Justice Policy and Program Services (39004).....	\$8,327,345	\$8,575,759		
Fund Sources: General.....	\$53,665,180 \$60,124,275	\$50,563,594 \$50,677,384		
Special.....	\$6,624	\$6,624		
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$13,605,820	\$13,605,820		
Federal Trust.....	\$76,000,000	\$80,000,000		

Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$4,800,000 the first year and an estimated \$4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$452,128 the first year and \$452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during FY 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees and the Director,

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Department of Planning and Budget by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,001,074 the first year and \$1,001,074 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2020, through June 30, 2022.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, \$5,692,738 the first year and \$5,692,738 the second year from dedicated special revenue, and \$943,700 the first year and \$943,700 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and \$1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Pre and Post-Incarceration Services (PAPIS), \$3,286,144 the first year and \$3,286,144 the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.			
	8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.			
	9. For model addiction recovery programs administered in local or regional jails, \$153,600 the first year and \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.			
	C.1. Out of this appropriation, \$27,690,378 the first year and \$27,690,378 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.			
	2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.			
	D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.			
	2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.			
	E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.			
	F.1. Out of this appropriation, \$4,700,000 the first year and \$4,700,000 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.			
	2.a. The Director, Department of Criminal Justice Services, is authorized to expend \$410,877 the first year and \$410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.			
	b. The Center for School Safety shall provide a grant of \$100,000 in the first year and \$100,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.			
	3. Subject to the development of criteria for the distribution of grants from the fund, including			

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is \$132,254 the first year and \$132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

G. Included in the amounts appropriated in this Item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this Item, \$2,658,420 the first year and \$2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$1,450,000 the first year and \$1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$1,208,420 the first year and \$1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairmen of the Senate Finance and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 15th each year.

4. The department is authorized to expend up to \$125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

K. Included in the appropriations for this Item is \$300,000 the first year and \$300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2022.

L. Included in the appropriation for this item is \$916,066 in the first year and \$916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in this appropriation for this item, \$2,645,244 the first year and \$193,658 the second year from the general fund and two positions for the Department of Criminal Justice Services to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. The Department shall evaluate the implementation and effectiveness of the programs in each locality that received the award, and provide a report that details the amount awarded, its findings and recommendations to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and the Senate Finance Committees by November 1, 2021. The funding provided to each locality shall supplement, not supplant, existing local spending on these services.

N. Out of the appropriation in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is allocated for the Department of Criminal Justices Services to make competitive grants to localities to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activates, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. The funds appropriated in this item shall be distributed to localities that have established a partnership program with institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding from localities, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by localities, institutions or nonprofit organizations. Funding provided in this item shall not be used to supplant the funding provided by localities to combat hate crimes.

O.1. The Department of Criminal Justice Services shall review the feasibility and costs to the Commonwealth and localities for the implementation of a pilot program, operated in partnership with one or more participating localities identified by the department, to assess the operation of a uniform reporting mechanism for appropriate criminal justice agencies, as

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

identified in § 9.1-101, Code of Virginia, to collect data relating to bail determinations made by judicial officers conducting hearings pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia, in order to facilitate the purpose of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2 of the Code of Virginia.

2. As part of its review, the department shall identify the methods, feasibility and costs associated with collecting, at minimum, the following information from localities participating in the pilot program: (i) the hearing date of any hearing conducted pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia and the date any individual is admitted to bail; (ii) information about the individual, including the individual's year of birth, race, ethnicity, gender, primary language, and residential zip code; (iii) the determination of the individual's indigency pursuant to § 19.2-159 of the Code of Virginia; (iv) information related to the individual's charges, including the number of charges; the most serious offense the individual is charged with; the code section for such offense; the general description of such offense; whether such offense is a felony, misdemeanor, civil infraction, or other type of offense; and the specific classification of any felony or misdemeanor offense; (v) if the individual is admitted to bail, information related to the conditions of bail and the bond, including whether the bond was secured or unsecured; all monetary amounts set on the bond, including amounts set on both secured and unsecured bonds; any initial nonmonetary conditions of release imposed; any subsequent modifications; and whether the individual utilized the services of a bail bondsman; (vi) if the individual is not admitted to bail, the reason for the denial; (vii) any outstanding arrest warrants or other bars to release from any other jurisdiction; (viii) any revocation of bail due to a violation of such individual's conditions of release, failure to appear for a court hearing, or the commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique identifier shall be provided.

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

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

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

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

S.1. Included within the appropriation for this item is \$6,402,200 in the first year from the

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

general fund for the Department to make one-time grants to law enforcement agencies located in the Commonwealth employing law enforcement officers with primary law enforcement duties, including but not limited to state agencies, local agencies, and colleges and universities, for the purpose of purchasing, operating, and maintaining body-worn camera systems. Qualified uses for grant funds shall include one-time costs associated with such body-worn camera systems, to include equipment, data storage, and technology costs, and other one-time costs associated with the purchase, operation, and maintenance of body-worn camera systems, as determined to be eligible by the Department.

2. The funding in this paragraph also includes \$56,895 in the first year and \$113,790 in the second year from the general fund for a coordinator position to manage the Body Worn Camera Grant.

3. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.

4. The Department shall report on the distributions made under the Grant to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by September 30, 2021. The report shall include information on distributions made by agency, description and amount of equipment purchased per agency, and any balances remaining from this funding.

407. Not set out.

408.	Financial Assistance to Localities - General (72800)...			\$200,374,655	\$200,374,655
				\$207,858,483	
	Financial Assistance to Localities Operating Police Departments (72813).....	\$200,374,655	\$200,374,655		
		\$207,858,483			
	Fund Sources: General.....	\$200,374,655	\$200,374,655		
		\$207,858,483			

Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.

A. The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599), except that, in accordance with the requirements of § 15.2-1302, Code of Virginia, such funds shall also be distributed to a city without a qualifying police force that was created by the consolidation of a city and a county subsequent to July 1, 2011, pursuant to the provisions of § 15.2-3500 et seq. of the Code of Virginia. Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be \$200,374,655 the first year and \$200,374,655 the second year. The amount to be distributed to such a city created by consolidation shall equal the sum distributed to the city during the year prior to the effective date of the consolidation, net of any additional funds allocated by the Compensation Board to the sheriff of the consolidated city as a result of such consolidation, as adjusted in proportion to the increase or decrease in the total amount distributed to all localities during the applicable year. Notwithstanding the provisions of § 9.1-165, Code of Virginia, the amount to be distributed to each locality in each year shall be proportionate to the amount distributed to that locality in FY 2018.

B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599).

C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services.

2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

date as determined by the department. The department shall provide this information to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days following the submission of the local certifications.

D. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

E. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due to a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe the police department within a locality is not registering sex offenders as required in § 9.1-903, Code of Virginia. Upon subsequent notification by the Superintendent that the local law enforcement agency is compliant with the requirements of § 9.1-903, Code of Virginia, the Director shall make reimbursement of withheld funding due to the locality in the same fiscal year in which the local law enforcement agency comes into compliance.

F. Included in the appropriation for this item is \$7,483,828 in the first year from the general fund, which shall be distributed by the Department of Criminal Justice Services to local police departments statewide on December 1, 2020. These funds shall be distributed among the localities based on the respective percentage shares of the most recent headcount of sworn law enforcement officers employed by each local police department. These funds shall be used for the purposes of attracting and retaining the most qualified local police department sworn personnel and support the costs associated with criminal justice reform.

409. Not set out.

409.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Increase funding for pre-release and post-incarceration services	\$1,000,000	\$1,000,000
Provide security grant aid to localities	\$1,500,000	\$1,500,000
Immigration Legal and Social Services Grant Funding	\$250,000	\$250,000
Post Critical Incident Support for Law Enforcement Personnel	\$200,000	\$200,000
State Aid to Localities with Police Departments	\$8,628,574	\$8,628,574
Provide funding to expand pretrial and local probation services	\$2,300,000	\$2,300,000
Agency Total	\$13,878,574	\$13,878,574

ITEM 409.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total for Department of Criminal Justice Services.....			\$366,567,423	\$367,465,837
			\$382,232,979	\$368,974,893
General Fund Positions.....	62.50	62.50		
	74.50	74.50		
Nongeneral Fund Positions.....	74.50	74.50		
Position Level.....	137.00	137.00		
	149.00	149.00		
Fund Sources: General.....	\$262,164,677	\$259,063,091		
	\$277,830,233	\$260,572,147		
Special.....	\$10,498,796	\$10,498,796		
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$13,605,820	\$13,605,820		
Federal Trust.....	\$76,000,000	\$80,000,000		

§ 1-75. DEPARTMENT OF EMERGENCY MANAGEMENT (127)

- 410. Not set out.
- 411. Not set out.
- 412. Not set out.
- 413. Not set out.
- 414. Not set out.
- 414.10 Not set out.
- 414.20 Not set out.

414.30 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022
Provide funding to migrate software and agency-owned servers to the cloud	\$1,505,760	\$1,043,336
Agency Total	\$1,505,760	\$1,043,336
Total for Department of Emergency Management.....		\$93,662,717
		\$90,700,293
General Fund Positions.....	45.85	45.85
Nongeneral Fund Positions.....	133.15	133.15
Position Level.....	179.00	179.00
Fund Sources: General.....	\$11,451,501	\$8,489,077
Special.....	\$3,211,934	\$3,211,934
Commonwealth Transportation.....	\$1,359,475	\$1,359,475
Dedicated Special Revenue.....	\$25,684,099	\$25,684,099

ITEM 414.30.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Federal Trust.....	\$51,955,708	\$51,955,708		

§ 1-76. DEPARTMENT OF FIRE PROGRAMS (960)

- 415. Not set out.
- 416. Not set out.
- 417. Not set out.

417.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide general fund appropriation to support one position	\$24,886	\$24,886
Agency Total	\$24,886	\$24,886
Total for Department of Fire Programs.....		\$46,925,841
General Fund Positions.....	29.25	29.25
Nongeneral Fund Positions.....	49.75	49.75
Position Level.....	79.00	79.00
Fund Sources: General.....	\$2,558,361	\$2,558,361
Special.....	\$44,117,480	\$46,036,440
Federal Trust.....	\$250,000	\$250,000

§ 1-77. DEPARTMENT OF FORENSIC SCIENCE (778)

- 418. Not set out.

418.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Fund information technology analyst positions	\$185,160	\$246,880

ITEM 418.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund laboratory equipment maintenance contracts		\$248,000		\$368,000
Agency Total		\$433,160		\$614,880
Total for Department of Forensic Science.....			\$55,453,414	\$55,579,834
General Fund Positions.....	328.00	328.00		
Nongeneral Fund Positions.....	3.00	3.00		
Position Level.....	331.00	331.00		
Fund Sources: General.....	\$53,039,134	\$53,220,854		
Federal Trust.....	\$2,414,280	\$2,358,980		
419. Not set out.				
420. Not set out.				
421. Not set out.				
422. Not set out.				
423. Not set out.				
424. Not set out.				

§ 1-78. DEPARTMENT OF STATE POLICE (156)

425. Not set out.				
426. Not set out.				
427. Administrative and Support Services (39900).....			\$32,070,900	\$32,070,900
			\$32,236,817	\$32,349,876
General Management and Direction (39901).....	\$9,357,522	\$9,357,522		
	\$9,523,439	\$9,636,498		
Accounting and Budgeting Services (39903).....	\$2,192,284	\$2,192,284		
Human Resources Services (39914).....	\$2,346,683	\$2,346,683		
Physical Plant Services (39915).....	\$7,490,400	\$7,490,400		
Procurement and Distribution Services (39918).....	\$2,939,433	\$2,939,433		
Training Academy (39929).....	\$7,037,537	\$7,037,537		
Cafeteria (39931).....	\$707,041	\$707,041		
Fund Sources: General.....	\$31,338,834	\$31,338,834		
	\$31,504,751	\$31,617,810		
Special.....	\$706,310	\$706,310		
Dedicated Special Revenue.....	\$25,756	\$25,756		

Authority: §§ 52-1 and 52-4, Code of Virginia.

A. The Superintendent of State Police shall establish written procedures for the timely and accurate electronic reporting of crime data reported to the Department of State Police in accordance with the provisions of § 52-28, Code of Virginia. The procedures shall require the principal officer of the reporting organization to certify that the information provided is, to his knowledge and belief, a true and accurate report. Should the superintendent have reason to believe that any crime data is missing, incomplete or incorrect after audit of the data, the superintendent shall notify the reporting organization, as well as the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services. Upon receiving and verifying resubmitted data that corrects the report, the superintendent shall notify the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services that the missing, incomplete or incorrect data has been satisfactorily submitted.

ITEM 427.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

B.1. The Department of State Police is authorized to charge other law enforcement agencies a fee for the use of the Virginia State Police Blackstone Training Facility related to training activities. The fee structure and subsequent changes must be reviewed and approved by the Secretary of Public Safety and Homeland Security. The Department shall deposit any moneys received from such fees into the Virginia State Police Blackstone Training Facility Fund.

2. The State Comptroller shall continue the Virginia State Police Blackstone Training Facility Fund on the books of the Commonwealth. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund but shall remain in the Fund. The Department of State Police shall utilize the revenue deposited in the Fund to (1) maintain and repair facilities at the Virginia State Police Blackstone Training Facility, and (2) acquire, maintain, repair or replace equipment at the Virginia State Police Blackstone Training Facility.

C. Included within the appropriation for this item is \$165,917 in the first year and \$278,976 in the second year and three positions from the general fund for the Department to uphold the requirements of Senate Bill 5030 to share information with an attorney for the Commonwealth. Of these amounts, \$100,960 in the first year and \$65,207 in the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses.

428. Not set out.

428-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022		
Fund record sealing reform legislation	\$108,800			\$0
Agency Total	\$108,800			\$0
Total for Department of State Police.....			\$395,685,858	\$391,026,088
			\$395,851,775	\$391,305,064
General Fund Positions.....	2,662.00	2,662.00		
	2,665.00	2,665.00		
Nongeneral Fund Positions.....	397.00	397.00		
Position Level.....	3,059.00	3,059.00		
	3,062.00	3,062.00		
Fund Sources: General.....	\$325,555,453	\$321,154,524		
	\$325,721,370	\$321,433,500		
Special.....	\$38,003,522	\$37,744,681		
Commonwealth Transportation.....	\$9,083,587	\$9,083,587		
Dedicated Special Revenue.....	\$13,907,381	\$13,907,381		
Federal Trust.....	\$9,135,915	\$9,135,915		

ITEM 429.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
429. Probation and Parole Determination (35200).....			\$2,330,525	\$2,330,525
			\$2,350,037	\$2,369,548
Adult Probation and Parole Services (35201).....	\$2,330,525	\$2,330,525		
	\$2,350,037	\$2,369,548		
Fund Sources: General.....	\$2,280,525	\$2,280,525		
	\$2,300,037	\$2,319,548		
Federal Trust.....	\$50,000	\$50,000		

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

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

429.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Provide funding for part-time investigators	\$406,392		\$406,392	
Provide funding for a part-time release planning coordinator position	\$42,319		\$42,319	
Agency Total	\$448,711		\$448,711	
Total for Virginia Parole Board.....			\$2,330,525	\$2,330,525
			\$2,350,037	\$2,369,548
General Fund Positions.....	12.00	12.00		
Position Level.....	12.00	12.00		
Fund Sources: General.....	\$2,280,525	\$2,280,525		
	\$2,300,037	\$2,319,548		
Federal Trust.....	\$50,000	\$50,000		
TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....			\$3,426,573,100	\$3,480,696,695
			\$3,443,878,838	\$3,487,010,305
General Fund Positions.....	17,634.10	17,634.10		
	17,661.10	17,661.10		
Nongeneral Fund Positions.....	2,369.90	2,470.90		
Position Level.....	20,004.00	20,105.00		
	20,031.00	20,132.00		
Fund Sources: General.....	\$2,201,919,384	\$2,206,567,067		
	\$2,219,225,122	\$2,212,880,677		
Special.....	\$166,556,345	\$165,216,464		
Commonwealth Transportation.....	\$10,443,062	\$10,443,062		
Enterprise.....	\$837,266,165	\$884,137,258		

ITEM 429.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$55,984,374	\$55,984,374		
Federal Trust.....	\$150,105,640	\$154,050,340		

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF TRANSPORTATION

§ 1-80. SECRETARY OF TRANSPORTATION (186)

430.	Administrative and Support Services (79900).....			\$953,895	\$953,895
	General Management and Direction (79901).....	\$953,895	\$953,895		
	Fund Sources: Commonwealth Transportation.....	\$953,895	\$953,895		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this act shall be implemented by the Secretary of Transportation, including the secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. It is in the interest of the Commonwealth to have an efficient and cost-effective transportation system that promotes economic development and all modes of transportation, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program.

B. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes.

1. Notwithstanding any provision of law to the contrary, the secretary and all agencies within the transportation secretariat are hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such actions or funds or both are authorized under P.L. 114-94 of the 114th Congress, or any successor or related federal transportation legislation, or regulation, rule, or guidance issued by the U.S. Department of Transportation or any federal agency. The secretary and agencies within the transportation secretariat shall utilize, to the maximum extent practicable, the flexibility provided in federal law, regulation, rule, or guidance to use federal funds in a manner consistent with the Code of Virginia. However, neither the secretary nor an agency in the transportation secretariat may materially delay a project selected pursuant to § 33.2-214.1, Code of Virginia, under the authority in this paragraph.

2. The secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in section A. of this Item. Furthermore, the secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues and in support of the efforts addressed in B.1. By June 1 of each year, the secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

3. The board shall only make allocations providing the required match for federal Regional Surface Transportation Block Grant Program funds to those Metropolitan Planning Organizations in urbanized areas greater than 200,000 that, in consultation with the Office of Intermodal Planning and Investment, have developed regional transportation and land use performance measures pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly and have been approved by the board.

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
4. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the board. Such funds shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the board shall use such federal funds for any other project eligible under 23 USC 149.				
5. Funds made available to the Metropolitan Planning Organizations known as the Regional Surface Transportation Block Grant Program for urbanized areas greater than 200,000 shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by the recipient, then the board may rescind the required match for such federal funds.				
6. Notwithstanding paragraph B.2. of this Item, the required matching funds for Transportation Alternatives projects are to be provided by the project sponsor of the federal-aid funding.				
7. Federal transportation funds as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law in a manner consistent with the Code of Virginia. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate state revenues to local and regional public transit operators, for operating and/or capital purposes.				
8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.				
9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.				
10. The secretary shall ensure that any bonds issued pursuant to Article 4, Chapter 15 of Title 33.2 shall be programmed to eligible projects selected and funded through the High Priority Projects Program pursuant to § 33.2-370 or the Construction District Grant Program pursuant to §33.2-371. In any year such bond proceeds are allocated to one or both of the programs, the secretary shall take all necessary action to ensure that each program is provided with the same overall amount of monies though the mix of bond proceeds, state revenues, and federal revenues provided to each program may vary as deemed appropriate by the secretary.				
C. The secretary may ensure that appropriate action is taken to maintain a minimum cash balance and/or cash reserve in the Highway Maintenance and Operating Fund.				
D.1. The Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of funds made available in subsections A. and B. of Item 446. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.				
2. The office shall be responsible for implementing the statewide prioritization process pursuant to § 33.2-214.1 for the Commonwealth Transportation Board.				
3. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capital vehicle miles traveled pursuant to				

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Chapters 670 and 690 of the 2009 Acts of Assembly.				
<p>4. For allocation of funds under Paragraph 1, the office may give a higher priority for planning grants to (i) regional organizations to analyze various land development scenarios for their long range transportation plans, (ii) local governments to revise their comprehensive plans and other applicable local ordinances to designate urban development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate the principles included in such act, and (iii) local governments, regional organizations, transit agencies and other appropriate entities to develop plans for transit oriented development and the expansion of transit service. Such analyses, plans, and ordinances shall be shared with the regional planning district commission or metropolitan planning organization and the Commonwealth Transportation Board.</p> <p>E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities or political subdivision of the Commonwealth to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.</p> <p>2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.</p> <p>F. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.</p> <p>G. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in a prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.</p> <p>H. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.</p> <p>I. In programming funds for the reconstruction and rehabilitation of structurally deficient bridges pursuant to § 33.2-358 C.(i), Code of Virginia, the Commonwealth Transportation Board shall consider both state and locally-owned bridges.</p> <p>J. All revenues generated under Chapter 896 of the Acts of Assembly of 2007 (HB 3202) and Chapter 766 of the Acts of Assembly of 2013 (HB 2313) that were dedicated to transportation-related funds have been appropriated in conformity with the requirements of those respective chapters.</p> <p>K. Notwithstanding § 33.2-502, Code of Virginia, the high-occupancy requirement for a HOT lane facility that is constructed as a result of the Public-Private Transportation Act (§ 33.2-1800 et. seq.) with an initial construction cost in excess of \$3 billion and whose operation, maintenance, or financing is not a result of the same comprehensive agreement that resulted in the facility's construction shall be not less than two.</p> <p>L. The Department of Rail and Public Transit shall establish within the Transit Ridership Incentive Program, established pursuant to House Bill 1414 and Senate Bill 890 of the 2020 General Assembly, a Congestion Mitigation Program that will use at least \$5,000,000 annually for operating cost assistance to reduce congestion in urban areas. The funds from this program will be allocated to transit systems in amounts that collectively achieve maximum congestion mitigation and passenger miles traveled. The Secretary shall provide to the Chairs of House Appropriations, Senate Finance and Appropriations, House Transportation and Senate Transportation Committees the methodology used and the distributions of such funds to transit systems by June 30, 2021.</p>				

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
M.	<p>It is the intent of the General Assembly that the Secretary of Transportation and the Secretary of Natural Resources, in consultation with the Chairs of the House Appropriations, Senate Finance and Appropriations, House Transportation, Senate Transportation, House Agriculture, Chesapeake and Natural Resources, and Senate Agriculture, Conservation and Natural Resources Committees, and counties containing subject outfalls, shall evaluate the scope of drainage outfalls across the Commonwealth originating from Virginia Department of Transportation (VDOT) maintained roads with no assigned maintaining entity, and recommend cost-effective solutions and means by which to fund maintenance of such outfalls. The Secretaries shall provide an interim report detailing their evaluation to the aforementioned committee chairs no later than December 31, 2020 and a final report of their findings, if not included in the December report, by September 30, 2021.</p>			
N.	<p>Prior to the execution of any Memorandum of Understanding on behalf of the Commonwealth of Virginia for participation in the construction of any potential improvements to the bridge and related railroad infrastructure located between the Rosslyn (RO) Interlocking near Long Bridge Park in Arlington, Virginia and the L'Enfant (LE) Interlocking near 10th Street SW in Washington, D.C., or prior to the authorization for the issuance of any bonds or the sale of any land by the Virginia Passenger Rail Authority, as may be established by legislation adopted by the 2020 Session of the General Assembly that becomes law, the Secretary of Transportation shall present, for their review, to the MEI Project Approval Commission established pursuant to Chapter 47 (§ 30-309 et seq.) of Title 30, a draft of any Memorandum of Understanding, any proposed bond issuance, or contract related to the sale of land, or the terms of any agreement between or among any political subdivision of the Commonwealth of Virginia, any political subdivision of the United States, federal government agency, the National Passenger Railroad Corporation, a commuter rail service jointly operated by the Northern Virginia Transportation District established pursuant to § 33.2-1904 and the Potomac Rappahannock Transportation District established pursuant to the Transportation District Act (§ 33.2-1900 et seq.), and any Class I private railroad corporation.</p>			
O.1.	<p>Notwithstanding § 33.2-214, the Six-Year Improvement Program adopted June 19, 2019, and as amended shall remain in effect through June 30, 2021, or until a new Six-Year Improvement Program is adopted that is based on the official Commonwealth Transportation Fund revenue forecast reflecting the impacts of COVID-19 pandemic.</p>			
2.	<p>Notwithstanding any other provisions of law, the assistance provided for fiscal year 2021 under Item 442 A.1.a and A.1.c may be maintained up to the levels allocated in the Six Year Improvement Program approved by the Commonwealth Transportation Board on June 19, 2019 until a Six-Year Improvement Program is adopted pursuant to paragraph O.1. of this item.</p>			
P.	<p><i>It is the intent of the General Assembly that the Commonwealth Transportation Board shall take steps necessary to address the reduction in revenues available for the Commonwealth Transportation Fund pursuant to § 33.2-1524, Code of Virginia, in a manner to reduce the impacts on currently programmed projects and to allow for a phased implementation of the additional revenues made available by Chapters 1230 and 1275 of the 2020 Acts of Assembly.</i></p>			
1.	<p><i>The Commonwealth Transportation Board may utilize Revenue Sharing Funds allocated to a project in fiscal year 2020 or previous fiscal years that is not currently needed to support the project based on the project's current schedule to increase the funding available to the Commonwealth Transportation Fund (CTF) for distribution to the funds and programs supported by the CTF to help mitigate the impacts of the reduced revenues resulting from COVID-19 and reflected in the August 2020 Official Revenue Forecast. Any project allocations utilized will be replaced in the year or years needed to maintain the project's current schedule, but no later than FY 2024, from funds made available pursuant to § 33.2-357, Code of Virginia.</i></p>			
2.	<p><i>The Commonwealth Transportation Board may utilize Revenue Sharing Funds provided in FY 2020 or prior fiscal years that were not allocated to a specific revenue sharing project as of June 30, 2020, to increase the funding available to the Commonwealth Transportation Fund (CTF) for distribution to the funds and programs supported by the</i></p>			

ITEM 435.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

§ 1-81. DEPARTMENT OF MOTOR VEHICLES (154)

436.	Ground Transportation Regulation (60100).....			\$216,673,180	\$216,673,180
	Customer Service Centers Operations (60101).....	\$156,643,065	\$156,643,065		
	Ground Transportation Regulation and Enforcement (60103).....	\$45,505,878	\$45,505,878		
	Motor Carrier Regulation Services (60105).....	\$14,524,237	\$14,524,237		
	Fund Sources: Commonwealth Transportation.....	\$209,226,580	\$209,226,580		
	Trust and Agency.....	\$5,446,600	\$5,446,600		
	Federal Trust.....	\$2,000,000	\$2,000,000		

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Commissioner, Department of Motor Vehicles, is authorized to establish, where feasible and cost efficient, contracts with private/public partnerships with commercial operations, to provide for simplification and streamlining of service to citizens through electronic means. Provided, however, that such commercial operations shall not be entitled to compensation as established under § 46.2-205, Code of Virginia, but rather at rates limited to those established by the commissioner.

B. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods, which may include offering discounts on certain transactions conducted online, as determined by the department. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions; however, this restriction shall not apply with respect to any credit or debit card transactions the department conducts on behalf of another agency, provided (i) the other agency is authorized to charge customers for the use of credit or debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer are charged to the department.

C. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

D. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first \$500,000 and 5.0 percent of all gross collections in excess of \$500,000 made by the entity during each fiscal year on such state taxes and fees in place as a matter of law. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.

E. Out of the amounts identified in this Item, an amount estimated at \$372,006 the first year and \$372,006 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

F.1. Notwithstanding any other provision of law, the department shall assess a minimum

ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

a new resident must be licensed in Virginia pursuant to § 46.2-308, Code of Virginia, to operate a motor vehicle in the Commonwealth, and the time frame during which a new resident may operate a motor vehicle in the Commonwealth which has been duly registered in another jurisdiction before registering the vehicle in the Commonwealth.

Q. Notwithstanding any other provision of law, for the duration of a declared Commonwealth-wide state of emergency as defined in § 44-146.16, Code of Virginia, and for up to 90 days after the declaration of a state of emergency has been rescinded or expires, the Commissioner shall ensure that individuals age 65 and older, or with an immunocompromised or other underlying medical conditions, who are not required to register pursuant to Chapter 9 of Title 9.1 and appear in person for each renewal or the requirement to obtain a photograph in accordance with § 46.2-330 F(2), are able to complete any necessary transactions for existing credentials online or through the mail, so long as such individuals are otherwise eligible to complete such transactions and federal law does not require the transactions to be completed in person.

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

S. Notwithstanding the provisions of subsection E. of § 18.2-271.1 of the Code of Virginia, if a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, a court may, in its discretion and for good cause shown, issue a restricted permit to operate a motor vehicle for any purpose set forth in subsection E. of § 18.2-271.1. No restricted license issued pursuant to this paragraph shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this paragraph, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times by such person while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this paragraph is guilty of a violation of § 46.2-301.

437. Not set out.

438. Not set out.

Total for Department of Motor Vehicles.....			\$315,532,483	\$319,532,483
Nongeneral Fund Positions.....	2,222.00	2,162.00		
Position Level.....	2,222.00	2,162.00		
Fund Sources: Commonwealth Transportation.....	\$304,116,559	\$308,116,559		
Trust and Agency.....	\$5,446,600	\$5,446,600		
Federal Trust.....	\$5,969,324	\$5,969,324		

ITEM 439.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
439.	Not set out.				
440.	Not set out.				
	Grand Total for Department of Motor Vehicles.....			\$548,472,121	\$556,784,829
	Nongeneral Fund Positions.....	2,222.00	2,162.00		
	Position Level.....	2,222.00	2,162.00		
	Fund Sources: Commonwealth Transportation.....	\$351,601,168	\$359,913,876		
	Trust and Agency.....	\$10,946,600	\$10,946,600		
	Dedicated Special Revenue.....	\$153,700,000	\$153,700,000		
	Federal Trust.....	\$32,224,353	\$32,224,353		

§ 1-82. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)

441.	Not set out.				
442.	Not set out.				
443.	Financial Assistance for Rail Programs (61000).....			\$137,107,434	\$197,112,195
	Rail Industrial Access (61001).....	\$3,000,000	\$3,000,000		
	Rail Preservation Programs (61002).....	\$14,523,370	\$14,523,370		
	Passenger and Freight Rail Financial Assistance Programs (61003).....	\$119,584,064	\$179,588,825		
	Fund Sources: Special.....	\$1,000,000	\$1,000,000		
	Commonwealth Transportation.....	\$136,107,434	\$196,112,195		

Authority: Title 33.2, Code of Virginia.

A. Except as provided in Item 444, the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development program in accordance with § 33.2-1602, Code of Virginia. As determined by the board, funds apportioned pursuant to § 33.2-1526, Code of Virginia, shall be appropriated to the Shortline Railway Preservation and Development Program. Total funding appropriated to the Shortline Railway Preservation and Development Program from this source shall not exceed \$4,000,000 the first year and \$4,000,000 the second year.

B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with § 33.2-1600, Code of Virginia. The board may allocate funds pursuant to § 33.2-358, Code of Virginia, to the fund for construction of industrial access railroad tracks.

C. Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between Richmond and the District of Columbia, the Director of the Department of Rail and Public Transportation is authorized to utilize any remaining funds along the described corridor for the development of intercity passenger rail enhancements to include rail improvements and passenger station facilities.

D. Notwithstanding the provisions of § 33.2-1526.2 C, the distribution of funds in the Commonwealth Rail Fund shall be:

1. Remaining balances as of June 30, 2020 in the Rail Enhancement Fund pursuant to § 33.2-1601 and the Intercity Rail Operating and Capital Fund pursuant to § 33.2-1603 shall be transferred to the Commonwealth Rail Fund.

2. In order to facilitate the financing activities of the Virginia Passenger Rail Authority, all cash balances as of July 1, 2020 shall be transferred to the Authority from the Commonwealth Rail Fund. This transfer shall not be transacted until after an agreement has been fully executed between the Department and the Authority that requires funds to be transferred from the Authority to the Department for the prompt payment of any expenditures on the projects administered by the Department.

ITEM 443.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

3. During the interim period between July 1, 2020, and the formal establishment of the Virginia Passenger Rail Authority (Authority), the Department shall be responsible for conducting all necessary business functions assigned to the Authority. Formal establishment shall include appointments to the Authority's board of directors, a formal meeting of the board, the hiring of an executive director, and the execution of the agreement required in subparagraph D.2.

E. Because of the overwhelming need for the delivery of services provided by the investment in a balanced transportation system in the Commonwealth, and in an effort to deliver intercity passenger trains utilizing the Commonwealth's investments and to increase passenger train frequencies to Norfolk and Roanoke, notwithstanding the provisions of § 33.2-1601 and § 33.2-1603, Code of Virginia, the Commonwealth Transportation Board may only make further investments in intercity passenger rail capacity to serve new markets in North Carolina, provided the Six-Year Improvement Plan adopted pursuant to § 33.2-214, Code of Virginia includes sufficient funding to complete projects underway to deliver train capacity improvements and provides the funding for service for additional passenger rail frequency to Norfolk and an extension of passenger rail to Roanoke.

F. The Department of Rail and Public Transit shall evaluate the operating and capital costs associated with an extension of the Virginia Railway Express commuter rail service from Manassas to Gainesville. The Director of the Department of Rail and Public Transportation shall submit an evaluation of these costs to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by June 30, 2021.

G. Out of the amounts in this item for Passenger and Freight Rail Assistance Programs, such funding as may be necessary is allocated to study the feasibility of an east-west Commonwealth Corridor passenger rail service connecting Hampton Roads, Richmond, and the New River Valley consistent with the provisions of Senate Joint Resolution 50 of the 2020 General Assembly.

444.	Administrative and Support Services (69900).....			\$21,949,965	\$21,949,965
	General Management and Direction (69901).....	\$21,949,965	\$21,949,965		
	Fund Sources: Commonwealth Transportation.....	\$21,949,965	\$21,949,965		

Authority: Titles 33.2 and 58.1, Code of Virginia.

A. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

B. The Commonwealth Transportation Board may allocate up to 5 percent of the revenues available each year in the funds established pursuant to §§ 33.2-1602, 33.2-1526 and revenues allocated to the Department pursuant to 33.2-1526.24 to support costs of project development, project administration and project compliance incurred by the Department of Rail and Public Transportation in implementing rail, public transportation, and congestion management programs and grants. *Due to the negative impact on transportation revenues from the COVID-19 national crisis, the Commonwealth Transportation Board may allocate an amount at least equal to the Department of Rail and Public Transportation's FY2020 allocation to support costs identified in this item for each year.*

Total for Department of Rail and Public Transportation.....			\$862,250,555	\$935,455,316
Nongeneral Fund Positions.....	72.00	72.00		
Position Level.....	72.00	72.00		
Fund Sources: Special.....	\$2,139,844	\$2,139,844		
Commonwealth Transportation.....	\$698,910,711	\$773,915,472		
Dedicated Special Revenue.....	\$161,200,000	\$159,400,000		

445. Not set out.

ITEM 445.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
446.	Not set out.			
447.	Not set out.			
448.	Not set out.			
449.	Not set out.			
450.	Not set out.			
451.	Not set out.			
452.	Not set out.			
453.	Not set out.			
454.	Not set out.			
455.	Not set out.			
456.	Not set out.			
457.	Not set out.			
458.	Not set out.			
459.	Not set out.			
460.	Not set out.			
TOTAL FOR OFFICE OF TRANSPORTATION.....			\$9,728,996,031	\$9,484,245,803
	Nongeneral Fund Positions.....	10,357.00	10,297.00	
	Position Level.....	10,357.00	10,297.00	
	Fund Sources: General.....	\$30,246	\$30,246	
	Special.....	\$191,360,549	\$196,315,165	
	Commonwealth Transportation.....	\$7,774,219,765	\$7,350,038,700	
	Trust and Agency.....	\$584,690,486	\$727,790,089	
	Dedicated Special Revenue.....	\$1,125,804,673	\$1,157,452,525	
	Federal Trust.....	\$52,890,312	\$52,619,078	

ITEM 461.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

OFFICE OF VETERANS AND DEFENSE AFFAIRS

- 461. Not set out.
- 462. Not set out.

§ 1-83. DEPARTMENT OF VETERANS SERVICES (912)

- 463. Not set out.
- 464. Not set out.
- 465. Not set out.
- 466. Not set out.

466.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Virginia Women Veterans Program	\$106,139	\$106,139
Support mental health and benefits positions and fund maintenance and information technology needs	\$1,045,040	\$1,276,753
Provide funding for the National Museum of the United States Army	\$3,000,000	\$0
Agency Total	\$4,151,179	\$1,382,892
Total for Department of Veterans Services.....		\$114,427,473 \$123,664,186
General Fund Positions.....	236.00	236.00
Nongeneral Fund Positions.....	890.00	1,110.00
Position Level.....	1,126.00	1,346.00
Fund Sources: General.....	\$26,824,257	\$24,055,970
Special.....	\$46,268,538	\$46,268,538
Dedicated Special Revenue.....	\$796,500	\$796,500
Federal Trust.....	\$40,538,178	\$52,543,178

- 467. Not set out.
- 468. Not set out.

§ 1-84. DEPARTMENT OF MILITARY AFFAIRS (123)

- 469. Not set out.

ITEM 470.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
470.	Not set out.				
471.	Not set out.				
472.	Not set out.				
473.	Not set out.				

473.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted:

	FY 2021	FY 2022		
Increase funding for state tuition assistance	\$250,000			\$250,000
Agency Total	\$250,000			\$250,000
Total for Department of Military Affairs.....			\$76,911,494	\$76,911,494
General Fund Positions.....	54.47	54.47		
Nongeneral Fund Positions.....	307.03	307.03		
Position Level.....	361.50	361.50		
Fund Sources: General.....	\$11,771,448	\$11,771,448		
Special.....	\$1,784,927	\$1,784,927		
Dedicated Special Revenue.....	\$4,216,050	\$4,216,050		
Federal Trust.....	\$59,139,069	\$59,139,069		
TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....			\$196,830,760	\$206,067,473
General Fund Positions.....	296.47	296.47		
Nongeneral Fund Positions.....	1,199.03	1,419.03		
Position Level.....	1,495.50	1,715.50		
Fund Sources: General.....	\$40,414,105	\$37,645,818		
Special.....	\$48,053,465	\$48,053,465		
Trust and Agency.....	\$2,500,000	\$2,500,000		
Dedicated Special Revenue.....	\$5,809,050	\$5,809,050		
Federal Trust.....	\$100,054,140	\$112,059,140		

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

CENTRAL APPROPRIATIONS

§ 1-85. CENTRAL APPROPRIATIONS (995)

474.	Not set out.				
475.	Not set out.				
476.	Not set out.				
477.	Compensation and Benefit Adjustments (75700).....			\$139,552,150	\$213,830,664
				\$104,390,067	\$193,216,843
	Adjustments to Employee Compensation (75701)....	\$119,985,353	\$151,893,587		
		\$130,934,435			
	Adjustments to Employee Benefits (75702).....	\$19,566,797	\$61,937,077		
		(\$26,544,368)	\$41,323,256		
	Fund Sources: General.....	\$139,552,150	\$213,830,664		
		\$104,390,067	\$193,216,843		

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;
5. Employer costs of employee benefit programs when required by salary-based pay adjustments;
6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and
7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.				
E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:				
1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.				
2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.				
3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.				
F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.				
G.1. Out of the appropriation for this Item, an amount estimated at \$41,227,641 \$20,613,820 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.				
2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.				
3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.				
4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.				
5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.				
6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.				

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2021	FY 2022
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	26.33%	26.33%
Virginia Law Officers' Retirement System	21.90%	21.90%
Judicial Retirement System	29.84%	29.84%

3. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the appropriation for this Item, amounts estimated at \$15,893,697 the first year and \$16,578,460 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.

K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of seven percent and an amortization period of 30 years, except beginning in fiscal year 2021 the state employee retiree health credit amortization period shall be reduced by 5 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	FY 2021	FY 2022
State employee retiree health insurance credit	1.25%	1.25%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.34%	1.34%
Employer share of the public school teacher group life insurance program	0.54%	0.54%
Virginia Sickness and Disability Program	0.61%	0.61%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.56 percent of total payroll.

4. Out of the appropriation for this Item, amounts estimated at \$3,980,010 the first year and \$4,153,072 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

L.1. The retiree health insurance credit contribution rates for the following groups of state supported local public employees shall be: 0.36 percent for constitutional officers and employees of constitutional officers 0.38 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at \$55,805 the first year and \$55,805 the second year to reflect the general fund portion of the net savings resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.			
	<p>M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p> <p>2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p> <p>N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.</p> <p>1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.</p> <p>b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.</p> <p>2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred</p>			

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.</p>				
<p>e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p>				
<p>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.</p>				
<p>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 retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have elected ORPHE participation.</p>				
<p>b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.</p>				
<p>2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.</p>				
<p>P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.</p>				
<p>2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.</p>				
<p>Q.1. Notwithstanding § 9.1-400, Code of Virginia, or any contrary provision of law, "eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401, Code of Virginia, shall also include the natural or adopted child or children of a "deceased person", as defined in § 9.1-400, Code of Virginia, or "disabled person", as defined in § 9.1-400, Code of Virginia, born as the result of a pregnancy or adoption that occurred after</p>				

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
other full-time employees of the Commonwealth, except elected officials and employees receiving a salary adjustment pursuant to paragraph Z. below, who were employed on April 1, 2020, and remain employed until at least November 24, 2020, a one-time bonus payment equal to three percent of their base pay on December 1, 2020.				
2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.				
3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.				
W. Contingent on the provisions of paragraph U.1, out of amounts appropriated for Employee Compensation in this item, \$20,725,124 from the general fund the first year is provided for a one-time bonus, equal to two percent of their base salary on December 1, 2020 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:				
a. Locally-elected constitutional officers;				
b. General Registrars and members of local electoral boards;				
c. Full-time employees of locally-elected constitutional officers and,				
d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.				
X.1. Contingent on the provisions of paragraph U.1. above, \$109,353,218 from the general fund the second year is provided to increase the base salary of the following employees by three percent on June 10, 2021:				
a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;				
b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;				
c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;				
d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;				
e. Heads of agencies in the Legislative Department;				
f. Full-time employees in the Legislative Department, other than officials elected by popular vote;				
g. Legislative Assistants as provided for in Item 1 of this act;				
h. Judges and Justices in the Judicial Department;				
i. Heads of agencies in the Judicial Department;				
j. Full-time employees in the Judicial Department;				
k. Commissioners of the State Corporation Commission and the Virginia Workers'				

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and				
1. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.				
2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.				
b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.				
3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2021. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.				
4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:				
a. The heads of agencies in the Legislative and Judicial Departments;				
b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;				
c. The Attorney General;				
d. The Director of the Virginia Retirement System;				
e. The Director of the Virginia Lottery;				
f. The Director of the University of Virginia Medical Center;				
g. The Chief Executive Officer of the Virginia College Savings Plan; and				
h. The Executive Director of the Virginia Port Authority.				
5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier than June 10, 2021. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.				
6. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the three percent increase on average.				
Y.1. Contingent on the provisions of paragraph U.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2021, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.				
a. Locally-elected constitutional officers;				

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
b. General Registrars and members of local electoral boards;				
c. Full-time employees of locally-elected constitutional officers and,				
d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.				
2. Out of the appropriation for Supplements to Employee Compensation is included \$28,897,190 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.				
Z. Contingent on the provisions of paragraph U.1. above, \$5,187,764 the first year and \$6,225,317 the second year from the general fund, is available for salary adjustments for sworn officers of the Department of State Police as follows:				
a. Sworn employees of the Department of State Police, who have three or more years of continuous state service shall receive \$110 for each full year of service up to thirty years, effective August 10, 2020.				
b. Prior to effectuating the salary adjustment authorized in this paragraph, the base salary of all sworn officers of the State Police shall be increased by two percent, effective August 10, 2020.				
c. The Department of Human Resource Management shall adjust the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan as needed to effectuate the pay action in this paragraph.				
AA. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the first year from the general fund to provide a three percent bonus on December 1, 2020 year for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.				
BB. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the second year from the general fund to provide a three percent increase in base pay for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions, effective June 10, 2021.				
<i>CC. The Director of the Department of Planning and Budget shall withhold from general fund appropriations of state agencies and institutions of higher education, and transfer to this item, the amount of \$46,111,165 the first year representing the savings that will be realized from providing a premium holiday for members in the state employee health benefits program, including retirees and COBRA beneficiaries included in the state employee funding pool, for the two pay periods in December 2020.</i>				
<i>DD. Included in the appropriation for this item is \$1,031,287 from the general fund in the first year, which shall be made available to provide sworn officers of the Department of State Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.</i>				
<i>EE. Included in the appropriation for this item is \$44,675 from the general fund in the first year, which shall be made available to provide sworn officers of the Division of Capitol Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.</i>				
<i>FF. Included in the appropriation for this item is \$3,728,996 from the general fund in the first year, which shall be made available to provide corrections and law-enforcement staff of the Department of Corrections and the Department of Juvenile Justice, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.</i>				
<i>GG. Included in the appropriation for this item is \$625,985 from the general fund in the</i>				

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p><i>first year, which shall be made available to provide sworn officers of state agencies and higher education institutions, not otherwise included in paragraphs CC., DD., and EE., who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.</i></p> <p><i>HH. Included in the appropriation for this item is \$5,518,139 from the general fund in the first year, which shall be made available to provide sworn constitutional officers and their staffs, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers, a one-time bonus payment of \$500 on December 1, 2020.</i></p> <p><i>II. If within five days of the preliminary close of the fiscal year ending on June 30, 2021, the Comptroller's analysis determines that revenues met or exceeded the forecast and there is sufficient revenue, the Governor is authorized to appropriate \$97,756,001 the second year for the employee compensation actions included in paragraphs JJ., KK., and LL. below.</i></p> <p><i>JJ.1. Contingent on the provisions of paragraph II. above, \$79,804,059 from the general fund the second year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on April 1, 2021, and remain employed until at least August 24, 2021, a one-time bonus payment equal to \$1,500 on September 1, 2021.</i></p> <p><i>2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.</i></p> <p><i>3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.</i></p> <p><i>KK. Contingent on the provisions of paragraph II. above, \$2,408,099 the second year from the general fund is provided for a \$750 one-time bonus on September 1, 2021 for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.</i></p> <p><i>LL. Included in the contingent appropriation, \$15,543,843 from the general fund the second year is provided for a one-time bonus, equal to 1.5 percent of their base salary on September 1, 2021 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:</i></p> <p><i>1. Locally-elected constitutional officers;</i></p> <p><i>2. General Registrars and members of local electoral boards;</i></p> <p><i>3. Full-time employees of locally-elected constitutional officers; and,</i></p> <p><i>4. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.</i></p> <p><i>MM. If there is no downward revision to the general fund revenue estimate included in this act for fiscal year 2022 and such revenue estimate includes sufficient revenue to provide both (i) the bonus payments for state and state-supported employees provided in paragraphs JJ., KK. and LL. and (ii) a salary increase incentive for funded SOQ instructional and support positions in that fiscal year, the Governor shall include such salary increase incentive in his introduced budget for consideration by the 2021 General Assembly.</i></p>				
478.	Not set out.			
479.	Payments for Special or Unanticipated Expenditures (75800).....		\$6,769,500	\$5,519,500
			\$10,769,500	\$8,519,500

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Miscellaneous Contingency Reserve Account (75801).....	\$1,300,000 \$4,300,000	\$1,300,000 \$4,300,000		
Economic Development Assistance (75804).....	\$2,400,000	\$2,150,000		
Undistributed Support for Designated State Agency Activities (75806).....	\$3,069,500 \$4,069,500	\$2,069,500		
Fund Sources: General.....	\$6,769,500 \$10,769,500	\$5,519,500 \$8,519,500		

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed \$5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These indemnity payments will compensate growers, producers, and owners for a portion of the difference between the appraised value of each animal destroyed or slaughtered or animal product destroyed in order to control or eradicate an animal disease outbreak and the total of any salvage value plus any compensation paid by the federal government.

D. Out of the appropriation for this item is included \$1,000,000 the first year and \$1,000,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
1. To address the six conditions listed in § 4-1.03 c 5 of this act.				
2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities, services, and training which cannot be absorbed within agency appropriations including unbudgeted benefits associated with Workforce Transition Act requirements.				
3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.				
4. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.				
5. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year and \$1,000,000 the second year from the general fund amounts appropriated for the Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.5. of this Item.				
6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.				
7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.				
E. Included in this appropriation is \$300,000 the first year and \$300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 57, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 57, Paragraph B of this act.				
F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.				
G. Any unexpended balance remaining in this Item on June 30, 2020, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the current biennium. Any unexpended balance remaining in this Item on June 30, 2021, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.				
H.1. Out of this appropriation, \$1,000,000 the first year from the general fund shall be provided to the City of Richmond for the reimbursement of expenses incurred for the development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements. Any unexpended general fund balances remaining from the appropriation in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and reappropriated for its original purpose.				
2. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.				
3. The Department of General Services shall act as the fiscal agent for these funds. The director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs and The Director, Department of Planning and Budget, is authorized to transfer these funds to the				

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Department of General Services to implement this appropriation.

4. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act.

I.1. The Director, Department of Planning and Budget, is authorized to transfer any remaining balances originally appropriated in Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly, the first year, to the Department of State Police for unanticipated costs associated with mitigating security threats, information technology (IT) security gaps, and the data stored on IT systems used by the Department. The costs eligible for reimbursement shall be for information technology and telecommunications goods and services that have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

2.a. Notwithstanding the provisions of § 2.2-2011, Code of Virginia, the Department of State Police is authorized to procure, develop, operate, and manage the cyber security and management tools required to protect the information technology used by the Department that is defined as out-of-scope from the Virginia Information Technologies Agency pursuant to the Memorandum of Understanding (MOU) between the two agencies dated August 30, 2013. The Department of State Police shall be solely responsible for securing all aspects of information technology defined as out-of-scope in the current MOU.

b. Costs expended by the Department of State Police for cyber security and management tools shall be reimbursed by the Director, Department of Planning and Budget from unexpended funds provided in paragraph I.1. of this Item, after such expenses have been approved by the Chief Information Officer and determined to be in compliance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

3.a. The Superintendent of State Police shall develop and report to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance a detailed transition plan addressing the steps required for the Department of State Police to assume responsibility for the development, operation, and management of all of its information technology infrastructure and services. The Department of State Police is authorized to procure consulting services to assist in the development of the detailed transition plan. The Virginia Information Technologies Agency shall assist in the development and drafting of the detailed transition plan.

b. The report shall, at a minimum, include a detailed transition plan that: (i) identifies and evaluates anticipated transition timelines, tasks, activities, and responsible parties; (ii) identifies any one-time and ongoing costs of transitioning responsibility for information technology services from the Virginia Information Technologies Agency to the Department of State Police, including the estimated costs to obtain existing information technology assets or transition services from Northrop Grumman; (iii) identifies the ongoing costs of staffing, services, and contracts related to enterprise security and management tools, legacy system replacements or upgrades, construction or lease of facilities including data centers, labor costs and workload analyses, and training costs; (iv) identifies any other such factors deemed necessary for discussion as identified by the Superintendent of State Police or Chief Information Officer of the Commonwealth; (v) identifies necessary changes required to transition and modernize current statutes related to basic State Police communication systems consistent with the Criminal Justice Information Services Security Policy Version 5.5, or its successor; and (vi) provides a jointly developed and agreed upon MOU between the Department of State Police and the Virginia Information Technologies Agency that certifies the information.

c. Costs expended by the Department of State Police for the development of the detailed transition plan shall be reimbursed by the Director, Department of Planning and Budget from unexpended funds provided in paragraph I.1 of this item, after such expenses have been approved by the Chief Information Officer and determined to be in compliance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

d. The report and accompanying Memorandum shall be provided to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance as required by

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly. The Chief Information Officer of the Commonwealth shall review the report and provide an analysis of the detailed transition plan no later than 30 days after submission of the report to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance.			
	4. Any remaining balances as originally appropriated in Item 476 I.5., Chapter 836, 2017 Virginia Acts of Assembly, from the general fund are authorized to be transferred to reimburse the Department of State Police for costs associated with mitigating information technology security threats and gaps required to protect and manage out-of-scope information technology that is not addressed in paragraph 3.b. All such costs shall be eligible for reimbursement if they have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency. The Director, Department of Planning and Budget is authorized to release this funding following certification by the Chief Information Officer that these costs address cyber security threats and gaps, including upgrades to legacy applications to remediate audit findings by the Auditor of Public Accounts or Commonwealth Security and Risk Management.			
	J. Out of this appropriation, \$1,350,000 the first year and \$1,350,000 the second year from the general fund is provided to support the advancement of computer science education and implementation of the Commonwealth's new computer science standards across the public education continuum. These funds are intended to provide high quality professional development to current and future teachers; create, curate, and disseminate high quality computer science curriculum, instructional resources, and assessments; support summer and after-school computer science related programming for students; and facilitate meaningful career exposure and work-based learning opportunities in computer science fields for high school students. Funds shall be disbursed through a competitive grant process and shall prioritize at-risk students and schools. In consultation with the Secretary of Finance and the Secretary of Commerce and Trade, the Secretary of Education shall develop a process to award these funds in accordance with the provisions of this language, with the Governor providing final approval for distribution of the funds.			
	K.1. Out of this appropriation is included \$1,050,000 the first year and \$800,000 the second year from the general fund for the first two phases of the integration and enhancement of Virginia's workforce technology systems. The project will enable single sign-on access for users and the addition of new individual, organization, and community-level data from both current and future agency partners. To the maximum extent allowable under federal law, regulation, and guidance, functionality will be developed to automatically associate wage and licensure outcomes to participant records, enabling performance-driven management and contracting. The project will also support the development of shared customer-facing applications, analytic tools, and interfaces. All elements of this project will be conducted in coordination with the Chief Data Officer and Chief Workforce Development Advisor.			
	2. On or before November 1, 2020, the Chief Data Officer and Chief Workforce Development Advisor, with input from the Virginia Economic Development Partnership, shall submit a report detailing the progress of implementation for Phase I of this project among the four Titles of the Workforce Innovation and Opportunity Act and within the state's one-stop centers. This report shall also include a plan for sustaining Phase I and Phase II of the project, including the appropriate agency owner.			
	L. Out of this appropriation is included up to \$1,069,500 the first year and up to \$1,069,500 the second year from the general fund for the purpose of redistricting, which shall include expenses related to the Virginia Redistricting Commission if approved by voter referendum in the November, 2020 general election. The Department of Planning and Budget is authorized to transfer these amounts to the applicable state agency or agencies to support the purposes of redistricting, including supporting the Commission if approved.			
	M.1. Out of this appropriation, the Director of the Department of Planning and Budget is authorized to transfer an amount up to \$1,000,000 the first year and up to \$1,000,000 the second year to the Department of Emergency Management for evaluating, upgrading, and maintaining the Integrated Flood Observation and Warning System (IFLOWS). These funds may not be transferred until the requirements of Paragraph 2. of this Item have been fulfilled.			
	2. The State Coordinator of the Department of Emergency Management shall develop a plan that prioritizes a list of repairs, replacements, upgrades, and maintenance needs of IFLOWS			

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

systems. The Department is directed to provide a report that consists of, but is not limited to, detailed costs to address each project; a phased plan to fund the cost of upgrading, enhancing, and maintaining the systems, if feasible, giving priority to systems that require immediate replacement, repairs, and upgrades; and recommendations for offsetting the costs with federal grants and cost-sharing opportunities with localities that rely on IFLOWS. The report shall be submitted to the Secretary of Finance, the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance Committees no later than October 15, 2020.

N. On or before June 30, 2021, the Committee on Joint Rules shall authorize a reversion to the general fund of \$500,000 from the World War I and World War II Commemoration Commission (872) from fiscal year 2020 Commission balances.

O. On or before June 30, 2020, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of \$38,500,000 in unexpended general fund year end balances from budget program 722 originally appropriated in Item 476.10 of Chapter 1283 of the 2020 Acts of Assembly.

P. Out of this appropriation is included up to \$3,000,000 the first year and up to \$3,000,000 the second year from the general fund for the purpose of funding criminal justice reform legislation adopted by the General Assembly during 2020 Special Session I and not otherwise funded in this act.

Q. The appropriations in this item include \$1,000,000 from the general fund in the first year to conduct an independent, third-party investigation of the culture, traditions, policies, and practices of the Virginia Military Institute. The investigative team shall report its findings and recommendations to the State Council of Higher Education for Virginia. Investigative notes, draft reports, and other correspondence and information furnished in confidence with respect to this investigation are exempt from disclosure under the Virginia Freedom of Information Act, section 2.2-3700 et seq. of the Code of Virginia.

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

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

23. Records Management and Reporting

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

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

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

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

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

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

B. Apportionment

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

Item	Amount Appropriated as of 7/1/2020
<i>Allocations to Localities</i>	<i>\$1,289,146,766</i>
<i>FY20 Agency-based Requests</i>	<i>\$80,480,698</i>
<i>DGS - Consolidated Labs</i>	<i>\$6,052,673</i>
<i>DHCD - Emergency Housing for Homeless</i>	<i>\$8,828,998</i>
<i>DHCD - Mortgage and Rental Assistance</i>	<i>\$50,000,000</i>
<i>DMAS - Long-term care facilities</i>	<i>\$55,640,872</i>
<i>DMAS - PPE for Personal Care Attendants</i>	<i>\$9,256,178</i>
<i>DSBSD - Small business assistance grants</i>	<i>\$70,000,000</i>
<i>DSS - Food security - Expand emergency food supply package</i>	<i>\$650,000</i>
<i>VDACS - Food security - Agriculture surplus & emergency food</i>	<i>\$1,211,953</i>
<i>VDEM - Food security - 1 million MREs</i>	<i>\$2,000,000</i>
<i>VDEM - PPE</i>	<i>\$97,000,000</i>
<i>VDEM - Testing</i>	<i>\$42,338,400</i>
<i>VDEM - Other</i>	<i>\$33,722,001</i>
<i>VDH - Contract tracing/UVA Equipment</i>	<i>\$59,157,614</i>
<i>VDH - Replace deficit authorization</i>	<i>\$3,291,300</i>
Total	<i>\$1,808,777,453</i>

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

Item	Amount
<i>SCC - Direct Utility Assistance to Customers</i>	<i>\$100,000,000</i>
<i>DHCD - Emergency Housing for Homeless</i>	<i>\$3,000,000</i>
<i>DOC - PPE, medical observation units, overtime</i>	<i>\$7,700,000</i>
<i>Elections - Voter safety for November election - cleaning, personal protective equipment, additional pay for election day workers, drop boxes</i>	<i>\$10,000,000</i>
<i>DMAS - Additional hospital reimbursements for eligible COVID-19 costs</i>	<i>\$60,000,000</i>

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
			\$72,000,000	
			\$25,000,000	
			\$120,000,000	
			\$4,500,000	
			\$220,798,208	
			\$60,000,000	
			\$16,600,000	
			\$7,000,000	
			\$42,112,285	
			\$71,829,059	
			\$60,000,000	
			\$16,010,500	
			\$5,000,000	
			\$37,000,000	
			\$12,000,000	
			\$30,000,000	
			\$210,000,000	
			\$10,000,000	
			\$10,000,000	
			\$1,298,038	
			\$2,800,000	
			\$566,309	
			\$1,215,214,399	

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

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

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	submit its reimbursement request. If amounts requested exceed the \$4,500,000, the requests shall be proportionally prorated.			
	<p>5.a. The appropriation in this item includes \$100,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to be used to help provide direct assistance to customers with accounts over 30 days in arrears. In order to be eligible for the funds provided in this paragraph, utilities must be subject to the utility disconnection moratorium established in Item 4-14, clause 7.a. of this act. The State Corporation Commission shall establish an application process in order to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. The Commission shall award funds in a manner that will provide direct assistance to customers with accounts over 60 days in arrears prior to awarding funds to subsidize customer accounts 30 days in arrears. Any federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) provided to a phase II utility pursuant to this paragraph shall exclude the forgiveness of jurisdictional customer balances as specified in Item 4-14, clause 7, paragraph j. of this act. The State Corporation Commission shall transfer any dollars necessary to address the arrearages held by customers of utilities outside the jurisdiction of the Commission to the Department of Housing and Community to pass along to these utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph 5.a. establishing the utility direct assistance program shall not be subject to the Administrative Process Act.</p> <p>b. Upon receipt of any funds provided in paragraph 5.a., utilities shall create separate COVID-19 Utility Assistance Funds and record direct assistance payments to customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in paragraph 5.a. to new deposits, down payments, fees, late fees, interest charges, or penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency prior to receiving direct assistance from the utility's COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it may be implied that arrearages accrued over 30 days for customer nonpayment of bills, for which federal relief funds shall be used for direct subsidy payments on behalf of customers pursuant to Item 4-14, paragraph d. of this act., were incurred as a financial hardship created by the pandemic. Utilities shall reflect the direct assistance payment on an eligible customer's monthly bill, after the funds are applied to the customer's account. Utility customers may only receive a direct payment subsidy from the utility's COVID-19 Utility Assistance Fund once.</p> <p>c. The Director of the Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. Prior to any distribution from the amounts appropriated in paragraph 5.a. of this item, the Director of the Department of Planning and Budget shall work with the State Corporation Commission and the Department of Housing and Community Development to verify, which utilities that are eligible to receive funds under this appropriation based on the most recently published guidance from the United States Department of the Treasury. For the purposes of this appropriation, utilities include electric companies subject to regulation of the State Corporation Commission, natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility. "Municipal utility" means a utility providing electric, gas, water, or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.</p> <p>6. The appropriation in this item includes \$10,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to support additional costs anticipated for the November 3, 2020 General Election. The Commissioner of the Department of Elections shall distribute these funds directly to offices of general registrars based on population or need within 30 days of the passage of this act. General registrars may use these funds for printing of additional ballots and envelopes; additional mailing or postage costs; additional voting equipment; installation and security for absentee or mail drop-boxes; temporary elections office staffing; cleaning supplies and protective equipment for staff and poll workers; pre-and post-election cleaning of polling places; additional laptops and mobile equipment; additional automated letter opening equipment; public communication campaigns on voting changes;</p>			

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<i>and other such items that support voter safety during the COVID-19 pandemic.</i>			
	<i>7. The appropriation in this item includes \$3,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to continue to provide emergency housing for homeless populations. This is in addition to the \$8,828,998 that was previously allocated to support this program using the Coronavirus Relief Funds cited in paragraph B.1. of this item.</i>			
	<i>8. The appropriation in this item includes \$210,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to provide additional support for the Virginia's Unemployment Insurance program. The Governor or his designee shall work with the Virginia Employment Commission to determine the best use of these funds. The Secretary of Commerce and Trade shall provide the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee a status report on the deployment of these funds by January 1, 2021.</i>			
	<i>9. The appropriation in this item includes \$60,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to assist with the operations of state government. This includes (i) funds to help state agencies comply with the Center for Disease Control and Prevention's and the Department of Labor and Industry's regulations for workplace safety during the COVID-19 pandemic, (ii) funds to help state agencies with increased costs for teleworking, and (iii) funds to help state agencies in acquiring PPE and sanitizing facilities. The Director of the Department of Planning and Budget shall within 30 days of the passage of this act solicit and fund requests from state agencies across all three branches of government to help cover increased expenses due to teleworking, PPE acquisition, sanitizing state facilities and retrofitting state owned buildings to comply with COVID-19 safety measures.</i>			
	<i>10. The appropriation in this item includes \$7,700,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the costs for the purchase of personal protective equipment, establishment and operation of medical observation units, overtime costs, and other eligible expenses of the Department of Corrections.</i>			
	<i>11. The appropriation in this item includes \$37,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the provision of technical assistance to local governments, the conduct of a public awareness and education campaign and other preparedness activities by the Department of Emergency Management.</i>			
	<i>12. The appropriation in this item includes \$220,798,208 the first year to be distributed to school divisions to assist with costs associated with the COVID-19 emergency, including but not limited to costs associated with implementing social distancing measures, providing distance learning, and providing computer equipment and internet access to students. In expending such funds, school divisions shall comply with federal CARES Act requirements and the most recently published United States Treasury Department guidance for the Coronavirus Relief Fund.</i>			
	<i>13. The appropriation in this item includes \$60,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs that have not been reimbursed through other federal relief programs available for this purpose in calendar year 2020. The Department shall have the authority to implement such payments in the most efficient and expeditious manner prior to the completion of any regulatory process to effect such changes.</i>			
	<i>14. The appropriation in this item includes \$72,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance Services for hazard pay for consumer directed and agency directed personal care attendants who provide Medicaid personal care, respite or companion care services in the amount of \$1,500 per personal care attendant. The Department shall have the authority to implement such payments prior to the completion of any regulatory process to effect such changes.</i>			
	<i>15. The appropriation in this item includes \$25,000,000 the first year from Coronavirus</i>			

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

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

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

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

b. Out of this appropriation \$16,600,000 is provided for the Department of Social Services to contract with local partners to provide support to school divisions, local governments, and other entities, including religious institutions and community centers, for the provision of space to increase local capacity to provide care for school-age children, purchase personal protective equipment (PPE) and cleaning supplies, and provide a stable financial environment for the operation of these programs. School divisions, local governments, and local departments of social services shall cooperate with local partners receiving these funds to maximize the number of school-age children served. In addition, local partners are encouraged to use these funds to support a diverse set of providers with these funds including existing child day centers, family day homes, religious institutions, and other organizations seeking to provide such services. These funds shall be used prior to the expenditures of general fund amounts provided for this purpose as set forth in Item 350 of this act.

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

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

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

B. C. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to ~~House Bill 881 and Senate Bill 971~~ of the 2020 Session of the General Assembly § 2.2-115.1 of the Code of Virginia. The Governor shall appropriate an amount up to \$95,227,730 the first year from the COVID-19 Relief Fund for COVID-19 Local Relief Payments to be distributed to school divisions as provided in Item 145. ~~Such~~ Any additional appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, ~~i~~ *i*) assistance for public education, ~~ii~~ *ii*) relief to small businesses, ~~iii~~ *iii*) assistance for housing and homelessness, ~~iv~~ *iv*) assistance for long term care facilities, and ~~v~~ *v*) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a ~~quarterly~~ *quarterly* monthly basis: *(i) the uses of the COVID-19 Relief fund, (ii) the total amount deposited to the COVID-19 Relief Fund, and (iii) the amount of skill game*

ITEM 479.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

revenues distributed to each locality pursuant to enactment clause 2 of Chapters 1217 and 1277, 2020 Acts of Assembly.

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

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

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

G. If, as of December 1, 2020, the Governor determines that any of the amounts outlined in paragraphs B.1. through B.18. of this item cannot be spent for the purposes outlined in such subparagraphs, he shall have the authority to shift unspent allocations to any other purpose outlined in paragraph B. If, as of December 18, 2020, the Governor reports unspent allocations remain, all such amounts shall be transferred to Unemployment Compensation Fund established pursuant to § 60.2-300. However, if Congress extends the expiration date for the use of Coronavirus Relief Funds, then the date by which the Governor shall be allowed to shift allocations is 30 days prior to the new expiration date for the use of the federal funds and any remaining unallocated funds as of 12 days prior to the expiration date shall be allocated to the Unemployment Compensation Fund.

480. Not set out.

481. Not set out.

482. Not set out.

482-10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Provide funding for Slavery and Freedom Heritage Site in Richmond	\$1,000,000	\$0
Upgrade the Integrated Flood Observation and Warning System (IFLOWS)	\$1,000,000	\$1,000,000
Compensation Actions for State Employees and State-Supported Locals	\$118,087,286	\$146,766,525
Adjust general fund support to agencies for increased internal service fund rates	\$161,465	\$223,189

ITEM 482.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Reduce state employee retiree health insurance credit amortization period	\$3,881,799			\$4,050,565
Adjust funding to agencies for information technology auditors and security officers	\$180,746			\$180,746
Adjust funding for changes in the cost of rent for enhanced security	\$1,742,906			\$2,518,778
Agency Total	\$126,054,202			\$154,739,803

482.20	Miscellaneous Reversion Clearing Account (22600)...			(\$687,159,119)	(\$1,048,408,517)
	Designated Reversions from Agency Appropriations (22601).....	(\$687,159,119)	(\$1,048,408,517)		
	Fund Sources: General.....	(\$687,159,119)	(\$1,048,408,517)		

Authority: Discretionary Inclusion

A.1. It is the intent of the General Assembly to reduce appropriations to recognize the loss of general fund revenue associated with the COVID-19 pandemic. To accomplish savings estimated at \$687,159,119 from the general fund the first year and \$1,048,408,517 from the general fund the second year, and notwithstanding other provisions set forth in this Act, the Department of Planning and Budget is hereby authorized to reduce general fund appropriations by the amounts listed below in subparagraph 2 and to transfer such amounts to this item from the general fund appropriations of each agency associated with the savings listed in subparagraph 2 below. Further, notwithstanding the provisions of this Act, any language associated with an appropriation listed in subparagraph 2 below shall not be applicable unless, after such reduction, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the amounts listed in subparagraph 2 below shall have no effect:

2. Savings and totals by agency associated with the reduction of certain spending items included in Chapter 1289, 2020 Acts of Assembly:

	FY 2021	FY 2022
General District Courts (114)		
Fund additional district court clerk positions	(\$4,307,758)	\$0
Fund additional judgeship for 19th Judicial District	(\$161,718)	\$0
General District Courts (114) Total	(\$4,469,476)	\$0
Indigent Defense Commission (848)		
Provide funding for additional public defenders	(\$2,849,044)	\$0
Indigent Defense Commission (848) Total	(\$2,849,044)	\$0
Virginia State Bar (117)		
Additional funding to hire additional housing attorneys to combat Virginia's housing crisis	(\$1,500,000)	(\$1,500,000)
Virginia State Bar (117) Total	(\$1,500,000)	(\$1,500,000)
Compensation Board (157)		
Additional funding for Statewide Automated Victim Network System (SAVIN)	(\$600,000)	(\$600,000)
Adjust entry-level salary increases for regional jail officers	(\$2,668,059)	(\$2,910,609)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Adjust salary for circuit court clerks</i>	(\$1,820,339)			(\$1,985,824)
<i>Adjust salary of constitutional office staff based on increases in locality population</i>	(\$260,230)			(\$260,230)
<i>Establish a minimum of three staff in each Circuit Court Clerk's office</i>	(\$358,578)			(\$391,176)
<i>Fund 25 percent of the staffing need in Sheriffs' offices</i>	(\$979,399)			(\$1,113,082)
<i>Fund 25 percent of the staffing need in the Commonwealth's Attorneys offices</i>	(\$1,350,989)			(\$1,433,928)
<i>Fund position to address agency information technology needs</i>	(\$119,775)			(\$119,775)
<i>Provide salary adjustment for Commissioners of Revenue</i>	(\$950,656)			(\$1,037,069)
<i>Provide salary adjustment for Treasurers' offices</i>	(\$821,028)			(\$1,642,054)
<i>Provide technology funding to Circuit Court Clerks' offices</i>	(\$1,000,000)			(\$1,000,000)
Compensation Board (157) Total	(\$10,929,053)			(\$12,493,747)
Department of Elections (132)				
<i>Increase funding for the salaries of state-supported local employees</i>	(\$2,534,575)			(\$2,534,575)
Department of Elections (132) Total	(\$2,534,575)			(\$2,534,575)
Department of Agriculture and Consumer Services (301)				
<i>Enhance economic growth and food safety in the Commonwealth</i>	(\$267,201)			(\$256,701)
<i>Fulfill Virginia's phase III watershed implementation plan</i>	(\$240,021)			(\$185,021)
<i>Holiday Lake 4-H Center Improvements Project</i>	(\$250,000)			\$0
Department of Agriculture and Consumer Services (301) Total	(\$757,222)			(\$441,722)
Department of Forestry (411)				
<i>Establish apprenticeship program</i>	(\$51,888)			(\$51,888)
<i>Establish hardwood forest habitat program</i>	(\$154,000)			(\$521,842)
<i>Fulfill Virginia's phase III watershed implementation plan</i>	(\$433,016)			(\$433,016)
<i>Plan for replacement of the agency's mission critical business system</i>	(\$44,250)			\$0
Department of Forestry (411) Total	(\$683,154)			(\$1,006,746)
Economic Development Incentive Payments (312)				
<i>Provide additional funding for the Governor's Motion Picture Opportunity Fund</i>	(\$1,000,000)			(\$1,000,000)
<i>Support the Virginia Jobs Investment Program</i>		\$0		(\$2,000,000)
Economic Development Incentive Payments (312) Total	(\$1,000,000)			(\$3,000,000)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Department of Housing and Community Development (165)				
Affordable Housing Pilot Program	(\$2,000,000)			\$0
Establish an Eviction Prevention and Diversion Pilot Program		\$0		(\$3,300,000)
Increase funding for Enterprise Zone Grants	(\$250,000)			(\$250,000)
Increase funding for the Southeast Rural Community Assistance Project	(\$600,000)			(\$600,000)
Increase support for Planning District Commissions	(\$294,000)			(\$294,000)
Industrial Revitalization Fund	(\$500,000)			(\$500,000)
Department of Housing and Community Development (165) Total	(\$3,644,000)			(\$4,944,000)
Department of Labor and Industry (181)				
Provide funding to support compliance positions in the Virginia Occupational Safety and Health program	(\$1,483,850)			(\$1,483,850)
Department of Labor and Industry (181) Total	(\$1,483,850)			(\$1,483,850)
Department of Small Business and Supplier Diversity (350)				
Provide funding to establish a statewide strategic sourcing unit	(\$370,565)			(\$741,130)
Department of Small Business and Supplier Diversity (350) Total	(\$370,565)			(\$741,130)
Virginia Economic Development Partnership (310)				
Expand the Custom Workforce Incentive Program		\$0		(\$4,679,613)
Expand the Virginia Business Ready Sites Program	(\$12,500,000)			\$0
Virginia Economic Development Partnership (310) Total	(\$12,500,000)			(\$4,679,613)
Virginia Tourism Authority (320)				
Increase funding for the Virginia Coalfield Regional Tourism Authority	(\$100,000)			(\$100,000)
Provide funding for Birthplace of Country Music expansion	(\$50,000)			\$0
Virginia Tourism Authority (320) Total	(\$150,000)			(\$100,000)
Department of Education, Central Office Operations (201)				
Address increased workload in the Office of Teacher Education and Licensure	(\$136,514)			(\$136,514)
Develop the Virginia Learner Equitable Access Platform (VA LEAP)		\$0		(\$7,131,000)
Increase support for Virginia Preschool Initiative class observations and professional development	(\$650,000)			(\$650,000)
Support annual Education Equity Summer Institute	(\$135,000)			(\$135,000)
Department of Education, Central Office	(\$921,514)			(\$8,052,514)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Operations (201) Total				
Direct Aid to Public Education (197)				
Active Learning grants	(\$250,000)			\$0
Alleghany-Covington consolidation		\$0		(\$582,000)
Blue Ridge PBS	(\$150,000)			(\$500,000)
Bonder and Amanda Johnson	(\$100,000)			\$0
Community Development Corporation				
Brooks Crossing Innovation and Opportunity Center	(\$250,000)			(\$250,000)
Chesterfield Recovery High School	(\$250,000)			(\$250,000)
Cost of Competing Adjustment	(\$9,555,229)			(\$9,968,849)
Enrollment loss	(\$2,540,119)			(\$2,102,530)
Expand access to school meals	(\$2,800,000)			(\$1,200,000)
Increase salaries for funded Standards of Quality instructional and support positions	(\$94,731,247)			(\$192,502,898)
Increase support for at-risk students	(\$26,164,313)			\$0
Increase support for Communities in Schools	(\$760,000)			(\$760,000)
Increase support for Jobs for Virginia Graduates		\$0		(\$1,670,000)
Literacy Lab - VPI Minority Educator Fellowship	(\$300,000)			\$0
Maximize pre-kindergarten access for at-risk three- and four-year-old children	(\$35,027,435)			(\$11,122,649)
Provide no loss funding to localities	(\$1,776,174)			(\$1,973,585)
Recruit and retain early childhood educators		\$0		(\$5,000,000)
Soundscapes - Newport News	(\$90,000)			\$0
Support the Western Virginia Public Education Consortium	(\$50,000)			(\$50,000)
YMCA Power Scholars Academies	(\$450,000)			(\$450,000)
Direct Aid to Public Education (197) Total	(\$175,244,517)			(\$228,382,511)
State Council of Higher Education for Virginia (245)				
Add funding for VIVA		\$0		(\$400,000)
Increase appropriation for internship program	(\$300,000)			(\$1,300,000)
Increase funding for Virginia Military Survivors & Dependent Education Program	(\$750,000)			(\$750,000)
Increase funding for Virginia Tuition Assistance Grant Program (TAG)	(\$4,100,000)			(\$7,900,000)
Provide funding for cost study	(\$150,000)			(\$150,000)
Provide funding for Grow Your Own Teacher program	(\$125,000)			(\$125,000)
Provide funding for Guidance to Postsecondary Success	(\$250,000)			(\$250,000)
Provide funding for the Virginia Earth System Scholars program	(\$220,375)			(\$220,375)
Provide funding for Title IX training	(\$100,000)			(\$100,000)
State Council of Higher Education for	(\$5,995,375)			(\$11,195,375)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Virginia (245) Total				
Christopher Newport University (242)				
Increase undergraduate student financial assistance		(\$249,600)		(\$249,600)
Christopher Newport University (242) Total		(\$249,600)		(\$249,600)
The College of William and Mary in Virginia (204)				
CWM - Graduate Aid (Research)		(\$79,400)		(\$119,300)
Increase undergraduate student financial assistance		(\$133,000)		(\$133,000)
The College of William and Mary in Virginia (204) Total		(\$212,400)		(\$252,300)
Richard Bland College (241)				
Increase undergraduate student financial assistance		(\$154,400)		(\$154,300)
RBC - Compliance, Accreditation and Student Success		(\$708,000)		(\$708,000)
Richard Bland College (241) Total		(\$862,400)		(\$862,300)
Virginia Institute of Marine Science (268)				
Fund saltwater fisheries survey		(\$250,000)		(\$250,000)
VIMS - Graduate Aid (Research)		(\$53,400)		(\$80,000)
VIMS - Manage Aquatic Diseases		(\$225,000)		(\$225,000)
Virginia Institute of Marine Science (268) Total		(\$528,400)		(\$555,000)
George Mason University (247)				
Increase undergraduate student financial assistance		(\$6,945,000)		(\$6,944,900)
Provide additional funding to support enrollment growth		\$0		(\$5,000,000)
Provide funding to support graduate financial aid		(\$53,400)		(\$80,000)
George Mason University (247) Total		(\$6,998,400)		(\$12,024,900)
James Madison University (216)				
Increase undergraduate student financial assistance		(\$1,279,400)		(\$1,279,400)
James Madison University (216) Total		(\$1,279,400)		(\$1,279,400)
Longwood University (214)				
Develop a 2 2 degree pathway in Early Childhood Education		(\$137,410)		(\$137,410)
Increase undergraduate student financial assistance		(\$787,400)		(\$787,400)
Longwood University (214) Total		(\$924,810)		(\$924,810)
Norfolk State University (213)				
Ensure continuation of Spartan Pathways		\$0		(\$150,000)
Implement academic advising model		\$0		(\$300,000)
Implement UTeach program		\$0		(\$250,000)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Increase storage and expand information technology services</i>		\$0		(\$2,500,000)
<i>Increase undergraduate student financial assistance</i>	(\$1,632,200)			(\$1,632,200)
<i>Launch Virginia College Affordability Network initiative</i>		\$0		(\$4,872,765)
<i>NSU - Center for African American Policy</i>		\$0		(\$250,000)
<i>Support First-Day Success program</i>		\$0		(\$75,000)
Norfolk State University (213) Total	(\$1,632,200)			(\$10,029,965)
Old Dominion University (221)				
<i>Increase undergraduate student financial assistance</i>	(\$5,337,000)			(\$5,337,000)
<i>Provide additional funding to support enrollment growth</i>		\$0		(\$5,000,000)
<i>Provide funding to support graduate financial aid</i>	(\$165,800)			(\$248,600)
<i>Support Virginia Symphony Orchestra minority fellowships</i>	(\$250,000)			(\$250,000)
Old Dominion University (221) Total	(\$5,752,800)			(\$10,835,600)
Radford University (217)				
<i>Increase undergraduate student financial assistance</i>	(\$2,538,400)			(\$2,538,400)
<i>Provide funding to reduce tuition at Carilion Campus in Roanoke</i>	(\$2,000,000)			(\$4,000,000)
Radford University (217) Total	(\$4,538,400)			(\$6,538,400)
University of Mary Washington (215)				
<i>Fredericksburg Pipeline Initiative</i>	(\$386,500)			(\$568,000)
<i>Increase undergraduate student financial assistance</i>	(\$470,400)			(\$470,300)
University of Mary Washington (215) Total	(\$856,900)			(\$1,038,300)
University of Virginia (207)				
<i>Fund Virginia Humanities Curriculum and Humanities Ambassadors</i>	(\$500,000)			(\$500,000)
<i>Increase undergraduate student financial assistance</i>	(\$320,400)			(\$320,300)
<i>Provide funding to support graduate financial aid</i>	(\$222,800)			(\$334,200)
University of Virginia (207) Total	(\$1,043,200)			(\$1,154,500)
University of Virginia's College at Wise (246)				
<i>Increase undergraduate student financial assistance</i>	(\$402,800)			(\$402,700)
University of Virginia's College at Wise (246) Total	(\$402,800)			(\$402,700)
Virginia Commonwealth University (236)				
<i>Increase undergraduate student financial assistance</i>	(\$4,638,400)			(\$4,638,400)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Provide additional funding to support Massey Cancer Center</i>		(\$7,500,000)		(\$2,500,000)
<i>Provide additional funding to support the Center on Aging</i>		(\$100,000)		(\$100,000)
<i>Provide additional funding to support the Education Policy Institute</i>		(\$300,000)		(\$300,000)
<i>Provide funding to support the Wilder School of Government</i>		(\$250,000)		(\$250,000)
<i>Provide graduate financial aid</i>		(\$140,400)		(\$210,700)
Virginia Commonwealth University		(\$12,928,800)		(\$7,999,100)
(236) Total				
Virginia Community College System				
(260)				
<i>Fund collaboration with Portsmouth Public Schools' Minority & Women Business Enterprise Advisory Committee</i>		(\$386,746)		(\$386,746)
<i>Fund hospitality apprenticeship program</i>		(\$250,000)		(\$250,000)
<i>Fund Hub for Innovation, Virtual Reality, and Entrepreneurship</i>		(\$1,000,000)		\$0
<i>Fund VWCC Healthcare Programs from RUC Merger</i>		\$0		(\$385,177)
<i>Implement the Get Skilled, Get a Job, Give Back program</i>		(\$36,000,000)		(\$35,000,000)
<i>Increase undergraduate student financial assistance</i>		(\$2,271,000)		(\$2,271,000)
<i>Provide funding for health science and technology pilot</i>		\$0		(\$350,000)
<i>Provide general operating support</i>		(\$4,000,000)		(\$4,000,000)
Virginia Community College System		(\$43,907,746)		(\$42,642,923)
(260) Total				
Virginia Military Institute (211)				
<i>Core Leadership course</i>		(\$100,047)		(\$103,048)
<i>Increase undergraduate student financial assistance</i>		(\$26,800)		(\$26,700)
<i>Math Education and Miller Academic Centers</i>		(\$122,500)		(\$126,000)
Virginia Military Institute (211) Total		(\$249,347)		(\$255,748)
Virginia Polytechnic Institute and State University (208)				
<i>Increase undergraduate student financial assistance</i>		(\$1,623,200)		(\$1,623,200)
<i>Provide funding to support graduate financial aid</i>		(\$284,800)		(\$427,200)
Virginia Polytechnic Institute and State University (208) Total		(\$1,908,000)		(\$2,050,400)
Virginia Cooperative Extension and Agricultural Experiment Station (229)				
<i>Provide funding to support the Richmond County Extension Agent</i>		(\$50,000)		(\$50,000)
Virginia Cooperative Extension and Agricultural Experiment Station (229) Total		(\$50,000)		(\$50,000)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Virginia State University (212)				
Expand Supplemental Instructional program		\$0		(\$320,000)
Implement Summer Bridge program		\$0		(\$442,350)
Implement UTeach program		\$0		(\$250,000)
Increase undergraduate student financial assistance	(\$1,477,000)			(\$1,477,000)
Launch Virginia College Affordability Network		\$0		(\$4,872,765)
Provide funding for data center modernization		\$0		(\$144,000)
Support Intrusive Advising Early Warning System		\$0		(\$150,000)
Virginia State University (212) Total	(\$1,477,000)			(\$7,656,115)
Cooperative Extension and Agricultural Research Services (234)				
Increase funding for state match		\$0		(\$1,535,054)
Cooperative Extension and Agricultural Research Services (234) Total		\$0		(\$1,535,054)
Jamestown-Yorktown Foundation (425)				
Commemoration closeout costs	(\$442,870)			(\$8,702)
Education Programs	(\$491,200)			(\$345,100)
Marketing and tourism promotion	(\$208,000)			(\$245,000)
One-time funding for site infrastructure	(\$167,113)			\$0
Jamestown-Yorktown Foundation (425) Total	(\$1,309,183)			(\$598,802)
The Library Of Virginia (202)				
Increase aid to local libraries	(\$1,000,000)			(\$1,000,000)
Provide funding for Virginia's Centennial Commemoration of Women's Suffrage	(\$95,000)			\$0
Provide funding to expedite release of gubernatorial records		\$0		(\$400,000)
The Library Of Virginia (202) Total	(\$1,095,000)			(\$1,400,000)
The Science Museum of Virginia (146)				
Security upgrades.	(\$210,000)			(\$210,000)
The Science Museum of Virginia (146) Total	(\$210,000)			(\$210,000)
Virginia Commission for the Arts (148)				
Increase support for grants	(\$1,645,886)			(\$2,645,886)
Virginia Commission for the Arts (148) Total	(\$1,645,886)			(\$2,645,886)
Virginia Museum of Fine Arts (238)				
Provide funding for storage lease costs and IT upgrades	(\$400,000)			(\$400,000)
Virginia Museum of Fine Arts (238) Total	(\$400,000)			(\$400,000)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Eastern Virginia Medical School (274)</i>				
<i>Provide base operating support</i>		(\$625,000)		(\$625,000)
<i>Eastern Virginia Medical School (274)</i>		(\$625,000)		(\$625,000)
<i>Total</i>				
<i>New College Institute (938)</i>				
<i>Provide additional support for staffing</i>		(\$95,000)		(\$95,000)
<i>New College Institute (938) Total</i>		(\$95,000)		(\$95,000)
<i>Institute for Advanced Learning and Research (885)</i>				
<i>Add funding for staffing</i>		(\$95,000)		(\$95,000)
<i>Institute for Advanced Learning and Research (885) Total</i>		(\$95,000)		(\$95,000)
<i>Roanoke Higher Education Authority (935)</i>				
<i>Academic student success center.</i>		(\$213,254)		(\$146,356)
<i>Security and safety.</i>		(\$98,817)		(\$47,944)
<i>Roanoke Higher Education Authority (935) Total</i>		(\$312,071)		(\$194,300)
<i>Southern Virginia Higher Education Center (937)</i>				
<i>Personnel & Technical Training</i>		(\$293,972)		(\$95,000)
<i>Equipment</i>				
<i>Southern Virginia Higher Education Center (937) Total</i>		(\$293,972)		(\$95,000)
<i>Southwest Virginia Higher Education Center (948)</i>				
<i>Add funding for staffing</i>		(\$95,000)		(\$95,000)
<i>Provide funding for Rural IT Apprenticeship Program</i>		(\$500,000)		(\$500,000)
<i>Southwest Virginia Higher Education Center (948) Total</i>		(\$595,000)		(\$595,000)
<i>Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC (936)</i>				
<i>Leverage the Center for Nuclear Femtography</i>		(\$250,000)		(\$250,000)
<i>Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC (936) Total</i>		(\$250,000)		(\$250,000)
<i>In-State Undergraduate Tuition Moderation (980)</i>				
<i>Tuition moderation</i>		(\$54,750,000)		(\$25,000,000)
<i>In-State Undergraduate Tuition Moderation (980) Total</i>		(\$54,750,000)		(\$25,000,000)
<i>Department of Accounts Transfer Payments (162)</i>				
<i>Provide funding for a voluntary deposit to</i>		\$0		(\$300,000,000)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>the Revenue Reserve Fund</i>				
Department of Accounts Transfer		\$0		(\$300,000,000)
Payments (162) Total				
Department of the Treasury (152)				
<i>Increase funding for a new position in the Cash Management and Investments Division</i>	(\$100,003)			(\$109,093)
Department of the Treasury (152) Total	(\$100,003)			(\$109,093)
Children's Services Act (200)				
<i>Increase training funds for the Children's Services Act</i>	(\$50,000)			(\$50,000)
Children's Services Act (200) Total	(\$50,000)			(\$50,000)
Department of Health (601)				
<i>Add funding and a position for a wastewater infrastructure manager</i>	(\$131,880)			(\$131,880)
<i>Add funding for a data management system for Virginia's Drinking Water Program</i>	(\$150,000)			(\$250,000)
<i>Add funding for building Office of Health Equity infrastructure and capacity</i>	(\$150,000)			(\$150,000)
<i>Add funding for community health workers - two year pilot</i>		\$0		(\$289,168)
<i>Adds positions for the Shellfish Safety Division</i>	(\$168,270)			(\$168,270)
<i>Establish Behavioral Health Loan Repayment Program</i>	(\$1,600,000)			(\$1,600,000)
<i>Establish Nursing Preceptor Incentive Program</i>	(\$500,000)			(\$500,000)
<i>Establish Sickle Cell Patient Assistance Program</i>	(\$250,000)			(\$250,000)
<i>Establish the Virginia Sexual and Domestic Violence Prevention Fund</i>	(\$750,000)			(\$750,000)
<i>Fund Behavioral Health Loan Repayment Program and Nursing Preceptor Incentive Position</i>	(\$88,914)			(\$88,914)
<i>Increase general fund and nongeneral fund appropriation related to the EPA Drinking Water State Revolving Fund grant</i>	(\$482,400)			(\$482,400)
<i>Increase Hampton Roads Proton Therapy Institute funding</i>	(\$1,500,000)			(\$1,500,000)
<i>Increase support for poison control centers</i>	(\$1,500,000)			\$0
<i>Increase support for Special Olympics Virginia</i>	(\$10,000)			(\$10,000)
<i>Increases in rent for Local Health Department facilities</i>	(\$75,889)			(\$75,889)
<i>Support a position at the Mel Leaman Free Clinic</i>	(\$30,000)			(\$30,000)
Department of Health (601) Total	(\$7,387,353)			(\$6,276,521)
Department of Medical Assistance Services (602)				

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Add Medicaid Adult Dental Benefits</i>	(\$8,743,420)			(\$7,818,096)
<i>Allow FAMIS MOMS to access substance use disorder treatment in an institution for mental disease</i>	(\$307,500)			(\$356,775)
<i>Allow Overtime for Personal Care Attendants</i>	(\$6,399,753)			\$0
<i>Eliminate 40 quarter work requirement for legal permanent residents</i>	(\$879,068)			\$0
<i>Enhance behavioral health services</i>	(\$3,028,038)			\$0
<i>Exempt Live-in Caretakers from EVV Program</i>	(\$507,500)			(\$373,000)
<i>Expand opioid treatment services</i>	(\$421,476)			(\$1,273,633)
<i>Expand Tobacco Cessation Coverage</i>	(\$34,718)			(\$34,718)
<i>Extend FAMIS MOMS' postpartum coverage to 12 months</i>	(\$836,202)			\$0
<i>Fund costs of Medicaid-reimbursable STEP-VA services</i>	(\$486,951)			(\$2,293,826)
<i>Fund home visiting services</i>	\$0			(\$11,750,159)
<i>Fund Managed Care Contract Changes</i>	(\$812,600)			(\$1,014,350)
<i>Implement episodic payment models for certain conditions</i>	(\$75,957)			(\$124,707)
<i>Increase DD Waiver Provider Rates Using Updated Data</i>	(\$10,697,610)			\$0
<i>Increase Developmental Disability (DD) waiver rates</i>	(\$3,639,663)			\$0
<i>Increase Medicaid Nursing Facility Reimbursement</i>	(\$6,794,541)			\$0
<i>Increase Medicaid Rates for Anesthesiologists</i>	(\$253,376)			\$0
<i>Increase mental health provider rates</i>	(\$2,374,698)			\$0
<i>Increase Payment Rate by 9.5% for Nursing Homes with Special Populations</i>	(\$493,097)			(\$506,903)
<i>Increase Rate for Adult Day Health Care</i>	(\$796,755)			(\$833,109)
<i>Increase Rates for Psychiatric Residential Treatment Facilities</i>	(\$7,599,696)			\$0
<i>Increase rates for skilled and private duty nursing services</i>	(\$6,245,286)			\$0
<i>Medicaid MCO Reimbursement for Durable Medical Equipment</i>	(\$345,621)			\$0
<i>Medicaid Works for Individuals with Disabilities</i>	(\$114,419)			(\$228,838)
<i>Modify Capital Reimbursement for Certain Nursing Facilities</i>	(\$119,955)			(\$119,955)
<i>Modify Nursing Facility Operating Rates at Four Facilities</i>	(\$733,303)			(\$754,247)
<i>Provide care coordination prior to release from incarceration</i>	(\$347,803)			(\$465,440)
<i>Supplemental Payments for Children's National Medical Center</i>	(\$354,766)			(\$354,766)
Department of Medical Assistance Services (602) Total	(\$63,443,772)			(\$28,302,522)
Department of Behavioral Health and Developmental Services (720)				

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Adverse Childhood Experiences Initiative</i>		(\$143,260)		(\$143,260)
<i>Alternative Transportation from State Hospitals</i>		(\$150,000)		(\$150,000)
<i>Increase funding for statewide discharge assistance plans</i>		\$0		(\$2,500,000)
<i>Jewish Foundation for Group Homes</i>		(\$89,396)		(\$35,818)
<i>Pilot Programs for facility census reduction</i>		(\$3,750,000)		(\$3,750,000)
<i>Provide additional funds for the Virginia Mental Health Access Program</i>		(\$2,112,194)		\$0
<i>Provide funds for administrative costs of STEP-VA</i>		(\$726,807)		(\$1,222,908)
<i>Train workforce in preparation for behavioral health redesign</i>		(\$129,253)		(\$129,253)
<i>Department of Behavioral Health and Developmental Services (720) Total</i>		(\$7,100,910)		(\$7,931,239)
<i>Grants to Localities (790)</i>				
<i>Expand forensic discharge planning programs in jails</i>		(\$1,400,000)		(\$2,100,800)
<i>Increase permanent supportive housing capacity</i>		(\$5,500,000)		\$0
<i>Provide funds for partial implementation of STEP-VA</i>		(\$19,704,173)		\$0
<i>Grants to Localities (790) Total</i>		(\$26,604,173)		(\$2,100,800)
<i>Mental Health Treatment Centers (792)</i>				
<i>Add critical clinical staffing at the Commonwealth Center for Children and Adolescents</i>		(\$765,428)		(\$765,428)
<i>Increase funding for safety and security in state facilities</i>		(\$2,299,637)		(\$3,066,182)
<i>Provide for increased pharmacy costs at state facilities</i>		(\$966,638)		(\$966,638)
<i>Mental Health Treatment Centers (792) Total</i>		(\$4,031,703)		(\$4,798,248)
<i>Virginia Center for Behavioral Rehabilitation (794)</i>				
<i>Support expanded facility and projected census growth</i>		(\$536,003)		(\$5,393,750)
<i>Virginia Center for Behavioral Rehabilitation (794) Total</i>		(\$536,003)		(\$5,393,750)
<i>Department for Aging and Rehabilitative Services (262)</i>				
<i>Align personal attendant services hourly pay with Medicaid rates</i>		(\$99,320)		(\$99,320)
<i>Brain Injury Services</i>		(\$1,000,000)		(\$1,000,000)
<i>Centers for Independent Living</i>		(\$425,000)		(\$425,000)
<i>Dementia Case Management</i>		(\$150,000)		(\$150,000)
<i>Jewish Social Services Agency</i>		\$0		(\$50,000)
<i>Department for Aging and Rehabilitative Services (262) Total</i>		(\$1,674,320)		(\$1,724,320)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Wilson Workforce and Rehabilitation Center (203)				
Funding for Vehicle Purchase		(\$80,000)		\$0
Wilson Workforce and Rehabilitation Center (203) Total		(\$80,000)		\$0
Department of Social Services (765)				
Adjust local staff minimum salary to stabilize workforce		(\$5,592,707)		(\$5,592,707)
Allocate one-time funding for the Laurel Center		(\$500,000)		\$0
Continue Linking Systems of Care program		(\$187,443)		(\$467,116)
Create a driver's license program for foster care youth		(\$100,000)		(\$200,000)
Fund 2-1-1 VIRGINIA contract costs		(\$153,614)		(\$153,614)
Fund adult licensing and child welfare unit licensing		\$0		(\$2,130,394)
Fund an evaluation team for evidence-based practices		(\$801,328)		(\$765,187)
Fund child welfare systems improvements		(\$250,000)		\$0
Fund emergency shelter management software and application		(\$492,800)		(\$154,000)
Fund foster care and adoptions cost of living adjustments		(\$2,262,173)		(\$2,262,173)
Fund local departments of social services prevention services		(\$12,455,329)		(\$8,718,730)
Fund the child welfare forecast		(\$722,339)		(\$722,339)
Fund the replacement of the agency licensing system		(\$2,220,134)		(\$431,638)
Implement emergency approval process for kinship caregivers		(\$75,000)		(\$75,000)
Implement Family First evidence-based services		(\$1,074,500)		(\$1,074,500)
Improve planning and operations of state-run emergency shelters		(\$188,945)		(\$152,117)
Increase TANF cash assistance benefits by five percent		(\$579,950)		\$0
Provide prevention services for children and families		(\$3,410,050)		(\$8,410,050)
Department of Social Services (765) Total		(\$31,066,312)		(\$31,309,565)
Department for the Blind and Vision Impaired (702)				
Increase workforce services for vision impaired individuals		(\$1,583,020)		(\$1,583,020)
Maintain independent living teachers for blind, vision impaired, or DeafBlind individuals		(\$397,842)		(\$397,842)
Department for the Blind and Vision Impaired (702) Total		(\$1,980,862)		(\$1,980,862)
Department of Conservation and Recreation (199)				

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Environmental Literacy Program</i>		(\$170,000)		(\$170,000)
<i>Establish a dam safety lead engineer position</i>		(\$170,758)		(\$170,758)
<i>Increase dam safety floodplain management positions</i>		(\$229,637)		(\$229,637)
<i>Pocahontas State Park New Cabin O&M</i>		(\$152,273)		(\$152,273)
<i>Provide a supplemental deposit to the Water Quality Improvement Fund</i>		\$0		(\$25,410,000)
<i>Provide for preventative maintenance needs at state parks</i>		(\$500,000)		(\$500,000)
<i>Riverfront Park Danville</i>		(\$740,000)		\$0
<i>Support state park operations</i>		(\$556,000)		(\$556,000)
<i>Department of Conservation and Recreation (199) Total</i>		(\$2,518,668)		(\$27,188,668)
<i>Department of Environmental Quality (440)</i>				
<i>Air Protection</i>		(\$1,386,451)		(\$1,978,451)
<i>Land Protection</i>		(\$1,659,834)		(\$1,659,834)
<i>Water Protection</i>		(\$3,142,973)		(\$8,309,747)
<i>Department of Environmental Quality (440) Total</i>		(\$6,189,258)		(\$11,948,032)
<i>Department of Historic Resources (423)</i>				
<i>Funding for confederate graves</i>		\$0		(\$83,570)
<i>Provide additional funding and positions for underwater archaeology program</i>		(\$159,479)		(\$159,479)
<i>Provide additional funding for the Battlefield Preservation Fund</i>		(\$250,000)		(\$250,000)
<i>Provide additional funding to support staff salaries</i>		(\$123,360)		(\$123,360)
<i>Provide funding to County of Arlington</i>		(\$75,000)		\$0
<i>Provide funding to increase the Director's salary</i>		(\$15,968)		(\$15,968)
<i>Provide funding to support a cemetery preservationist position</i>		(\$108,337)		(\$108,337)
<i>Department of Historic Resources (423) Total</i>		(\$732,144)		(\$740,714)
<i>Marine Resources Commission (402)</i>				
<i>Provide funding for a coastal resiliency manager position</i>		(\$78,250)		(\$78,150)
<i>Provide funding for a position in the fisheries observer program</i>		(\$81,795)		(\$57,695)
<i>Provide funding for outboard motors</i>		(\$96,436)		\$0
<i>Provide funding for the removal of a derelict barge in Belmont Bay</i>		(\$250,000)		\$0
<i>Provide funding for unmanned aerial vehicles</i>		(\$18,672)		\$0
<i>Virginia Aquarium and Marine Science Foundation</i>		(\$50,000)		\$0
<i>Marine Resources Commission (402) Total</i>		(\$575,153)		(\$135,845)

ITEM 482.20.

	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Department of Corrections (799)				
Adjust salaries for correctional officers	(\$6,831,121)			(\$7,864,561)
Fund pilot programs between the Department of Corrections and university health systems to provide offender medical care	(\$3,646,925)			(\$5,935,253)
Implement an electronic healthcare records system in all state correctional facilities		\$0		(\$8,935,649)
Provide additional operating funds for Lawrenceville Correctional Center	(\$994,331)			(\$994,331)
Provide funding to study offender medical service delivery in state correctional facilities	(\$500,000)			\$0
Department of Corrections (799) Total	(\$11,972,377)			(\$23,729,794)
Department of Criminal Justice Services (140)				
Immigration Legal and Social Services Grant Funding	(\$250,000)			(\$250,000)
Increase funding for pre-release and post-incarceration services	(\$500,000)			\$0
Provide funding to expand pretrial and local probation services	(\$1,150,000)			\$0
Provide security grant aid to localities	(\$1,500,000)			(\$1,500,000)
State Aid to Localities with Police Departments	(\$8,628,574)			(\$8,628,574)
Department of Criminal Justice Services (140) Total	(\$12,028,574)			(\$10,378,574)
Department of Emergency Management (127)				
Provide funding to migrate software and agency-owned servers to the cloud	(\$1,505,760)			(\$1,043,336)
Department of Emergency Management (127) Total	(\$1,505,760)			(\$1,043,336)
Department of Fire Programs (960)				
Provide general fund appropriation to support one position	(\$24,886)			(\$24,886)
Department of Fire Programs (960) Total	(\$24,886)			(\$24,886)
Department of Forensic Science (778)				
Fund information technology analyst positions	(\$185,160)			(\$246,880)
Fund laboratory equipment maintenance contracts	(\$248,000)			(\$368,000)
Department of Forensic Science (778) Total	(\$433,160)			(\$614,880)
Virginia Parole Board (766)				
Provide funding for a part-time release planning coordinator position	(\$42,319)			(\$42,319)
Provide funding for part-time	(\$406,392)			(\$406,392)

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
investigators				
Virginia Parole Board (766) Total		(\$448,711)		(\$448,711)
Department of Veterans Services (912)				
Provide funding for the National Museum of the United States Army		(\$3,000,000)		\$0
Support mental health and benefits positions and fund maintenance and information technology needs		(\$1,045,040)		(\$1,276,753)
Virginia Women Veterans Program		(\$106,139)		(\$106,139)
Department of Veterans Services (912) Total		(\$4,151,179)		(\$1,382,892)
Department of Military Affairs (123)				
Increase funding for state tuition assistance		(\$250,000)		(\$250,000)
Department of Military Affairs (123) Total		(\$250,000)		(\$250,000)
Central Appropriations (995)				
Adjust funding for changes in the cost of rent for enhanced security		(\$1,742,906)		(\$2,518,778)
Adjust funding to agencies for information technology auditors and security officers		(\$180,746)		(\$180,746)
Adjust general fund support to agencies for increased internal service fund rates		(\$161,465)		(\$223,189)
Compensation Actions for State Employees and State-Supported Locals		(\$118,087,286)		(\$146,766,525)
Reduce state employee retiree health insurance credit amortization period		(\$3,881,799)		(\$4,050,565)
Upgrade the Integrated Flood Observation and Warning System (IFLOWS)		(\$1,000,000)		(\$1,000,000)
Central Appropriations (995) Total		(\$125,054,202)		(\$154,739,803)
Virginia Workers' Compensation Commission (191)				
Fund medical expenses for victims of sexual assault		(\$4,708,576)		(\$4,708,576)
Virginia Workers' Compensation Commission (191) Total		(\$4,708,576)		(\$4,708,576)
		(\$687,159,119)		(\$1,048,408,517)
Total for Central Appropriations.....			\$212,791,306 (\$505,529,896)	\$298,122,017 (\$767,900,321)
Fund Sources: General.....	\$139,937,585	\$225,268,296		
	(\$578,383,617)	(\$840,754,042)		
Higher Education Operating.....	\$3,525,816	\$3,525,816		
Trust and Agency.....	\$69,327,905	\$69,327,905		
TOTAL FOR CENTRAL APPROPRIATIONS.....			\$212,791,306 (\$505,529,896)	\$298,122,017 (\$767,900,321)
Fund Sources: General.....	\$139,937,585	\$225,268,296		
	(\$578,383,617)	(\$840,754,042)		
Higher Education Operating.....	\$3,525,816	\$3,525,816		

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Trust and Agency.....	\$69,327,905	\$69,327,905		
TOTAL FOR EXECUTIVE DEPARTMENT.....			\$65,328,824,475	\$67,012,932,236
			\$65,088,540,817	\$65,711,422,783
General Fund Positions.....	48,894.16	49,001.66		
	48,925.16	49,040.66		
Nongeneral Fund Positions.....	66,616.62	66,997.62		
Position Level.....	115,510.78	115,999.28		
	115,541.78	116,038.28		
Fund Sources: General.....	\$22,971,591,457	\$23,944,000,424		
	\$22,063,498,617	\$22,719,991,362		
Special.....	\$1,645,198,037	\$1,628,820,985		
	\$1,669,568,037	\$1,628,559,985		
Higher Education Operating.....	\$9,644,002,145	\$9,777,552,107		
Commonwealth Transportation.....	\$7,791,545,724	\$7,366,734,659		
Enterprise.....	\$1,542,965,762	\$1,590,128,241		
Internal Service.....	\$2,115,253,639	\$2,231,861,108		
Trust and Agency.....	\$2,338,937,945	\$2,408,398,658		
Debt Service.....	\$358,087,772	\$358,087,772		
Dedicated Special Revenue.....	\$3,409,178,986	\$3,497,889,726		
	\$3,491,360,613	\$3,502,349,726		
Federal Trust.....	\$13,512,063,008	\$14,209,458,556		
	\$14,073,320,563	\$14,127,759,165		

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

INDEPENDENT AGENCIES

- 483. Not set out.
- 484. Not set out.
- 485. Not set out.
- 486. Not set out.
- 487. Not set out.
- 488. Not set out.
- 489. Not set out.
- 490. Not set out.
- 491. Not set out.
- 492. Not set out.
- 493. Not set out.
- 494. Not set out.
- 495. Not set out.

§ 1-86. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)

- 496. Not set out.
- 497. Not set out.

497.10 Notwithstanding the provisions set forth in this Act, the amounts listed below associated with increased general fund spending within this agency shall be immediately unallotted upon enactment of these appropriations from the applicable Items of this agency and any other relevant Item of this act. Further, notwithstanding the provisions of this Act, any language associated with the spending listed below shall not be applicable unless, after such unallotment, a base amount of funding remains to which such language would be applicable or unless such language previously appeared in Chapter 854, 2019 Acts of Assembly. Any amounts referenced within any other Items of this Act that reflect or include the spending amounts listed below shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act. No agency shall spend, commit, or otherwise obligate the amounts listed below from any source of funds for any of the purposes stated below or any other funds that may be unallotted.

	FY 2021	FY 2022
Fund medical expenses for victims of sexual assault	\$4,708,576	\$4,708,576
Agency Total	\$4,708,576	\$4,708,576
Total for Virginia Workers' Compensation Commission.....		\$57,840,183
Nongeneral Fund Positions.....	299.00	299.00

ITEM 497.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Position Level.....	299.00	299.00		
Fund Sources: General.....	\$6,593,576	\$6,593,576		
Dedicated Special Revenue.....	\$49,234,607	\$49,193,607		
Federal Trust.....	\$2,012,000	\$2,012,000		
TOTAL FOR INDEPENDENT AGENCIES.....			\$1,032,857,999	\$1,036,867,397
Nongeneral Fund Positions.....	1,925.00	1,944.00		
Position Level.....	1,925.00	1,944.00		
Fund Sources: General.....	\$6,777,247	\$6,777,247		
Special.....	\$112,163,064	\$117,729,699		
Enterprise.....	\$743,397,039	\$741,048,605		
Trust and Agency.....	\$114,366,642	\$115,198,839		
Dedicated Special Revenue.....	\$52,092,007	\$52,051,007		
Federal Trust.....	\$4,062,000	\$4,062,000		

ITEM 498.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

STATE GRANTS TO NONSTATE ENTITIES

498. Not set out.

TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....			\$0	\$0
TOTAL FOR PART 1: OPERATING EXPENSES.			\$67,040,660,815	\$68,731,181,179
			\$66,802,377,157	\$67,431,671,726
General Fund Positions.....	52,983.37	53,130.87		
	53,014.37	53,169.87		
Nongeneral Fund Positions.....	68,769.12	69,080.12		
Position Level.....	121,752.49	122,210.99		
	121,783.49	122,249.99		
Fund Sources: General.....	\$23,617,953,674	\$24,592,765,846		
	\$22,709,860,834	\$23,368,756,784		
Special.....	\$1,770,623,415	\$1,759,812,998		
	\$1,795,993,415	\$1,760,551,998		
Higher Education Operating.....	\$9,644,002,145	\$9,777,552,107		
Commonwealth Transportation.....	\$7,791,545,724	\$7,366,734,659		
Enterprise.....	\$2,286,362,801	\$2,331,176,846		
Internal Service.....	\$2,115,253,639	\$2,231,861,108		
Trust and Agency.....	\$2,453,428,266	\$2,523,721,176		
Debt Service.....	\$358,087,772	\$358,087,772		
Dedicated Special Revenue.....	\$3,485,826,032	\$3,574,495,772		
	\$3,569,007,659	\$3,579,955,772		
Federal Trust.....	\$13,517,577,347	\$14,214,972,895		
	\$14,078,834,902	\$14,133,273,504		

		Item Details(\$)		Appropriations(\$)	
		First Year	Second Year	First Year	Second Year
		FY2021	FY2022	FY2021	FY2022

PART 2: CAPITAL PROJECT EXPENSES

§ 2-0. Not Set Out.

EXECUTIVE DEPARTMENT

OFFICE OF ADMINISTRATION

C-1.	Not set out.				
	TOTAL FOR OFFICE OF ADMINISTRATION.....			\$17,800,000	\$0
	Fund Sources: Bond Proceeds.....	\$17,800,000	\$0		

OFFICE OF AGRICULTURE AND FORESTRY

C-2.	Not set out.				
	TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			\$5,110,191	\$0
	Fund Sources: Dedicated Special Revenue.....	\$5,110,191	\$0		

OFFICE OF EDUCATION

- C-3. Not set out.
- C-4. Not set out.
- C-5. Not set out.
- C-6. Not set out.
- C-7. Not set out.
- C-8. Not set out.

§ 2-1. GEORGE MASON UNIVERSITY (247)

C-9.	Not set out.				
C-10.	Not set out.				
C-11.	Not set out.				
C-12.	Not set out.				
C-12.10	Planning: Academic VIII-STEM (18498)..... <i>Planning: Academic VIII-STEM, Science and Technology Campus (18498)</i>			\$7,500,000	\$0
	Fund Sources: Higher Education Operating.....	\$7,500,000	\$0		

A. In accordance with Chapter 15.1 (§ 2.2-1515 et seq.) of Title 2.2 of the Code of Virginia, George Mason University shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item shall be submitted to the Governor or the

ITEM C-12.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Assembly prior to July 1, 2022.				
B. George Mason University shall be reimbursed for all nongeneral funds used when the project is funded to move into the construction phase.				
			\$274,950,000	\$0
	Total for George Mason University.....			
	Fund Sources: Special.....	\$82,000,000	\$0	
	Higher Education Operating.....	\$9,200,000	\$0	
	Bond Proceeds.....	\$183,750,000	\$0	
C-13.	Not set out.			
C-14.	Not set out.			
C-15.	Not set out.			
C-16.	Not set out.			
C-17.	Not set out.			
C-18.	Not set out.			
C-19.	Not set out.			
C-20.	Not set out.			
C-21.	Not set out.			
C-22.	Not set out.			
C-22.10	Not set out.			
C-22.20	Not set out.			

§ 2-2. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

C-23.	Not set out.			
C-24.	Omitted.			
C-24.10	Not set out.			
	Total for Virginia Community College System.....		\$18,200,000	\$0
	Fund Sources: Bond Proceeds.....	\$18,200,000	\$0	
C-25.	Not set out.			

§ 2-3. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

C-26.	Not set out.			
C-27.	Not set out.			
C-28.	Not set out.			
C-29.	Not set out.			

ITEM C-29.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-30.	Not set out.			
C-31.	Not set out.			
C-32.	Not set out.			
C-33.	Not set out.			
C-33.10	Not set out.			
C-34.	Omitted.			
C-35.	Not set out.			
C-36.	Not set out.			
C-36.50	Not set out.			

TOTAL FOR OFFICE OF EDUCATION.....			\$982,750,798	\$5,512,000
Fund Sources: Special.....	\$82,000,000	\$0		
Higher Education Operating.....	\$84,201,736	\$5,512,000		
Bond Proceeds.....	\$816,549,062	\$0		

OFFICE OF HEALTH AND HUMAN RESOURCES

- C-37. Not set out.
- C-38. Not set out.
- C-39. Not set out.

TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....			\$21,470,000	\$1,223,500
Fund Sources: Bond Proceeds.....	\$21,470,000	\$1,223,500		

OFFICE OF NATURAL RESOURCES

§ 2-4. DEPARTMENT OF CONSERVATION AND RECREATION (199)

C-40.	Not set out.			
C-41.	Not set out.			
C-42.	Improvements: Make Critical Infrastructure Repairs and Residences at Various State Parks, Phase I (18366).....		\$12,500,000 \$13,000,000	\$0
	Fund Sources: Bond Proceeds.....	\$12,500,000 \$13,000,000	\$0	

- C-43. Not set out.
- C-44. Omitted.
- C-45. Omitted.

ITEM C-45.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-46.	Not set out.			
C-47.	Omitted.			
C-48.	Omitted.			
	Total for Department of Conservation and Recreation.....		\$37,015,130 \$37,515,130	\$0
	Fund Sources: Special.....	\$1,945,020	\$0	
	Dedicated Special Revenue.....	\$1,500,000	\$0	
	Federal Trust.....	\$4,912,110	\$0	
	Bond Proceeds.....	\$28,658,000 \$29,158,000	\$0	
C-49.	Not set out.			
C-50.	Not set out.			
C-51.	Not set out.			
C-52.	Not set out.			
C-53.	Not set out.			
C-54.	Not set out.			
	TOTAL FOR OFFICE OF NATURAL RESOURCES.....		\$56,265,130 \$56,765,130	\$9,250,000
	Fund Sources: Special.....	\$1,945,020	\$0	
	Dedicated Special Revenue.....	\$3,750,000	\$2,250,000	
	Federal Trust.....	\$11,912,110	\$7,000,000	
	Bond Proceeds.....	\$38,658,000 \$39,158,000	\$0	
OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY				
C-55.	Not set out.			
C-56.	Not set out.			
	TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....		\$55,000,000	\$55,000,000
	Fund Sources: Bond Proceeds.....	\$55,000,000	\$55,000,000	
OFFICE OF TRANSPORTATION				
C-57.	Not set out.			
C-58.	Not set out.			
C-59.	Not set out.			
C-60.	Not set out.			
C-61.	Not set out.			

ITEM C-61.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

§ 2-5. VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY (509)

C-61.50	New Construction: Accomack Regional Airport Hanger (18504).....			\$2,000,000	\$0
	Fund Sources: <i>General</i>	\$1,000,000	\$0		
		\$0			
	Commonwealth Transportation.....	\$1,000,000	\$0		
	<i>Bond Proceeds</i>	\$1,000,000	\$0		

Notwithstanding the provisions set forth in this Act, the general fund amounts appropriated in this Item shall be immediately unallotted upon enactment of these appropriations. Any language associated with these amounts shall not be applicable. Any amounts referenced within any other Items of this Act that reflect or include the general fund amounts included within this Item shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act.

	Total for Virginia Commercial Space Flight Authority.....			\$2,000,000	\$0
	Fund Sources: General.....	\$1,000,000	\$0		
		\$0			
	Commonwealth Transportation.....	\$1,000,000	\$0		
	<i>Bond Proceeds</i>	\$1,000,000	\$0		
	TOTAL FOR OFFICE OF TRANSPORTATION.....			\$154,871,839	\$130,750,000
	Fund Sources: General.....	\$1,000,000	\$0		
		\$0			
	Special.....	\$88,000,000	\$65,000,000		
	Commonwealth Transportation.....	\$58,671,839	\$60,000,000		
	Federal Trust.....	\$7,200,000	\$5,750,000		
	<i>Bond Proceeds</i>	\$1,000,000	\$0		

OFFICE OF VETERANS AND DEFENSE AFFAIRS

- C-61.60 Not set out.
- C-62. Not set out.
- C-63. Not set out.

	TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....			\$7,350,000	\$0
	Fund Sources: Federal Trust.....	\$3,350,000	\$0		
	<i>Bond Proceeds</i>	\$4,000,000	\$0		

CENTRAL APPROPRIATIONS

§ 2-6. CENTRAL CAPITAL OUTLAY (949)

C-64.	Not set out.				
C-65.	Not set out.				
C-66.	Planning: Detail Planning for Capital Projects (17968).....			\$11,474,040	\$0
				\$1,517,750	

ITEM C-66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: <i>General</i>	\$9,956,290	\$0		
	\$0			
Dedicated Special Revenue.....	\$1,517,750	\$0		

A. Included in the appropriation for this Item is \$9,956,290 the first year from the general fund and \$1,517,750 the first year from the Central Capital Planning Fund (09650), established under authority of § 2.2-1520, Code of Virginia to be used for pre-planning and detailed planning of authorized projects. This amount shall be paid into the Central Capital Planning Fund, established under the authority of § 2.2-1520, Code of Virginia.

B. The following projects shall be funded for detailed planning from amounts in the Central Capital Planning Fund and such amounts are hereby appropriated.

Agency Code	Agency Name	Project Title
156	Department of State Police	Replace training academy at department headquarters
194	Department of General Services	Renovate the Supreme Court Building
211	Virginia Military Institute	Construct Center for Leadership and Ethics Facility, Phase II
213	Norfolk State University	Renovate / Replace Fine Arts Building
215	University of Mary Washington	Construct Fine and Performing Arts Center
234	Cooperative Extension and Agricultural Research Services	Renovate Summerseat for Urban Agriculture Center
417	Gunston Hall	Construction of New Archaeology and Maintenance Facilities
720	Department of Behavioral Health and Developmental Services	Food Service Renovations Statewide
720	Department of Behavioral Health and Developmental Services	Eastern State Hospital Phase 4
799	Department of Corrections	Powhatan Infirmery Replacement
799	Department of Corrections	Deerfield Correctional Center Expansion
942	Virginia Museum of Natural History	Construct satellite facility in Waynesboro, Virginia

C. Out of the amounts in the Central Capital Planning Fund, the Department of General Services is authorized to begin pre-planning to develop the state-owned property at 703 E. Main Street in Richmond, Virginia. No later than November 1, 2020, the Department shall submit to the Six-Year Capital Outlay Plan Advisory Committee its pre-planning documents, with capital costs for the development of the site.

D. In accordance with Title 2.2, Chapter 15.1, Code of Virginia, each institution and agency shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item for the Construct Fine and Performing Arts Center at the University of Mary Washington, the Renovate / Replace Fine Arts Building at Norfolk State University or the Construct Center for Leadership and Ethics Facility, Phase II at Virginia Military Institute shall be submitted to the Governor or the General Assembly prior to July 1, 2022.

ITEM C-66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
E.	Each agency and institution of higher education may use nongeneral funds to complete the pre-planning or detailed planning documents for projects authorized in this Item.			
F.	In accordance with § 2.2-1520, Code of Virginia, the Director, Department of Planning and Budget, shall reimburse the Central Capital Planning Fund for the amounts provided for detailed planning when the project is funded to move into the construction phase.			
G.	The Director of the Department of Planning and Budget shall transfer \$1,000,000 on July 1, 2020, from Item 402 of this act to supplement planning for the Deerfield Correctional Center Expansion project.			
H.	Notwithstanding the provisions set forth in this Act, the general fund amounts appropriated in this Item shall be immediately unallotted upon enactment of these appropriations. Any language associated with these amounts shall not be applicable. Any amounts referenced within any other Items of this Act that reflect or include the general fund amounts included within this Item shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act.			
C-67.	Not set out.			
C-68.	Not set out.			
C-69.	Supplement Previously Authorized Capital Project Construction Pools (18145).....		\$170,700,000	\$0
	Fund Sources: Bond Proceeds.....		\$170,700,000	\$0
A. 1.A. 1.	Included in this item is \$170,700,000 in bond appropriation which may be transferred between and among the capital project pools listed, <i>or any project within a listed pool notwithstanding § 2.2-1519 E</i> , in paragraph O. of § 2-0 of this act in order to address any shortfall in appropriation in one or more of such project pools <i>or project</i> , pursuant to the provisions of § 2-0, paragraph O., of this act and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amount shall not exceed \$170,700,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia.			
2.	From the list of capital project pools included in paragraph O. of § 2-0 of this act, the Director, Department of Planning and Budget, shall provide to the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization upon the transfer of any such appropriation in this Item.			
3.	Included in this item is \$25,000,000 in bond appropriation is provided as a supplement to the Capital Complex Infrastructure and Security project authorized and funded in paragraph E.1 Item C-39.40, Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, for additional scope and security improvements.			
4.	Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.			
5.	The appropriations in this Item are subject to the conditions in § 2-0 F. of this act.			
C-70.	Not set out.			
C-71.	Not set out.			

ITEM C-72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

C-72. Not set out.

C-72.10 Improvements: Virginia Beach Improve Access (18505).....			\$10,000,000	\$0
Fund Sources: General.....	\$10,000,000	\$0		

A: Out of this appropriation, \$10,000,000 the first year from the general funds designated to support improvements related to the Nimmo Parkway Phase VH-B project in order to provide an adequate hurricane evacuation route for the Sandbridge residents.

B: Notwithstanding the provisions set forth in this Act, the general fund amounts appropriated in this Item shall be immediately unallotted upon enactment of these appropriations. Any language associated with these amounts shall not be applicable. Any amounts referenced within any other Items of this Act that reflect or include the general fund amounts included within this Item shall have no effect. These amounts shall remain unallotted until re-enacted by the General Assembly after acceptance of a revenue forecast that confirms the revenues estimated within this Act.

C-73. A. The Department of General Services is authorized to enter into long-term leases as follows:

1. On behalf of the Department of Social Services, to address lease space needs for the Child Support Enforcement District Office, the Regional Administrative Office and the Regional Training Offices in Abingdon.
2. On behalf of the Department of Social Services, to address lease space needs for the Child Support Enforcement District Office and the Child Support Enforcement Regional Offices in Roanoke.
3. On behalf of the Department of Motor Vehicles, to address lease space needs for a customer service center to replace or renew the lease for the existing facility in Manassas and Henrico County.
4. On behalf of the Department of Corrections, to address space needs for probation and parole offices in Petersburg, Bristol, Abingdon, Gloucester, Front Royal, and Chesterfield County.
5. On behalf of the Department of Environmental Quality, to address lease space needs for a regional office to replace or renew the lease for the existing facility in Roanoke.
6. On behalf of the Department of Environmental Quality, to address lease space needs for the Piedmont Regional Office and Office of Air Quality Monitoring to replace or renew the lease for the existing facility in the greater Richmond area.
7. On behalf of the Department of Emergency Management, to address lease space needs for a headquarters facility to replace or renew the lease for the existing facility in the greater Richmond area.
8. On behalf of the Department of Motor Vehicles, to address lease space needs for the Sterling Customer Service Center to relocate and expand the existing facility.
9. On behalf of the Department of Historic Resources, to address lease space needs for additional archaeological storage space to expand the existing facility in the greater Richmond area.
10. On behalf of the Department of Motor Vehicles, to address lease space needs for the Charlottesville and Smithfield Customer Service Centers to relocate the existing facilities.

C-74. A.1. Pursuant to projects authorized and funded in paragraphs B. and E.1. of Item C-39.40 of Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects. Project work includes improvements and safety and security enhancements to be constructed or installed within the right-of-way of North 9th Street (between the area north of where Bank Street

ITEM C-74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the ~~western~~^{eastern} right-of-way line of Governor Street intersects East Broad Street), which rights-of-way are owned by the City of Richmond (City), and more specifically as determined by the DGS project team and in collaboration with the City with respect to such rights-of-way. Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street, (a) the perpetual and irrevocable right, privilege and easement to construct, install, use, operate, inspect, maintain, repair, replace, rebuild, improve, alter and remove (i) any construction or installation contracted for by DGS either as part of the referenced construction projects or at any time with respect to safety and security enhancements around the perimeter of Capitol Square deemed appropriate by DGS and (ii) all equipment, accessories, utilities and appurtenances necessary to support such construction projects and such incorporation of safety and security enhancements, (b) the perpetual and irrevocable right, privilege and easement to inspect, maintain, repair, replace and rebuild the sidewalks and elements thereof (but not traffic control devices and signage or street lighting located thereupon) of the referenced right-of-way of North 9th Street and East Broad Street and (c) any necessary or appropriate temporary construction easements, upon terms approved by the Mayor of Richmond and the Governor (pursuant to § 2.2-1149, Code of Virginia); approval by Richmond City Council shall not be required.

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

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

~~2. At no time, will DGS or DCP make permanent changes to Bank Street right-of-way (e.g. traffic control devices; security fixtures; street lighting; surface treatments) without the approval of the City of Richmond's Chief Administrative Officer. Additionally, at no time will the City prevent DGS and DCP from implementing and maintaining the~~

ITEM C-74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

recommendations outlined in the Assessment: Bank Street operations; as described in paragraph A; will remain under the control of DGS and DCP year-round until control of Bank Street reverts to the City of Richmond upon the General Assembly; and its operations; vacating the Pocahontas Building; and the General Assembly; with approval of the Governor; authorizing control of Bank Street back to the City of Richmond.

C-75. A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed ~~\$194,901,500~~\$206,401,500 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the capital costs of the projects described in paragraph C. of this item.

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

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

Agency Name/Project Title	Project Code	Item	VPBA Bonds
Department of Military Affairs (123)			
Replace/Install Fire Safety Systems in Readiness Centers	18318	C-62	\$3,000,000
Department of State Polics (156)			
Upgrade Statewide Radio System (STARS) Network	18414	C-56	\$80,000,000
Department of General Services (194)			
Renovate and Repair Fort Monroe	18191	C-1	\$17,800,000
Department of Conservation and Recreation (199)			
Make Critical Infrastructure Repairs and Residences at Various State Parks	18366	C-42	\$12,500,000 \$13,000,000
Renovation of Existing Revenue Generating Cabins	18490	C-46	\$16,158,000
Virginia Musuem of Fine Arts (238)			
Repairs and Structural Issues	18503	C-36.50	\$2,750,000
Marine Resources Commission (402)			
Oyster Reef Restoration	18479	C-54	\$10,000,000
Department for the Blind and Vision Impaired (702)			
Improve campus infrastructure	18488	C-39	\$1,223,500
Department of Behavioral Health and Developmental Services (720)			
Address patient and staff safety issues at state facilities	18365	C-38	\$7,600,000
Make infrastructure repairs to state facilities	18307	C-37	\$13,870,000
Virginia Commercial Space			

ITEM C-75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Flight Authority (509)				
Accomack Regional Airport Hangar	18504	C-61.50		\$1,000,000
Central Capital Outlay (949)				
Virginia Beach Improve Access	18505	C-72.10		\$10,000,000
Department of Corrections (799)				
DOC Capital Infrastructure Fund	18480	C-55		\$30,000,000
Total VPBA Bonds				\$194,901,500 \$206,401,500

C-76. Not set out.

C-76.10 A.1. Notwithstanding Item C-47 F.3. of Chapter 1283, 2020 Acts of Assembly, the Department of General Services (DGS) shall consider the property located in Central Virginia consisting of approximately 427.97 acres along Old Bon Air Road and Rockaway Road in the Midlothian Magisterial District of Chesterfield County, Virginia, having a street address of 1900 Chatsworth Avenue, Bon Air, Virginia, and further designated as Chesterfield County Tax Parcel No. 752713101100000, as a location option for a Department of Juvenile Justice (DJJ) Juvenile Correctional Center to be located in Central Virginia.

2. All costs incurred by DGS to perform the review in subsection A.1. of this Item shall be funded by the capital project for the Department of Juvenile Justice previously authorized in Item C-47 F.1. of Chapter 1283 of the 2020 Acts of Assembly, titled "Construct New Juvenile Correctional Center," and originally authorized in Enactment 1, § 1 A. of Chapters 759 and 769 of the 2016 Acts of Assembly.

Total for Central Capital Outlay.....			\$1,637,450,457 \$1,617,494,167	\$138,900,000
Fund Sources: General.....	\$19,956,290	\$0		
	\$0			
Special.....	\$35,000,000	\$0		
Dedicated Special Revenue.....	\$40,951,750	\$0		
Federal Trust.....	\$17,015,317	\$0		
Bond Proceeds.....	\$1,524,527,100	\$138,900,000		

C-77. Not set out.

C-78. Not set out.

TOTAL FOR CENTRAL APPROPRIATIONS.....			\$1,637,450,457 \$1,617,494,167	\$138,900,000
Fund Sources: General.....	\$19,956,290	\$0		
	\$0			
Special.....	\$35,000,000	\$0		
Dedicated Special Revenue.....	\$40,951,750	\$0		
Federal Trust.....	\$17,015,317	\$0		
Bond Proceeds.....	\$1,524,527,100	\$138,900,000		
TOTAL FOR EXECUTIVE DEPARTMENT.....			\$2,938,068,415 \$2,918,612,125	\$340,635,500
Fund Sources: General.....	\$20,956,290	\$0		
	\$0			
Special.....	\$206,945,020	\$65,000,000		
Higher Education Operating.....	\$84,201,736	\$5,512,000		
Commonwealth Transportation.....	\$58,671,839	\$60,000,000		
Dedicated Special Revenue.....	\$49,811,941	\$2,250,000		

ITEM C-78.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Federal Trust.....	\$39,477,427	\$12,750,000		
Bond Proceeds.....	\$2,478,004,162	\$195,123,500		
	\$2,479,504,162			

INDEPENDENT AGENCIES

C-79. Not set out.

TOTAL FOR INDEPENDENT AGENCIES.....			\$21,600,000	\$0
Fund Sources: Special.....	\$21,497,962	\$0		
Dedicated Special Revenue.....	\$102,038	\$0		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES.....			\$2,959,668,415	\$340,635,500
			\$2,940,212,125	
Fund Sources: General.....	\$20,956,290	\$0		
	\$0			
Special.....	\$228,442,982	\$65,000,000		
Higher Education Operating.....	\$84,201,736	\$5,512,000		
Commonwealth Transportation.....	\$58,671,839	\$60,000,000		
Dedicated Special Revenue.....	\$49,913,979	\$2,250,000		
Federal Trust.....	\$39,477,427	\$12,750,000		
Bond Proceeds.....	\$2,478,004,162	\$195,123,500		
	\$2,479,504,162			

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 2021	FY 2022
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
TOTAL	\$74,913,243	\$74,913,243

2.a. Transfers of net profits 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 each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at ~~\$125,100,000~~\$139,500,745 the first year and ~~\$128,700,000~~\$132,700,000 the second year.

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

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.04 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

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

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 Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. From these amounts \$2,583,531 the first year and \$2,583,531 the second year shall be deposited to the Virginia Water Quality Improvement Fund pursuant to § 10.1-2128.1, Code of Virginia, and designated for deposit to the reserve fund, for ongoing improvements of the Chesapeake Bay and its tributaries. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

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

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

F.1. On or before June 30 of each year, the State Comptroller shall transfer \$12,287,244 the first year and \$12,287,244 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	Fund Group	FY 2021	FY 2022
Administration of Health Insurance (149)	0500	\$618,420	\$618,420
Department of Forestry (411)	0200	\$5,303	\$5,303
Department of Forestry (411)	0900	\$312	\$312
Department of Professional and Occupational Regulations (222)	0200	\$5,023	\$5,023
Tobacco Region Revitalization Commission (851)	0900	\$19,411	\$19,411
Southwest Virginia Higher Education Center	0200	\$9,535	\$9,535

(948)

The Science Museum of Virginia (146)	0200	\$25,000	\$25,000
Virginia Museum of Fine Arts (238)	0200	\$20,764	\$20,764
Virginia Museum of Fine Arts (238)	0500	\$14,344	\$14,344
Virginia Museum of Natural History (942)	0200	\$1,176	\$1,176
Board of Accountancy (226)	0900	\$13,366	\$13,366
Department for Aging and Rehabilitative Services (262)	0200	\$41,215	\$41,215
Department for the Deaf and Hard of Hearing (751)	0200	\$4,533	\$4,533
Department of Behavioral Health and Developmental Services (720)	0200	\$61,085	\$61,085
Department of Health (601)	0900	\$123,687	\$123,687
Virginia Foundation for Healthy Youth (852)	0900	\$16,548	\$16,548
State Corporation Commission (171)	0900	\$9,058	\$9,058
Virginia College Savings Plan (174)	0500	\$351,045	\$351,045
Board of Bar Examiners (233)	0200	\$1,324	\$1,324
Supreme Court (111)	0900	\$370,537	\$370,537
Department of Conservation and Recreation (199)	0200	\$111,878	\$111,878
Department of Conservation and Recreation (199)	0900	\$37,175	\$37,175
Department of Game and Inland Fisheries (403)	0900	\$130,208	\$130,208
Marine Resources Commission (402)	0900	\$2,525	\$2,525
Department of Criminal Justice Services (140)	0200	\$56,351	\$56,351

Department of Criminal Justice Services (140)	0900	\$1,153	\$1,153
Department of Fire Programs (960)	0200	\$106,205	\$106,205
Division of Community Corrections (767)	0900	\$17,156	\$17,156
Department of Aviation (841)	0400	\$79,561	\$79,561
Department of Motor Vehicles (154)	0400	\$3,878,102	\$3,878,102
Department of Rail and Public Transportation (505)	0400	\$740,647	\$740,647
Department of Transportation (501)	0400	\$5,128,092	\$5,128,092
Motor Vehicle Dealer Board (506)	0200	\$16,447	\$16,447
Virginia Port Authority (407)	0200	\$172,599	\$172,599
Virginia Port Authority (407)	0400	\$86,102	\$86,102
Department of Military Affairs (123)	0900	\$11,357	\$11,357
		\$12,287,244	\$12,287,244

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

G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia, an amount estimated at \$657,959,397 the first year and \$666,104,670 the second year, from the Virginia Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis, or until the amount estimated at \$616,156,022 the first year and \$622,317,582 the second year has been transferred to the Lottery Proceeds Fund. Prior to June 20 of each year, the Virginia Lottery Executive Director shall estimate the amount of profits in the Virginia Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

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

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

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the

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

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

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

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

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

K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$5,500,000 the first year and \$5,500,000 the second year.

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

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this 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 June 30 of the first year and June 30 of the second year, the State Comptroller shall transfer to the Virginia Port Authority \$1,500,000 of the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia, to enhance and improve recreation opportunities for boaters, including but not limited to land acquisition, capital projects, maintenance, and facilities for boating access to the waters of the Commonwealth pursuant to the provisions of Senate Bill 693, 2018 Session of the General Assembly.

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$2,400,000 the first year and \$2,400,000 the second year from the Court Debt Collection Program Fund at the Department of Taxation.

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 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

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 amount estimated at \$5,000,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,864,585 the first year and \$3,864,585 the second year from operating efficiencies to be implemented by the Alcoholic Beverage Control Authority.

S. On or before June 30 each year, the State Comptroller shall transfer \$466,600 the first year and \$466,600 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

T. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of 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 from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

U.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund.

V. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 354, 406, and 426 of this act, for the purposes enumerated in Section 17.1-275.12.

W. On or before June 30 each year, the State Comptroller shall transfer \$12,518,587 the first year and \$12,518,587 the second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

X. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 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.

Y. Any amount designated by the State Comptroller from the June 30, 2020, or June 30, 2021, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

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

AA. The Department of General Services is authorized to dispose of the following property currently owned by the Department of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the properties shall be deposited into the general fund.

BB. The State Comptroller shall transfer all revenues collected each year to the general fund from the Firearms Transaction, Concealed Weapons Permit, and Conservator of the Peace Programs at the Department of State Police.

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

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

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

FF. The Department of General Services, with the cooperation and support of the Department of Agriculture and Consumer Services, is authorized to sell, for such consideration and the Governor may approve, a portion of the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410. The Department of Agriculture and Consumer Services, with the recommendation of the Department of

General Services, is authorized to grant any easement necessary to facilitate the sale of this portion of the Eastern Shore Farmer's Market. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. After deduction of the expenses incurred by the Department of Agriculture and Consumer Services, any proceeds that remain shall be deposited to the general fund. Any conveyance shall be approved by the Governor in a manner set forth in §2.2-1150, Code of Virginia.

GG. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balances of the Disaster Recovery Fund (Fund 02460) and Covid-19 Addtl State Funding (Fund 02019) at the Virginia Department of Emergency Management that was received as a federal cost recovery. The amounts transferred represent repayment of the sum sufficient fund originally appropriated for federally-declared emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be transferred by June 1 of each year.

HH. Notwithstanding the provisions of subsection A of § 58.1-662, Code of Virginia, and in addition to clause (i) and (ii) of that subsection, monies in the Communications Sales and Use Tax Trust Fund shall not be allocated to the Commonwealth's counties, 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 deposit to the general fund \$2,000,000 on or before June 30, the first year and an additional \$2,000,000 on or before June 30, the second year from the revenues received from the Communications Sales and Use Tax.

II. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 59 of this act is estimated at \$500,000 the first year and \$500,000 the second year.

JJ. On or before June 30, 2021, the State Comptroller shall transfer \$1,000,000 in Speical Funds from the Corrections Special Reserve Fund, pursuant to § 30-19.1:4 of the Code of Viginia, to the capital planning project authorized in Item C-66, Paragraph G of this act.

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

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

§ 3-1.02. Not set out.

§ 3-1.03. Not set out.

§ 3-2.01. Not set out.

§ 3-2.02. Not set out.

§ 3-2.03 LINES OF CREDIT

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

Administration of Health Insurance, Health Benefits Services	\$75,000,000
Administration of Health Insurance, Line of Duty Act	\$10,000,000
Department of Accounts, for the Payroll Service Bureau	\$400,000
Department of Accounts, Transfer Payments	\$5,250,000
Alcoholic Beverage Control Authority	\$80,000,000
Department of Corrections, for Virginia Correctional Enterprises	\$1,000,000
Department of Corrections, for Federal Grant Processing	\$1,000,000
Department of Emergency Management, for Hazardous Material Incident Response	\$150,000
Department of Emergency Management, for Federal Grant Processing	\$500,000
Department of Environmental Quality	\$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	\$10,000,000
Department of Behavioral Health and Developmental Services	\$30,000,000
Department of Medical Assistance Services, for the Virginia Health Care Fund	\$12,000,000
Department of Motor Vehicles	\$30,600,000

Department of the Treasury, for the Unclaimed Property Trust Fund	\$5,000,000
Department of the Treasury, for the State Insurance Reserve Trust Fund	\$25,000,000
Virginia Lottery	\$56,000,000
Virginia Information Technologies Agency	\$165,000,000
Virginia Tobacco Settlement Foundation	\$3,000,000
Department of Historic Resources	\$600,000
Department of Fire Programs	\$30,000,000
Compensation Board	\$8,000,000
Department of Conservation and Recreation	\$4,000,000
Department of Military Affairs, for State Active Duty	\$5,000,000
Department of Military Affairs, for Federal Cooperative Agreements	\$21,000,000
Virginia Parole Board	\$50,000
Commonwealth's Attorneys' Services Council	\$200,000
Department of State Police, for the Internet Crimes Against Children Grant	\$3,700,000
Department of State Police, for Federal Grant Processing	\$1,500,000

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, 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 apply to these lines of credit.

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

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 up to \$2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

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 year and to provide cash to the Virginia Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery 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 credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the Virginia Lottery if necessary to meet operating needs.

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 cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is reimbursed from federal or other funds, other than Department of Military Affairs funds.

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

h. The Department of Conservation and Recreation may utilize the line of credit authorized in paragraph a. to continue the development of the coastal master plan, including use of a consultant to assist in the plan's development. Any funds spent from the line of credit for this purpose shall be repaid from revenues generated by the Commonwealth's participation in the sale of allowances through the Regional Greenhouse Gas Initiative and deposited to the Virginia Community Flood Preparedness Fund pursuant to § 10.1-603.25, Code of Virginia.

§ 3-3.01. Not set out.

§ 3-3.02. Not set out.

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

§ 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

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

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

3. Institutions of higher education shall have the authority to reduce the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium as a result of the significant financial impact on auxiliary enterprise programs caused by the COVID-19 pandemic.

4. a. Institutions of higher education shall have the authority to use available fund balances from other fund sources, to include educational and general program reserves, to support operations, increased costs or revenue reductions, for auxiliary enterprise programs for the 2020-2022 biennium. However, with the exception of transfer payments, educational and general program reserves may not be used to directly support intercollegiate athletics.

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

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

§ 3-5.01. Not set out.

§ 3-5.02. Not set out.

§ 3-5.03. Not set out.

§ 3-5.04. Not set out.

§ 3-5.05. Not set out.

§ 3-5.06. Not set out.

§ 3-5.07. Not set out.

§ 3-5.08. Not set out.

§ 3-5.09. Not set out.

§ 3-5.10. Not set out.

§ 3-5.11. Not set out.

§ 3-5.12. Not set out.

§ 3-5.13. Not set out.

§ 3-5.14. Not set out.

§ 3-5.15. Not set out.

§ 3-5.16. Not set out.

§ 3-5.17. Not set out.

§ 3-5.18. Not set out.

§ 3-5.19 LAND PRESERVATION TAX CREDIT CLAIMED

Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2017, but before January 1, ~~2020~~2023, the amount of the Land Preservation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed \$20,000.

§ 3-5.20. Not set out.

§ 3-5.21 CIGARETTE TAX, TOBACCO PRODUCTS TAX AND TAX ON LIQUID NICOTINE

A. Notwithstanding any other provision of law, the cigarette tax imposed under subsection A of § 58.1-1001 of the Code of Virginia shall be 3.0 cents on each cigarette sold, stored or received on and after July 1, 2020.

B. Notwithstanding any other provision of law, the rates of the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia in effect on June 30, 2020 shall be doubled beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

C. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on liquid nicotine at the rate of \$0.066 per milliliter beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

D. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on any heated tobacco product at the rate of 2.25 cents per stick beginning January 1, 2021 for taxable sales or purchases occurring on and after such date.

DE. The Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the cigarette tax, (ii) implementation of the increased tobacco products tax rates, and (iii) implementation of the tobacco products tax on liquid nicotine pursuant to the provisions of this act. The development of such guidelines and rules by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (Code of Virginia § 2.2-4000 et seq.)

F. Notwithstanding any other provision of law, beginning January 1, 2021, for the purposes of the Tobacco Products Tax, a Distributor, as defined in § 58.1-1021.01, shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-1021.04:1, if such distributor:

1. Receives more than \$100,000 in gross revenue, or other minimum amount as may be required by federal law, from sales of tobacco products in the Commonwealth in the previous or current calendar year, provided that in determining the amount of a dealer's gross revenues, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated; or

2. Engages in 200 or more separate tobacco products sales transactions, or other minimum amount as may be required by federal law, in the Commonwealth in the previous or current calendar year, provided that in determining the total number of a dealer's retail sales transactions, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated.

§ 3-5.22. Not set out.

§ 3-6.01. Not set out.

§ 3-6.02. Not set out.

§ 3-6.03. Not set out.

§ 3-6.04. Not set out.

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.
- g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia, *or any joint meeting of such entities*, may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.
- 2. A public body or governing board convening a meeting in accordance with this subdivision shall:
 - a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;
 - b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and
- 3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

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

§ 4-1.01. Not set out.

§ 4-1.02. Not set out.

§ 4-1.03. Not set out.

§ 4-1.04. Not set out.

§ 4-1.05. Not set out.

§ 4-1.06. Not set out.

§ 4-1.07. Not set out.

§ 4-2.01. Not set out.

§ 4-2.02. Not set out.

§ 4-2.03. Not set out.

§ 4-3.01. Not set out.

§ 4-3.02. Not set out.

§ 4-3.03. Not set out.

§ 4-4.01. Not set out.

§ 4-4.02. Not set out.

§ 4-5.01. Not set out.

§ 4-5.02. Not set out.

§ 4-5.03. Not set out.

§ 4-5.04. Not set out.

§ 4-5.05. Not set out.

§ 4-5.06. Not set out.

§ 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage services, portfolio management strategies, strategic planning, transaction management, project and construction management, and lease administration strategies consistent with industry best practices as adopted by the Department from time to time.

These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23.1-1006, Code of Virginia.

b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer that funds are available within the agency's appropriations made by this act for the cost of the lease.

c. *The Governor is authorized to enter into a Memorandum of Understanding with the United States Department of Agriculture, United States Forest Service ("USFS"), in a form approved by the Office of the Attorney General, regarding a template for use by any agency of the Commonwealth of Virginia (the "Commonwealth") of USFS land by lease, license, or permit. The template may allocate liability, including indemnification, for the use of USFS land between the USFS and the Commonwealth, which liability may be secured by a separate insurance policy procured by the Division of Risk Management, which may charge the cost thereof to the agencies using USFS lands.*

§ 4-5.08. Not set out.

§ 4-5.09. Not set out.

§ 4-5.10. Not set out.

§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

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

§ 4-6.01. Not set out.

§ 4-6.02. Not set out.

§ 4-6.03. Not set out.

§ 4-6.04. Not set out.

§ 4-6.05. Not set out.

§ 4-6.06. Not set out.

§ 4-7.01. Not set out.

§ 4-8.00 REPORTING REQUIREMENTS

§ 4-8.01 GOVERNOR

a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or

consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23.1-102.	Suspend reporting.
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.
Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.
Department of Human Resource Management	Human Capital Report (Full-Time, Part-Time, Temporary, Contractual employees funded by the Commonwealth)	Code of Virginia § 2.2-1201. A. 14.	Change reporting from annually to monthly.
Department of Human Resource Management State Employee Workers' Compensation Program	Work-related injuries and illnesses report -- goals, strategies, and results	Agency Directive -- Executive Order 94 (2005)	Suspend reporting.
Governor's Office	Small, Women-and Minority-owned Businesses (SWaM)	Executive Directive	Change reporting from weekly to monthly.
Secretary of Commerce and Trade	Recruitment of National and Regional Conferences Report	Agency Directive -- Executive Order 14 (2006)	Suspend reporting.

d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of nongeneral fund revenue from institutions of higher education.

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

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

b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees, and the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.

4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.

2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 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 report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year by October 1.

d. Capital Appropriations Reports:

1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a continuous basis to the Chairmen of the House Appropriations and Senate Finance Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, and the public.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

§ 4-8.02. Not set out.

§ 4-8.03. Not set out.

§ 4-9.01. Not set out.

§ 4-9.02. Not set out.

§ 4-9.03. Not set out.

§ 4-9.04. Not set out.

§ 4-11. Not set out.

§ 4-12. Not set out.

§ 4-13. Not set out.

§ 4-14.00 EFFECTIVE DATE

This act is effective on ~~July 1, 2020~~ *on its passage as provided in § 1-214, Code of Virginia.*

ADDITIONAL ENACTMENTS

23. That the authority and responsibilities of the Secretary of Technology included in the Code of Virginia shall be executed by the Secretary of Administration and the Secretary of Commerce and Trade pursuant to Item 66 and Item 111 of this act. Any authority or responsibilities of the Secretary of Technology not referenced in Item 66 and Item 111 of this act shall be executed by either the Secretary of Administration or the Secretary of Commerce and Trade as determined by the Governor.

34. That any authority or responsibilities of the Innovation and Entrepreneurship Investment Authority and the Center for Innovative Technology not referenced in Item 135 of this Act shall be executed by the Virginia Innovation Partnership Authority and the non-profit entity established in legislation to be considered by the 2020 General Assembly.

45. That § 16.1-69.48:2 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.48:2. Fees for services of district court judges and clerks and magistrates in civil cases.

Fees in civil cases for services performed by the judges or clerks of general district courts or magistrates in the event any such services are performed by magistrates in civil cases shall be as provided in this section, and, unless otherwise provided, shall be included in the taxed costs and shall not be refundable, except in case of error or as herein provided.

For all court and magistrate services in each distress, detinue, interrogatory summons, unlawful detainer, civil warrant, notice of motion, garnishment, attachment issued, or other civil proceeding, the fee shall be ~~30~~ \$36. No such fee shall be collected (i) in any tax case instituted by any county, city or town or (ii) in any case instituted by a school board for collection of overdue book rental fees. Of the fees collected under this section, \$10 of each such fee collected shall be apportioned to the Courts Technology Fund established under § 17.1-132.

The judge or clerk shall collect the foregoing fee at the time of issuing process. Any magistrate or other issuing officer shall collect the foregoing fee at the time of issuing process, and shall remit the entire fee promptly to the court to which such process is returnable, or to its clerk. When no service of process is had on a defendant named in any civil process other than a notice of motion for judgment, such process may be reissued once by the court or clerk at the court's direction by changing the return day of such process, for which service by the court or clerk there shall be no charge; however, reissuance of such process shall be within three months after the original return day.

The clerk of any district court may charge a fee for making a copy of any paper of record to go out of his office which is not otherwise specifically provided for. The amount of this fee shall be set in the discretion of the clerk but shall not exceed \$1 for the first two pages and \$.50 for each page thereafter.

The fees prescribed in this section shall be the only fees charged in civil cases for services performed by such judges and clerks, and when the services referred to herein are performed by magistrates such fees shall be the only fees charged by such magistrates for the prescribed services.

56. a. In anticipation of the collection of taxes and revenues of the Commonwealth, for fiscal years 2021 and 2022, the Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (a)(2) of the Constitution of Virginia, as the case may be, at one time or from time to time, tax and revenue anticipation notes ("9(a)(2) Notes") of the Commonwealth, including 9(a)(2) Notes issued as commercial paper. The proceeds of such 9(a)(2) Notes, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, together with any other available funds, to help manage the cash flow impact of actual or potential reductions of tax and other revenues or increases in expenses related to or resulting from the COVID-19 pandemic, and including the payment of operating expenses incurred or to be incurred in anticipation of the collection of taxes and revenues by the Commonwealth.

b. In addition, in anticipation of the collection of taxes and revenues of the Commonwealth, and its counties, cities and towns, for fiscal years 2021 and 2022, the Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (d) of the Constitution of Virginia, as the case may be, at one time or from time to time, tax and revenue anticipation notes of the Commonwealth ("9(d) Notes" and together with the 9(a)(2) Notes authorized in the foregoing paragraph, "Notes"), including 9(d) Notes issued as commercial paper. The proceeds of such 9(d) Notes, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, together with any other available funds, to help manage the cash flow impact of actual or potential reductions of tax and other revenues or increases in expenses related to or resulting from the COVID-19 pandemic, and including the payment of operating expenses incurred or to be incurred in anticipation of the collection of taxes and revenues by the Commonwealth and its counties, cities and towns, and to purchase or acquire similar notes issued by, or otherwise to assist, cities, counties and towns of the Commonwealth for such purpose. The Governor is authorized to select the counties, cities and towns to participate in the undertakings authorized hereunder and direct the distribution of 9(d) Note proceeds to the particular counties, cities and town, and shall, after consultation with all interested parties, develop a guidance document governing eligibility and priority criteria.

c. The Treasury Board is authorized to issue Notes hereunder in an aggregate principal amount not exceeding \$500,000,000 for the benefit of the Commonwealth and in an aggregate principal amount not exceeding \$250,000,000 for the benefit of counties, cities and towns, plus in either case amounts needed to fund issuance costs, reserve funds, capitalized interest, and other financing expenses.

d. 9(a)(2) Notes shall mature at such time or times within twelve months from their date or dates, and 9(d) Notes shall mature at such time or times not exceeding two years from their date or dates.

e. The full faith and credit of the Commonwealth shall be pledged to any 9(a)(2) Notes issued under the provisions of this Item. 9(d) Notes issued under the provisions of this item shall not be deemed to constitute a debt of the Commonwealth of Virginia or a pledge of the full faith and credit of the Commonwealth, but such obligations shall be payable solely, subject to appropriation by the General Assembly, from amounts appropriated from time to time by the General Assembly and from amounts paid by counties, cities and towns that issue bonds, notes or obligations with respect to this Item. There is hereby appropriated a sum sufficient to the Treasury Board for the purpose of paying the debt service on the Notes.

f. The Virginia Resources Authority is authorized to purchase and acquire through proceeds of 9(d) Notes bonds, notes or obligations of counties, cities and towns of the Commonwealth issued for the purposes authorized hereunder and establish the interest rates and repayment terms of such bonds, notes or obligations in accordance with a memorandum of agreement with the Treasury Board and the Authority shall recover its reasonable costs and expenses for doing so from the proceeds of such Notes and for its role in the administration and management of such proceeds.

g. Each county, city, and town is hereby authorized to issue bonds, notes or obligations for the purposes set forth in paragraph (b) above. The authority of any county, city, and town to contract and to issue bonds, notes or obligations pursuant to such authorization is in addition to any existing authority to contract and issue bonds, notes or obligations, anything in the laws of the Commonwealth, including any local charter, to the contrary notwithstanding. The provisions of Virginia Code § 15.2-2659 and § 62.1-216.1 shall apply, mutatis mutandis, with respect to any bond, note or obligation issued by a county, city or town hereunder.

h. The proceeds, including any premium, of the Notes shall be deposited in a special account in the state treasury and, together with the investment income thereon, shall be disbursed by the State Treasurer from time to time for paying all or any part of the expenses or undertakings as set forth in paragraphs (a) and (b) above. The Notes shall be dated and may be made redeemable before their maturity or maturities at such price or prices or within such price parameters, all as may be determined by the Treasury Board, by and with the consent of the Governor, and shall be in such form, shall bear interest at such rate or rates, either at fixed rates or at rates established by formula or other method, and may contain such other provisions, all as determined by the Treasury Board or, when authorized by the Treasury Board, the State Treasurer. The principal of and premium, if any, and the interest on Notes shall be payable in lawful money of the United States of America. Notes may be certificated or uncertificated as determined by the Treasury Board. The Treasury Board may contract for services of such registrars, transfer agents, or other authenticating agents as it deems appropriate to maintain a record of the persons entitled to the Notes. Notes issued in certificated form may be issued under a system of book entry for recording the ownership and transfer of ownership of rights to receive payments on the Notes. The Treasury Board shall fix the authorized denomination or denominations of the Notes and the place or places of payment of certificated Notes, which may be at the Office of the State Treasurer or at any bank or trust company within or without the Commonwealth. The Treasury Board may sell Notes in such manner, by competitive bidding, negotiated sale, or private placement with private lenders or governmental agencies, and for such price or within such price parameters as it may determine, by and with the consent of the Governor, to be in the best interest of the Commonwealth. In the discretion of the Treasury Board, Notes may be issued at one time or from time to time. Certificated Notes shall be signed on behalf of the Commonwealth by the Governor and by the State Treasurer, or shall bear their facsimile signatures, and shall bear the lesser seal of the Commonwealth or a facsimile thereof. If the Notes bear the facsimile signature of the State Treasurer, they shall be signed by such administrative assistant as the State Treasurer shall determine or by such registrar or paying agent as may be designated to sign them by the Treasury Board. If any officer whose signature or facsimile signature appears on any Notes ceases to be such officer before delivery, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery, and any Note may bear the facsimile signature of, or may be signed by, such persons as at the actual time of execution are the proper officers to sign such Note, although at the date of such Note, such persons may not have been such officers.

i. The Treasury Board is authorized to create debt service and sinking funds for the payments of the principal of, premium, if any, and interest on the Notes and other funds or reserves desirable or required by any purchaser. Pending the application of the proceeds of the Notes to the purpose for which they have been authorized and the application of funds set aside for the purpose to the payment of Notes, they may be invested by the State Treasurer in securities that are legal investments under the laws of the Commonwealth for public funds and sinking funds, as the case may be. Whenever the State Treasurer receives interest from the investment of the proceeds of Notes, such interest shall become a part of the principal of the Notes and shall be used in the same manner as required for principal of the Notes.

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

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

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

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

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

4. *If a utility reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan, the utility shall report the account as "current" in accordance with the Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act. If the provisions of Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act expire prior to the end of the universal moratorium established in clause 7.a., the utility may only resume reporting any default on the Repayment Plan at the end of the universal moratorium established in clause 7.a.*

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

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

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

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

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

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

g. *The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from a Repayment Plan for electric, gas, water, or wastewater utilities, including through a rate adjustment clause or through base rates, however, the Commission shall exclude from recovery all costs associated with any jurisdictional customer balances forgiven by a Phase II utility pursuant to paragraph j. below. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs. The Commission shall also require the utilities subject to regulation by the Commission to submit information on the status of customer accounts, including (a) the number and value of outstanding aged account balances, categorized by customer type; (b) the number and value of associated collections from customers, categorized by customer type; (c) the number and value of associated additions to aged accounts receivable balances, categorized by customer type; (d) the number and value of aged accounts receivable balances, net of collections and additions; (e) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility; (f) the number of*

accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason; (g) the amount of and average debt still remaining for customer accounts removed from the Repayment Plan or another repayment plan as set forth by the utility; (h) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred; (i) the number, total value, and average debt of customer accounts receiving direct assistance by the funds provided in Item 479.10, paragraph B.2. of this act, categorized by days in arrears and customer account type; (j) the cumulative level of customer arrearages by locality; and (k) any cost recorded as regular asset authorized by that certain order of the Commission in Case Number PUR-2020-00074. The Commission shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by December 31, 2020, within 90 days of the expiration of the universal prohibition established in clause 7.a., and annually, on or before December 31st, thereafter for the following two years. The report due on December 31, 2020 shall cover the period from March 16, 2020 through December 15, 2020. The report due within 90 days of the end of the universal prohibition established in clause 7.a. shall cover the period from December 16, 2020 to the end of the universal prohibition established in clause 7.a. Annual reports shall cover the period from the end of the universal prohibition established in clause 7.a. to December 16th of the year the report is due.

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

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

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

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

2. Each Phase II Utility shall, no later than December 31, 2020, submit a report to the Governor, the Chairs of the House Committees on Labor and Commerce and Appropriations, and the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Chair of the Commission on Electric Utility Regulation, detailing all actions by it pursuant to this act to forgive customer balances.

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

1. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the

tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. If the tenant fails to pay in full, enter into a written payment plan with the landlord, or pay any installment required by the plan, the landlord may not terminate the tenancy nor take any action to obtain possession of the dwelling unit until the provisions of subsection 8.b. are effectuated on January 1, 2021. However, during the time the provisions of this subsection 8.a. are in effect, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251 in the event that the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, as described in subsection 8.a.2. below. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

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

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

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

2. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. The written notice shall also inform the tenant that if the tenant fails to either pay the total amount due and owed or enter into the payment plan offered, or an alternative payment arrangement acceptable to the landlord, within fourteen days of receiving the written notice from the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant fails to pay in full or enter into a written payment plan with the landlord within fourteen days of when the notice is served on him, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3. below. If the tenant enters into a payment plan and, after the plan becomes effective, fails to pay any installment required by the plan within fourteen days of its due date, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that he has sent the tenant a new notice, pursuant to § 55.1-1202, advising the tenant of the landlord's intention to obtain possession of the premises unless the tenant pays the total amount due and owed as stated on the notice within fourteen days of receipt and provided that the landlord complies

with subsection 3. below. The option of entering into a payment plan or alternative payment arrangement pursuant to this subdivision may only be utilized once during the time period of the rental agreement. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

3. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. Unless the tenant has communicated to the landlord that they are applying for rental assistance funds, the landlord shall apply for rental assistance on behalf of the tenant to the Virginia Rent and Mortgage Relief program, or another federal, state, or local rental assistance program no later than fourteen days from the time the written notice is served. If the tenant refuses to apply for rental assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent as provided in § 55.1-1251. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty-five days of when the application for assistance is made by the tenant or the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the landlord or tenant does not receive written approval from the Virginia Rent and Mortgage Relief program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, or state rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection, 8.b.3. do not apply.

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

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

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

f. Nothing in this section shall void any judgment for possession validly obtained by a landlord prior to the effective date of this section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section 8.

9. That §§ 8.01-3, 24.2-306, 24.2-309.2, 30-263, 30-264, and 30-265 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 30 a chapter numbered 62 consisting of sections numbered 30-391 through 30-400 as follows:

§ 8.01-3. Supreme Court may prescribe rules; effective date and availability; indexed, and annotated; effect of subsequent enactments of General Assembly.

A. The Supreme Court, subject to §§ 17.1-503 and 16.1-69.32, may, from time to time, prescribe the forms of writs and make general regulations for the practice in all courts of the Commonwealth; and may prepare a system of rules of practice and a system of pleading and the forms of process and may prepare rules of evidence to be used in all such courts. This section shall be liberally construed so as to eliminate unnecessary delays and expenses.

B. The Supreme Court, subject to § 30-399, shall enact rules and procedures as may be necessary for implementing the requirements of Article II, Section 6-A of the Constitution of Virginia, empowering the Supreme Court to establish congressional or state legislative districts as provided for in that section.

~~B~~-C. New rules and amendments to rules shall not become effective until 60 days from adoption by the Supreme Court, and shall be made available to all courts, members of the bar, and the public.

~~C~~-D. The Virginia Code Commission shall publish and cause to be properly indexed and annotated the rules adopted by the

Supreme Court, and all amendments thereof by the Court, and all changes made therein pursuant to subsection ~~D~~ E.

~~D~~-E. The General Assembly may, from time to time, by the enactment of a general law, modify or annul any rules adopted or amended pursuant to this section. In the case of any variance between a rule and an enactment of the General Assembly such variance shall be construed so as to give effect to such enactment.

E-F. Any amendment or addition to the rules of evidence shall be adopted by the Supreme Court on or before November 15 of any year and shall become effective on July 1 of the following year unless the General Assembly modifies or annuls any such amendment or addition by enactment of a general law. Notwithstanding the foregoing, the Supreme Court, at any time, may amend the rules to conform with any enactment of the General Assembly and correct unmistakable printer's errors, misspellings, unmistakable errors to statutory cross-references, and other unmistakable errors in the rules of evidence.

F-G. When any rule contained in the rules of evidence is derived from one or more sections of the Code of Virginia, the Supreme Court shall include a citation to such section or sections in the title of the rule.

§ 24.2-306. Changes not to be enacted within 60 days of general election; notice requirements.

A. No change in any local election district, precinct, or polling place shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The published notice shall state where descriptions and maps of proposed boundary and polling place changes may be inspected.

B. Notice of any adopted change in any election district, town, precinct, or polling place other than in the location of the office of the general registrar shall be mailed to all registered voters whose election district, town, precinct, or polling place is changed at least 15 days prior to the next general, special, or primary election in which the voters will be voting in the changed election district, town, precinct, or polling place. Notice of a change in the location of the office of the general registrar shall be given by posting on the official website of the county or city, by posting at not less than 10 public places, or by publication once in a newspaper of general circulation in the county or city within not more than 21 days in advance of the change or within seven days following the change.

C. Each county, city, and town shall comply with the applicable requirements of law, including §§ 24.2-304.3 and ~~30-264~~ 30-395, and send copies of enacted changes, including a Geographic Information System (GIS) map showing the new boundaries of the districts or precincts, to the local electoral board, the Department, and the Division of Legislative Services. Any county, city, or town that does not have GIS capabilities may request the Department of Elections to create on its behalf a GIS map showing the boundaries of the new districts or precincts, and the Department of Elections shall create such a map.

§ 24.2-309.2. Election precincts; prohibiting precinct changes for specified period of time.

No county, city, or town shall create, divide, abolish, or consolidate any precincts, or otherwise change the boundaries of any precinct, effective during the period from February 1, 2019, to May 15, 2021, except as (i) provided by law upon a change in the boundaries of the county, city, or town, (ii) the result of a court order, (iii) the result of a change in the form of government, or (iv) the result of an increase or decrease in the number of local election districts other than at-large districts. Any ordinance required to comply with the requirements of § 24.2-307 shall be adopted on or before February 1, 2019.

If a change in the boundaries of a precinct is required pursuant to clause (i), (ii), (iii), or (iv), the county, city, or town shall comply with the applicable requirements of law, including §§ 24.2-304.3 and ~~30-264~~ 30-395, and send copies of the ordered or enacted changes to the State Board of Elections and the Division of Legislative Services.

This section shall not prohibit any county, city, or town from adopting an ordinance revising precinct boundaries after January 1, 2021. However, no revisions in precinct boundaries shall be implemented in the conduct of elections prior to May 15, 2021.

§ 30-263. Joint Reapportionment Committee; membership; terms; quorum; compensation and expenses.

A. The Joint Reapportionment Committee (*the Joint Committee*) is established in the legislative branch of state government. The *Joint Committee* shall consist of five members of the Committee on Privileges and Elections of the House of Delegates and three members of the Committee on Privileges and Elections of the Senate appointed by the respective chairmen of the two committees. Members shall serve terms coincident with their terms of office.

B. The Joint Committee shall elect a chairman and vice-chairman from among its membership. A majority of the members of the *Joint Committee* shall constitute a quorum. The meetings of the *Joint Committee* shall be held at the call of the chairman or whenever the majority of the members so request.

C. The Joint Committee shall supervise activities required for the tabulation of population for the census and for the timely reception of precinct population data for reapportionment; ~~and perform such other duties and responsibilities and exercise such supervision as may promote the orderly redistricting of congressional, state legislative, and local election districts.~~

D. Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation

and expenses of the members shall be provided by the Office of the Clerk of the House of Delegates and the Office of Clerk of the Senate for their respective members.

§ 30-264. Staff to Joint Reapportionment Committee.

A: The Division of Legislative Services (~~the Division~~) shall serve as staff to the Joint Reapportionment Committee. ~~The Director of the Division; or his designated representative;~~ shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to United States Public Law 94-171. ~~The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division in the exchange of all statistical and other information pertinent to preparation for the census.~~

B: ~~The Division shall maintain the current election district and precinct boundaries of each county and city as a part of the General Assembly's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division.~~

C: ~~The provisions of Article 2 (§ 24.2-302et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.~~

§ 30-265. Reapportionment of congressional and state legislative districts; United States Census population counts.

For the purposes of redrawing the boundaries of the congressional, state Senate, and House of Delegates districts after the United States Census for the year 2020 and every 10 years thereafter, ~~the General Assembly~~*Virginia Redistricting Commission established pursuant to Chapter 62 of Title 30* shall use the population data provided by the United States Bureau of the Census, as adjusted by the Division of Legislative Services pursuant to § 24.2-314. The census data used for this apportionment purpose shall not include any population figure which is not allocated to specific census blocks within the Commonwealth, even though that population may have been included in the apportionment population figures of the Commonwealth for the purpose of allocating United States House of Representatives seats among the states.

CHAPTER 62.

VIRGINIA REDISTRICTING COMMISSION.

§ 30-391. Virginia Redistricting Commission.

A. *The Virginia Redistricting Commission is established in the legislative branch of state government. It shall be convened in the year 2020 and every 10 years thereafter for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly.*

B. *As used in this chapter:*

"Census data" means the population data received from the United States Bureau of the Census pursuant to P.L. 94-171.

"Commission" means the Virginia Redistricting Commission established pursuant to this chapter.

"Committee" means the Redistricting Commission Selection Committee established pursuant to § 30-393.

"Partisan public office" means (i) an elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government; (ii) an elective office in the executive or legislative branch of the government of the Commonwealth, or an office that is filled by appointment and is exempt from the Virginia Personnel Act (§ 2.2-2900 et seq.); or (iii) an office of a county, city, or other political subdivision of the Commonwealth that is filled by an election process involving nomination and election of candidates on a partisan basis.

"Political party office" means an elective office in the national or state organization of a political party, as defined in § 24.2-101.

§ 30-392. Membership; terms; vacancies; chairman; quorum; compensation and expenses.

A. *The Virginia Redistricting Commission shall consist of 16 commissioners that include eight legislative commissioners and eight citizen commissioners as follows: two commissioners shall be members of the Senate of Virginia, representing the political party having the highest number of members in the Senate and appointed by the President pro tempore of the Senate; two commissioners shall be members of the Senate, representing the political party having the next highest number of members in the Senate and appointed by the leader of that political party; two commissioners shall be members of the House of Delegates, representing the political party having the highest number of members in the House of Delegates and appointed by the Speaker of the House of Delegates; two commissioners shall be members of the House of Delegates, representing the political party having the next highest number of members in the House of Delegates and appointed by the leader of that political party; and eight citizen commissioners who shall be selected by the Redistricting Commission Selection Committee pursuant to § 30-394. No appointing authority shall appoint himself to serve as a legislative commissioner or a citizen commissioner.*

B. Legislative commissioners selected to serve as commissioners of the Commission shall be appointed by the respective authorities no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed. In making its appointments, the appointing authorities shall endeavor to have their appointees reflect the racial, ethnic, geographic, and gender diversity of the Commonwealth. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment, such that the proper partisan balance of the Commission is maintained.

C. Citizen commissioners selected to serve as commissioners of the Virginia Redistricting Commission shall be selected by the Redistricting Commission Selection Committee as provided in § 30-394. In making its selections, the Committee shall ensure the citizen commissioners are, as a whole, representative of the racial, ethnic, geographic, and gender diversity of the Commonwealth. Citizen commissioners shall be appointed no later than January 15 of the year ending in one and shall continue to serve until their successors are appointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled by the Commission selecting a replacement from the list submitted pursuant to subsection E of § 30-394 from which the commissioner being replaced was selected and shall require an affirmative vote of a majority of the commissioners, including at least one commissioner representing or affiliated with each political party.

D. Legislative commissioners shall receive such compensation as provided in § 30-19.12, and citizen commissioners shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments shall come from existing appropriations to the Commission.

E. By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen commissioner and shall be responsible for coordinating the work of the Commission. A majority of the commissioners appointed, which majority shall include a majority of the legislative commissioners and a majority of the citizen commissioners, shall constitute a quorum.

F. All meetings and records of the Commission shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394. All records and documents of the Commission, or any individual or group performing delegated functions of or advising the Commission, related to the Commission's work, including internal communications and communications from outside parties, shall be considered public information.

G. Commissioners, staff of the Commission, and any other advisor or consultant to the Commission shall not communicate with any person outside the Commission about matters related to reapportionment or redistricting outside of a public meeting or hearing. Written public comments submitted to the Commission, staff of the Commission, or any other advisor or consultant to the Commission shall not be a violation of this subsection.

H. In the event the Commission hires a lawyer or law firm, the Commission as an entity shall be considered the client of the lawyer or the law firm. No individual commissioner or group of commissioners shall be considered to be the client of the lawyer or the law firm.

§ 30-393. Redistricting Commission Selection Committee; chairman; quorum; compensation and expenses.

A. There shall be a Redistricting Commission Selection Committee established for the purpose of selecting the citizen commissioners of the Virginia Redistricting Commission. This committee shall consist of five retired judges of the circuit courts of Virginia.

B. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia a list of at least 10 retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and no retired judge who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall be included in such list. In compiling this list, the Chief Justice shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. These members shall each select a judge from the list and shall promptly, but not later than November 20, communicate their selection to the Chief Justice, who shall immediately notify the four judges selected. In making their selections, the members shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Within three days of being notified of their selection, the four judges shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee, who shall serve as the chairman of the Committee.

A majority of the Committee members, which majority shall include the chairman, shall constitute a quorum.

The judges of the Committee shall serve until their successors are appointed. If a judge cannot, for any reason, complete his term, the remaining judges shall select a replacement from the list prescribed herein.

C. Members of the Committee shall receive compensation for their services and shall be allowed all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2- 2813 and 2.2-2825. The compensation and expenses of members and all other necessary expenses of the Committee shall be provided from existing appropriations to the Commission.

D. All meetings and records of the Committee shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394.

E. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-394. Citizen commissioners; application process; qualifications; selection.

A. Within three days following the selection of the fifth member of the Committee, the Committee shall adopt an application and process by which residents of the Commonwealth may apply to serve on the Commission as citizen commissioners. The Division of Legislative Services shall assist the Committee in the development of the application and process.

The application for service on the Commission shall require applicants to provide personal contact information and information regarding the applicant's race, ethnicity, gender, age, date of birth, education, and household income. The application shall require an applicant to disclose, for the period of three years immediately preceding the application period, the applicant's (i) voter registration status; (ii) preferred political party affiliation, if any, and any political party primary elections in which he has voted; (iii) history of any partisan public offices or political party offices held or sought; (iv) employment history, including any current or prior employment with the Congress of the United States or one of its members, the General Assembly or one of its members, any political party, or any campaign for a partisan public office, including a volunteer position; and (v) relevant leadership experience or involvements with professional, social, political, volunteer, and community organizations and causes.

The application shall require an applicant to disclose information regarding the partisan activities and employment history of the applicant's parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law, or any person with whom the applicant is a cohabitating member of a household, for the period of three years immediately preceding the application period.

The Committee may require applicants to submit three letters of recommendation from individuals or organizations.

The application process shall provide for both paper and electronic or online applications. The Committee shall cause to be advertised throughout the Commonwealth information about the Commission and how interested persons may apply.

B. To be eligible for service on the Commission, a person shall have been a resident of the Commonwealth and a registered voter in the Commonwealth for three years immediately preceding the application period. He shall have voted in at least two of the previous three general elections. No person shall be eligible for service on the Commission who:

- 1. Holds, has held, or has sought partisan public office or political party office;*
- 2. Is employed by or has been employed by a member of the Congress of the United States or of the General Assembly or is employed directly by or has been employed directly by the United States Congress or by the General Assembly;*
- 3. Is employed by or has been employed by any federal, state, or local campaign;*
- 4. Is employed by or has been employed by any political party or is a member of a political party central committee;*
- 5. Is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 and a lobbyist's principal as defined in § 2.2-419 or has been such a lobbyist or lobbyist's principal in the previous five years; or*
- 6. Is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of a person described in subdivisions 1 through 5, or is a cohabitating member of a household with such a person.*

C. The application period shall begin no later than December 1 of the year ending in zero and shall end four weeks after the beginning date. During this period, interested persons shall submit a completed application and any required documentation to the Division of Legislative Services. All applications shall be reviewed by the Division of Legislative Services to ensure an applicant's eligibility for service pursuant to subsection B, and any applicant who is ineligible for service shall be removed from the applicant pool.

The Division of Legislative Services shall make available the application for persons to use when submitting a paper application and shall provide electronic access for electronic submission of applications.

D. Within two days of the close of the application period, the Division of Legislative Services shall provide to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia the applications and documentation submitted by those applicants who are eligible for service on the Commission pursuant to subsection B and submitted complete applications, including any required documentation.

E. By January 1 of the year ending in one, those persons receiving the applications pursuant to subsection D shall each submit to

the Committee a list of at least 16 citizen candidates for service on the Commission. In selecting citizen candidates, they shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth.

They shall notify the Division of Legislative Services of the citizen candidates submitted to the Committee for consideration, and the Division of Legislative Services shall promptly provide to the Committee the applications and documentation for each citizen candidate being considered. Only the applications and documentation for each citizen candidate shall be maintained as public records.

F. Within two weeks of receipt of the lists of citizen candidates and related materials pursuant to subsection E, but no later than January 15, the Committee shall select, by a majority vote in a public meeting, two citizen members from each list submitted. In making its selections, the Committee shall ensure the citizen commissioners are, as a whole, representative of the racial, ethnic, geographic, and gender diversity of the Commonwealth. The Committee shall promptly notify those eight citizens of their selection to serve as a citizen commissioner of the Commission.

No member of the Committee shall communicate with a member of the General Assembly or the United States Congress, or any person acting on behalf of a member of the General Assembly or the United States Congress, about any matter related to the selection of citizen commissioners after receipt of the lists submitted pursuant to subsection E.

G. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-395. Staff to Virginia Redistricting Commission; census liaison.

A. The Division of Legislative Services shall provide staff support to the Commission. Staff shall perform those duties assigned to it by the Commission. The Director of the Division of Legislative Services, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to P.L. 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division of Legislative Services in the exchange of all statistical and other information pertinent to preparation for the census.

B. The Division of Legislative Services shall maintain the current election district and precinct boundaries of each county and city as a part of the Commission's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division of Legislative Services.

C. The provisions of Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.

§ 30-396. Public participation in redistricting process.

A. All meetings and hearings held by the Commission shall be adequately advertised and planned to ensure the public is able to attend and participate fully. Meetings and hearings shall be advertised in multiple languages as practicable and appropriate.

B. Prior to proposing any plan for districts for the United States House of Representatives, the Senate, or the House of Delegates and prior to voting to submit such plans to the General Assembly, the Commission shall hold at least three public hearings in order to receive and consider comments from the public. Public hearings may be held virtually and any public hearings that are held in person shall be conducted in different parts of the Commonwealth.

C. The Commission shall establish and maintain a website or other equivalent electronic platform. The website shall be available to the general public and shall be used to disseminate information about the Commission's activities. The website shall be capable of receiving comments and proposals by citizens of the Commonwealth. Prior to voting on any proposed plan, the Commission shall publish the proposed plans on the website.

D. All data used by the Commission in the drawing of districts shall be available to the public on its website. Such data, including census data, precinct maps, election results, and shapefiles, shall be posted within three days of receipt by the Commission.

§ 30-397. Proposal and submission of plans for districts.

A. The Commission shall submit to the General Assembly plans for districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data.

To be submitted as a proposed plan for districts for members of the Senate, a plan shall receive affirmative votes of at least six of the eight legislative commissioners, including at least three of the four legislative commissioners who are members of the Senate, and at least six of the eight citizen commissioners.

To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall receive affirmative votes of at least six of the eight legislative commissioners, including at least three of the four legislative commissioners who are members of the

House of Delegates, and at least six of the eight citizen commissioners.

B. The Commission shall submit to the General Assembly plans for districts for the United States House of Representatives no later than 60 days following the receipt of census data or by the first day of July of that year, whichever occurs first.

To be submitted as a proposed plan for districts for members of the United States House of Representatives, a plan shall receive affirmative votes of at least six of the eight legislative commissioners and at least six of the eight citizen commissioners.

C. If the Commission fails to submit a plan for districts by the deadline set forth in subsection A or B, the Commission shall have 14 days following its initial failure to submit a plan to the General Assembly. If the Commission fails to submit a plan for districts to the General Assembly by this date, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.

D. All plans submitted pursuant to this section shall comply with the criteria and standards set forth in § 24.2-304.04.

§ 30-398. Consideration of plans by the General Assembly; timeline.

A. All plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a single bill.

B. All bills embodying plans for districts for the United States House of Representatives, the Senate, or the House of Delegates shall be voted on by the General Assembly in accordance with the provisions of Article IV, Section 11 of the Constitution of Virginia, except no amendments shall be permitted. All bills embodying a plan that are approved by both houses shall become law without the signature of the Governor and, pursuant to Article II, Section 6 of the Constitution of Virginia, shall take effect immediately.

C. Within 15 days of receipt of any plan for districts, the General Assembly shall take a vote on a bill embodying such plan. If the General Assembly fails to adopt the bill by this deadline, the Commission shall submit a new plan for districts within 14 days of the General Assembly's failure to adopt the bill. Within seven days of receipt of such plan, the General Assembly shall take a vote on the bill embodying the plan, and if the General Assembly fails to adopt the plan by this deadline, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.

D. If the Commission submits a plan for districts pursuant to subsection C of § 30-397, the General Assembly shall take a vote on such plan within seven days of its receipt. If the General Assembly fails to adopt the plan by this deadline, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.

§ 30-399. Establishment of districts by the Supreme Court of Virginia.

A. In the event the Commission fails to submit a plan for districts by the deadline set forth in subsection A or B of § 30-397, or the General Assembly fails to adopt a plan for districts by the deadline set forth in subsection C or D of § 30-398, the Supreme Court of Virginia (the Court) shall be responsible for establishing the districts.

B. The Court shall, not later than March 1 of a year ending in one, enact rules and procedures as may be necessary for implementing the requirements of Article II, Section 6-A of the Constitution of Virginia, empowering the Court to establish congressional or state legislative districts as provided for in that section. In enacting such rules and procedures, the Court shall follow the provisions of this section.

C. Public participation in the Court's redistricting deliberations shall be permitted. Such public participation may be through briefings, written submissions, hearings in open court, or any other means as may be prescribed by the Court.

D. The Division of Legislative Services shall make available staff support and technical assistance to the Court to perform those duties as may be requested or assigned to it by the Court.

E. Any plan for congressional or state legislative districts established by the Court shall adhere to the standards and criteria for districts set forth in Article II, Section 6 of the Constitution of Virginia and § 24.2-304.04.

F. The Court shall appoint two special masters to assist the Court in the establishment of districts. The two special masters shall work together to develop any plan to be submitted to the Court for its consideration.

Within one week of the Commission's failure to submit plans or the General Assembly's failure to adopt plans, the leaders in the House of Delegates having the highest and next highest number of members in the House of Delegates and the leaders in the Senate of Virginia having the highest and next highest number of members in the Senate of Virginia shall each submit to the Court a list of three or more nominees, along with a brief biography and resume for each nominee, including the nominee's particular expertise or experience relevant to redistricting. The Court shall then select, by a majority vote, one special master from the lists submitted by the legislative leaders of the political party having the highest number of members in their respective chambers and one special master from the lists submitted by the legislative leaders of the political party having the next highest number of members in their respective chambers. The persons appointed to serve as special masters shall have the requisite qualifications and experience to serve as a special master and shall have no conflicts of interest. In making its appointments, the Court shall consider any relevant redistricting experience in the Commonwealth and any practical or academic experience in the field of

redistricting. The Court shall be reimbursed by the Commonwealth for all costs, including fees and expenses, related to the appointment or work of the special master from funds appropriated for this purpose.

G. Any justice who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall recuse himself from any decision made pursuant to this section, and no senior justice designated pursuant to § 17.1-302 shall be assigned to the case or matter to serve in his place.

§ 30-400. Remedial redistricting plans.

If any congressional or state legislative district established pursuant to this chapter or the provisions of Article II, Sections 6 and 6-A of the Constitution of Virginia is declared unlawful or unconstitutional, in whole or in part, by order of any state or federal court, the Commission shall be convened to determine and propose a redistricting plan to remedy the unlawful or unconstitutional district.

10. *That an emergency exists and the provisions of Enactment 9 of this act shall become effective on November 15, 2020, contingent upon the passage of an amendment to the Constitution of Virginia on the Tuesday after the first Monday in November 2020, establishing the Virginia Redistricting Commission by amending Section 6 of Article II and adding in Article II a new section numbered 6-A. If such amendment is not approved by the voters, the provisions of this act shall not become effective.*

6911. *That the provisions of the first, second, third, fourth, and fifth sixth, seventh, and eighth enactments of this act shall expire at midnight on June 30, 2022.*

712. *That the provisions of the fourth enactment fifth, ninth, and tenth enactments of this act shall have no expiration date.*

INDEX

	Page
PART 1: OPERATING EXPENSES.....	4
PART 2: CAPITAL PROJECT EXPENSES.....	334
PART 3: MISCELLANEOUS.....	346
PART 4: GENERAL PROVISIONS.....	356

Index, PART 1: OPERATING EXPENSES

Agency Name	Agency Code	Page
Accounts Transfer Payments, Department of (DOATP).....	(162)	147
Accounts, Department of (DOA).....	(151)	147
Administration of Health Insurance (AHI).....	(149)	24
Agriculture and Consumer Services, Department of (VDACS).....	(301)	29
Attorney General and Department of Law (OAG).....	(141)	11
Behavioral Health and Developmental Services, Department of (DBHDS).....	(720)	203
Blind and Vision Impaired, Department for the (DBVI).....	(702)	237
Central Appropriations (CA).....	(995)	291
Children's Services Act (CSA).....	(200)	156
Christopher Newport University (CNU).....	(242)	114
Compensation Board (CB).....	(157)	15
Conservation and Recreation, Department of (DCR).....	(199)	241
Cooperative Extension and Agricultural Research Services (VSU/ CEAR).....	(234)	136
Corrections, Department of (DOC).....	(799)	257
Criminal Justice Services, Department of (DCJS).....	(140)	262
Department for Aging and Rehabilitative Services (DARS).....	(262)	218
Direct Aid to Public Education (DOE/ DAPE).....	(197)	59
Eastern Virginia Medical School (EVMS).....	(274)	140
Economic Development Incentive Payments (EDIP).....	(312)	33
Education, Central Office Operations, Department of (DOE/ COO).....	(201)	57
Elections, Department of (ELECT).....	(132)	26
Emergency Management, Department of (DEM).....	(127)	272
Environmental Quality, Department of (DEQ).....	(440)	248
Fire Programs, Department of (DFP).....	(960)	273
Forensic Science, Department of (DFS).....	(778)	273
Forestry, Department of (DOF).....	(411)	30
Game and Inland Fisheries, Department of (DGIF).....	(403)	251
General District Courts (GDC).....	(114)	6
General Services, Department of (DGS).....	(194)	19
George Mason University (GMU).....	(247)	117
Grants to Localities (DBDHS/GL).....	(790)	210
Health Professions, Department of (DHP).....	(223)	165
Health, Department of (VDH).....	(601)	160
Historic Resources, Department of (DHR).....	(423)	253
Housing and Community Development, Department of (DHCD).....	(165)	36
Human Resource Management, Department of (DHRM).....	(129)	22
Indigent Defense Commission (IDC).....	(848)	8
In-State Undergraduate Tuition Moderation (ISUTM).....	(980)	144

Institute for Advanced Learning and Research (IALR).....	(885).....	141
James Madison University (JMU).....	(216).....	117
Jamestown-Yorktown Foundation (JYF).....	(425).....	137
Juvenile and Domestic Relations District Courts (JDRC).....	(115).....	6
Labor and Industry, Department of (DOLI).....	(181).....	44
Longwood University (LU).....	(214).....	118
Maintain Affordable Access (MAA).....	(984).....	145
Marine Resources Commission (MRC).....	(402).....	254
Medical Assistance Services, Department of (DMAS).....	(602).....	165
Mental Health Treatment Centers (MHTC).....	(792).....	216
Military Affairs, Department of (DMA).....	(123).....	289
Mines, Minerals and Energy, Department of (DMME).....	(409).....	44
Motor Vehicles, Department of (DMV).....	(154).....	283
New College Institute (NCI).....	(938).....	141
Norfolk State University (NSU).....	(213).....	119
Office of the Governor (GOV).....	(121).....	11
Old Dominion University (ODU).....	(221).....	119
Online Virginia Network Authority (OVN).....	(244).....	144
Professional and Occupational Regulation, Department of (DPOR).....	(222).....	45
Radford University (RU).....	(217).....	120
Rail and Public Transportation, Department of (DRPT).....	(505).....	286
Richard Bland College (RBC).....	(241).....	115
Roanoke Higher Education Authority (RHEA).....	(935).....	142
Secretary of Commerce and Trade (SCT).....	(192).....	32
Secretary of Health and Human Resources (SHHR).....	(188).....	156
Secretary of Natural Resources (SNR).....	(183).....	240
Secretary of Public Safety and Homeland Security (SPSHS).....	(187).....	256
Secretary of Transportation (STO).....	(186).....	278
Small Business and Supplier Diversity, Department of (DSBSD).....	(350).....	46
Social Services, Department of (DSS).....	(765).....	219
Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC (JSA).....	(936).....	143
Southern Virginia Higher Education Center (SVHEC).....	(937).....	142
Southwest Virginia Higher Education Center (SWHEC).....	(948).....	143
State Council of Higher Education for Virginia (SCHEV).....	(245).....	109
State Police, Department of (VSP).....	(156).....	274
Supreme Court (SUPCT).....	(111).....	6
Taxation, Department of (TAX).....	(161).....	149
The College of William and Mary in Virginia (CWM).....	(204).....	114
The Library Of Virginia (LVA).....	(202).....	138
The Science Museum of Virginia (SMV).....	(146).....	139
Treasury, Department of the (TD).....	(152).....	154
University of Mary Washington (UMW).....	(215).....	121
University of Virginia (UVA/AD).....	(207).....	122
University of Virginia's College at Wise (UVA/CW).....	(246).....	123
Veterans Services, Department of (DVS).....	(912).....	289
Virginia Center for Behavioral Rehabilitation (VCBR).....	(794).....	217
Virginia Commission for the Arts (VCA).....	(148).....	139
Virginia Commonwealth University (VCU/AD).....	(236).....	123
Virginia Community College System (VCCS).....	(260).....	127
Virginia Cooperative Extension and Agricultural Experiment Station (VPISU /CE).....	(229).....	135

Virginia Economic Development Partnership (VEDP).....	(310).....	48
Virginia Employment Commission (VEC).....	(182).....	49
Virginia Information Technologies Agency (VITA).....	(136).....	27
Virginia Innovation Partnership Authority (VIPA).....	(309).....	50
Virginia Institute of Marine Science (VIMS).....	(268).....	116
Virginia Military Institute (VMI).....	(211).....	133
Virginia Museum of Fine Arts (VMFA).....	(238).....	140
Virginia Parole Board (VPB).....	(766).....	275
Virginia Polytechnic Institute and State University (VPISU/ID).....	(208).....	134
Virginia State Bar (VSB).....	(117).....	8
Virginia State University (VSU).....	(212).....	135
Virginia Tourism Authority (VTA).....	(320).....	50
Virginia Workers' Compensation Commission (VWC).....	(191).....	331
Wilson Workforce and Rehabilitation Center (WWRC).....	(203).....	218

Index, PART 2: CAPITAL PROJECT EXPENSES

Agency Name	Agency Code	Page
Central Capital Outlay (CCO).....	(949).....	338
Conservation and Recreation, Department of (DCR).....	(199).....	336
George Mason University (GMU).....	(247).....	334
Virginia Commercial Space Flight Authority (VCSFA).....	(509).....	338
Virginia Community College System (VCCS).....	(260).....	335
Virginia Polytechnic Institute and State University (VPISU/ID).....	(208).....	335

Index, PART 3: MISCELLANEOUS

	Page
Auxiliary Enterprise Investment Yields.....	354
Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education.....	353
Cigarette Tax, Tobacco Products Tax and Tax on Liquid Nicotine.....	355
Interfund Transfers.....	346
Land Preservation Tax Credit Claimed.....	355
Lines of Credit.....	352
Transfers.....	346

Index, PART 4: GENERAL PROVISIONS

	Page
Effective Date.....	361
Governor.....	358
Lease, License or Use Agreements.....	357

Operating Policies..... 356
Operating Policies..... 356
Reporting Requirements..... 358
Seat of Government Traffic and Pedestrian Safety..... 358

Index, CODE OF VIRGINIA SECTION REFERENCES

Title 1 GENERAL PROVISIONS

Section	Page
§ 1-214.....	361

Title 2.2 ADMINISTRATION OF GOVERNMENT

Section	Page
§ 2.2-115.....	33
§ 2.2-115.1.....	107,312
§ 2.2-201.....	32,240,256,278
§ 2.2-203.1.....	360
§ 2.2-205.....	32
§ 2.2-221.1.....	256
§ 2.2-225.....	32
§ 2.2-510.....	304,360
§ 2.2-514.....	174,178
§ 2.2-803.....	1
§ 2.2-813.....	150
§ 2.2-1129.....	342,358
§ 2.2-1131.1.....	360
§ 2.2-1149.....	341
§ 2.2-1153.....	360
§ 2.2-1156.....	204,207,351
§ 2.2-1201.....	359
§ 2.2-1204.....	24
§ 2.2-1503.3.....	298
§ 2.2-1505.....	1
§ 2.2-1509.....	307
§ 2.2-1509.4.....	245
§ 2.2-1510.....	356
§ 2.2-1514.....	351
§ 2.2-1515.....	334
§ 2.2-1519.....	340
§ 2.2-1520.....	339,340
§ 2.2-1604.....	312
§ 2.2-1611.....	34
§ 2.2-1616.....	46
§ 2.2-1829.....	147,350
§ 2.2-1831.2.....	148
§ 2.2-2011.....	305
§ 2.2-2221.....	32
§ 2.2-2221.1.....	32
§ 2.2-2233.1.....	32
§ 2.2-2240.1.....	32
§ 2.2-2260.....	340,343
§ 2.2-2263.....	340
§ 2.2-2285.....	47
§ 2.2-2290.....	47
§ 2.2-2291.....	47
§ 2.2-2309.....	47
§ 2.2-2310.....	47
§ 2.2-2320.....	34
§ 2.2-2320.1.....	35
§ 2.2-2357.....	52
§ 2.2-2402.....	258
§ 2.2-2417.....	358
§ 2.2-2485.....	32
§ 2.2-2487.....	42
§ 2.2-2489.....	42
§ 2.2-2648.....	159
§ 2.2-2698.....	32
§ 2.2-2699.1.....	32
§ 2.2-2738.....	32
§ 2.2-2818.....	24,25,292
§ 2.2-2900.....	27
§ 2.2-3204.....	295
§ 2.2-3205.....	295
§ 2.2-3707.....	356
§ 2.2-3707.1.....	356
§ 2.2-3708.2.....	356
§ 2.2-3815.....	111
§ 2.2-4000.....	234,355
§ 2.2-4002.....	170,310

§ 2.2-4006.....	248
§ 2.2-4011.....	173
§ 2.2-4019.....	174
§ 2.2-4020.....	174
§ 2.2-4300.....	208,356
§ 2.2-4377.....	208
§ 2.2-4800.....	26,356
§ 2.2-4806.....	49
§ 2.2-4809.....	152
§ 2.2-5101.....	34
§ 2.2-5102.1.....	34
§ 2.2-5200.....	156
§ 2.2-5206.....	159
§ 2.2-5209.....	158
§ 2.2-5211.....	156,220

Title 3.2 AGRICULTURE, ANIMAL CARE, AND FOOD

Section	Page
§ 3.2-3100.....	167
§ 3.2-4200.....	12
§ 3.2-4201.....	350

Title 4.1 ALCOHOLIC BEVERAGE CONTROL ACT

Section	Page
§ 4.1-116.....	346,347
§ 4.1-234.....	346

Title 8.01 CIVIL REMEDIES AND PROCEDURE

Section	Page
§ 8.01-384.1:1.....	7

Title 9.1 COMMONWEALTH PUBLIC SAFETY

Section	Page
§ 9.1-101.....	266,268
§ 9.1-102.....	212,265
§ 9.1-110.....	266
§ 9.1-165.....	270
§ 9.1-172.....	270
§ 9.1-173.....	266
§ 9.1-183.....	266
§ 9.1-187.....	212
§ 9.1-400.....	297
§ 9.1-400.1.....	298
§ 9.1-401.....	297
§ 9.1-903.....	271

Title 10.1 CONSERVATION

Section	Page
§ 10.1-104.7.....	242
§ 10.1-200.....	245,246
§ 10.1-202.....	245
§ 10.1-546.1.....	242
§ 10.1-552.....	243
§ 10.1-603.17.....	244
§ 10.1-603.25.....	353
§ 10.1-605.....	244
§ 10.1-702.....	244
§ 10.1-1020.....	245
§ 10.1-1186.01.....	249
§ 10.1-1322.....	250
§ 10.1-2117.....	249
§ 10.1-2128.....	243
§ 10.1-2128.1.....	243,347
§ 10.1-2129.....	243
§ 10.1-2132.....	243

Title 11 CONTRACTS

Section	Page
§ 11-019.....	199
§ 11-35.....	292

Title 15.2 COUNTIES, CITIES AND TOWNS

Section	Page
----------------	-------------

§ 15.2-1302.....	90,92,270
§ 15.2-1604.....	13
§ 15.2-1613.....	16
§ 15.2-1615.1.....	16
§ 15.2-1643.....	12
§ 15.2-2425.....	32
§ 15.2-2659.....	88,363
§ 15.2-3500.....	270
§ 15.2-4207.....	39

Title 16.1 COURTS NOT OF RECORD

Section	Page
§ 16.1-69.1.....	6
§ 16.1-69.48:2.....	361
§ 16.1-69.58.....	6
§ 16.1-226.....	6
§ 16.1-334.....	6

Title 17.1 COURTS OF RECORD

Section	Page
§ 17.1-132.....	361
§ 17.1-275.12.....	267,351
§ 17.1-278.....	8
§ 17.1-327.....	297
§ 17.1-330.....	7

Title 18.2 CRIMES AND OFFENSES GENERALLY

Section	Page
§ 18.2-186.6.....	153
§ 18.2-259.1.....	285
§ 18.2-266.....	283
§ 18.2-271.1.....	285
§ 18.2-272.....	283

Title 19.2 CRIMINAL PROCEDURE

Section	Page
§ 19.2-80.....	268,269
§ 19.2-119.....	268
§ 19.2-120.....	268,269
§ 19.2-124.....	268,269
§ 19.2-152.2.....	266
§ 19.2-152.7.....	266
§ 19.2-159.....	269
§ 19.2-163.....	6
§ 19.2-169.6.....	212
§ 19.2-176.....	212
§ 19.2-177.1.....	212

Title 20 DOMESTIC RELATIONS

Section	Page
§ 20-124.4.....	7

Title 22.1 EDUCATION

Section	Page
§ 22.1-1.....	100
§ 22.1-3.4.....	70
§ 22.1-18.....	75
§ 22.1-20.1.....	57
§ 22.1-24.....	70
§ 22.1-25.....	73,107
§ 22.1-70.2.....	57
§ 22.1-79.1.....	75
§ 22.1-97.....	77,78,83
§ 22.1-101.1.....	100
§ 22.1-108.....	70
§ 22.1-166.2.....	91,92
§ 22.1-168.....	88,91,92
§ 22.1-168.1.....	88,91,92
§ 22.1-175.5.....	98
§ 22.1-176.....	70
§ 22.1-198.....	70
§ 22.1-199.....	70
§ 22.1-199.1.....	57,70
§ 22.1-199.2.....	70
§ 22.1-205.....	82,285
§ 22.1-212.2.....	57

§ 22.1-212.2:2.....	70
§ 22.1-213.....	70
§ 22.1-221.....	70
§ 22.1-223.....	70
§ 22.1-227.....	70
§ 22.1-237.....	70
§ 22.1-253.13:1.....	57,70
§ 22.1-253.13:2.....	77
§ 22.1-253.13:3.....	85
§ 22.1-253.13:8.....	57,70,75
§ 22.1-254.....	70,72
§ 22.1-254.01.....	70
§ 22.1-254.1.....	72
§ 22.1-287.03.....	66
§ 22.1-289.1.....	70
§ 22.1-290.01.....	61
§ 22.1-290.02.....	106
§ 22.1-299.....	66,96
§ 22.1-318.....	70
§ 22.1-362.....	67

Title 23.1 INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS

Section	Page
§ 23.1-102.....	359
§ 23.1-200.....	110
§ 23.1-203.....	110
§ 23.1-206.....	111
§ 23.1-219.....	110
§ 23.1-224.....	110
§ 23.1-306.....	111,113
§ 23.1-629.....	110
§ 23.1-903.4.....	110,111
§ 23.1-1006.....	357
§ 23.1-1107.....	110
§ 23.1-1200.....	340
§ 23.1-1304.....	113
§ 23.1-2911.1.....	32
§ 23.1-2912.....	127
§ 23.1-3102.....	32
§ 23.1-3132.....	32

Title 24.2 ELECTIONS

Section	Page
§ 24.2-102.....	26
§ 24.2-668.....	26
§ 24.2-712.....	26
§ 24.2-947.5.....	26

Title 30 GENERAL ASSEMBLY

Section	Page
§ 30-19.1:4.....	260,352
§ 30-34.2:1.....	342,358
§ 30-309.....	281
§ 30-347.....	180

Title 32.1 HEALTH

Section	Page
§ 32.1-11.1.....	161
§ 32.1-11.2.....	161
§ 32.1-35.....	161
§ 32.1-50.....	161
§ 32.1-73.....	161
§ 32.1-92.2.....	161
§ 32.1-102.1.....	162
§ 32.1-102.11.....	162
§ 32.1-122.01.....	162
§ 32.1-122.08.....	162
§ 32.1-123.....	162
§ 32.1-138.5.....	162
§ 32.1-162.23.....	54
§ 32.1-313.....	174
§ 32.1-323.2.....	170
§ 32.1-325.....	174
§ 32.1-325.1.....	174
§ 32.1-325.1:1.....	174

§ 32.1-330.....	181
§ 32.1-331.12.....	172,173
§ 32.1-351.....	179
§ 32.1-352.....	350
§ 32.1-366.....	167
§ 32.1-367.....	167

Title 33.2 HIGHWAYS AND OTHER SURFACE TRANSPORTATION SYSTEMS

Section	Page
§ 33.2-214.....	281,287
§ 33.2-214.1.....	278,279
§ 33.2-314.....	358
§ 33.2-357.....	281
§ 33.2-358.....	280,286
§ 33.2-370.....	279
§ 33.2-371.....	279
§ 33.2-372.....	282
§ 33.2-373.....	282
§ 33.2-502.....	280
§ 33.2-1524.....	281
§ 33.2-1526.....	286,287
§ 33.2-1526.1.....	282
§ 33.2-1526.2.....	286
§ 33.2-1600.....	286
§ 33.2-1601.....	287
§ 33.2-1602.....	286,287
§ 33.2-1603.....	286,287
§ 33.2-1800.....	280
§ 33.2-1900.....	281
§ 33.2-1904.....	281

Title 36 HOUSING

Section	Page
§ 36-139.....	39
§ 36-142.....	37

Title 37.2 BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Section	Page
§ 37.2-500.....	215
§ 37.2-504.....	210
§ 37.2-601.....	215
§ 37.2-605.....	210
§ 37.2-713.....	82
§ 37.2-808.....	212
§ 37.2-809.....	6,212
§ 37.2-813.....	6,212
§ 37.2-815.....	212
§ 37.2-816.....	212
§ 37.2-817.....	212
§ 37.2-900.....	261
§ 37.2-912.....	204

Title 38.2 INSURANCE

Section	Page
§ 38.2-400.....	152
§ 38.2-403.....	152
§ 38.2-3418.17.....	293
§ 38.2-5601.....	152

Title 44 MILITARY AND EMERGENCY LAWS

Section	Page
§ 44-146.16.....	261,284,285
§ 44-146.17.....	261,356

Title 46.2 MOTOR VEHICLES

Section	Page
§ 46.2-205.....	283
§ 46.2-221.4.....	284
§ 46.2-301.....	285
§ 46.2-308.....	284
§ 46.2-330.....	285
§ 46.2-336.....	7
§ 46.2-341.1.....	285
§ 46.2-342.....	284

§ 46.2-688.....	284
§ 46.2-819.3:1.....	284
§ 46.2-1700.....	285

Title 51.1 PENSIONS, BENEFITS, AND RETIREMENT

Section	Page
§ 51.1-124.3.....	295
§ 51.1-124.30.....	292
§ 51.1-126.....	297
§ 51.1-132.....	295
§ 51.1-138.....	296
§ 51.1-145.....	293,297
§ 51.1-153.....	296
§ 51.1-155.....	297
§ 51.1-155.1.....	297
§ 51.1-156.....	296
§ 51.1-166.....	75
§ 51.1-169.....	296,297
§ 51.1-500.....	296
§ 51.1-1401.....	81
§ 51.1-1403.....	294

Title 52 POLICE (STATE)

Section	Page
§ 52-1.....	274
§ 52-4.....	274
§ 52-28.....	271,274

Title 53.1 PRISONS AND OTHER METHODS OF CORRECTION

Section	Page
§ 53.1-1.....	15,258,269
§ 53.1-10.....	258
§ 53.1-20.....	258
§ 53.1-32.2.....	261
§ 53.1-40.01.....	276
§ 53.1-40.2.....	212
§ 53.1-69.1.....	259
§ 53.1-80.....	16
§ 53.1-81.....	16
§ 53.1-83.1.....	15
§ 53.1-84.....	15
§ 53.1-85.....	15
§ 53.1-151.....	276

Title 54.1 PROFESSIONS AND OCCUPATIONS

Section	Page
§ 54.1-308.....	45
§ 54.1-2345.....	356
§ 54.1-3916.....	8

Title 55.1 PROPERTY AND CONVEYANCES

Section	Page
§ 55.1-1204.....	39

Title 56 PUBLIC SERVICE COMPANIES

Section	Page
§ 56-232.....	91
§ 56-234.....	91
§ 56-484.17:1.....	152

Title 58.1 TAXATION

Section	Page
§ 58.1-105.....	152
§ 58.1-202.....	150
§ 58.1-203.....	152
§ 58.1-214.....	150
§ 58.1-302.....	151,153
§ 58.1-306.....	151
§ 58.1-320.....	151
§ 58.1-322.02.....	32
§ 58.1-381.....	150,151
§ 58.1-392.....	150
§ 58.1-402.....	32
§ 58.1-435.....	38
§ 58.1-442.....	152
§ 58.1-460.....	153

§ 58.1-472.....	150
§ 58.1-478.....	150
§ 58.1-490.....	150,151
§ 58.1-495.....	151
§ 58.1-512.....	355
§ 58.1-513.....	149,245
§ 58.1-608.3.....	304
§ 58.1-609.10.....	150
§ 58.1-609.11.....	150
§ 58.1-609.12.....	150
§ 58.1-612.....	355
§ 58.1-638.....	80,83,100,350
§ 58.1-645.....	150
§ 58.1-662.....	149,150,352
§ 58.1-1001.....	355
§ 58.1-1021.01.....	355
§ 58.1-1021.02.....	154,355
§ 58.1-1021.04:1.....	355
§ 58.1-1402.....	350
§ 58.1-1410.....	350
§ 58.1-1509.....	346
§ 58.1-1609.....	346
§ 58.1-1731.....	34
§ 58.1-1741.....	151
§ 58.1-1803.....	149
§ 58.1-2289.....	347
§ 58.1-2295.....	284
§ 58.1-2501.....	166
§ 58.1-2533.....	152
§ 58.1-3221.3.....	280
§ 58.1-3403.....	19,259
§ 58.1-3701.....	152
§ 58.1-3835.....	154
§ 58.1-4022.....	70,349
§ 58.1-4022.1.....	70,349

§ 63.2-1704.....	233
§ 63.2-1706.....	233
§ 63.2-1715.....	233,234
§ 63.2-1716.....	233
§ 63.2-1719.....	233
§ 63.2-1720.1.....	234
§ 63.2-1721.1.....	234
§ 63.2-2103.....	220

Title 59.1 TRADE AND COMMERCE

Section	Page
§ 59.1-284.29.....	35
§ 59.1-284.30.....	35
§ 59.1-284.32.....	35
§ 59.1-284.33.....	35
§ 59.1-284.34.....	35
§ 59.1-284.35.....	35
§ 59.1-284.36.....	35
§ 59.1-284.37.....	35

Title 60.2 UNEMPLOYMENT COMPENSATION

Section	Page
§ 60.2-100.....	296
§ 60.2-229.....	296
§ 60.2-300.....	313
§ 60.2-305.....	49
§ 60.2-315.....	49

Title 62.1 WATERS OF THE STATE, PORTS AND HARBORS

Section	Page
§ 62.1-44.15:6.....	248
§ 62.1-44.15:29.....	250
§ 62.1-44.15:35.....	250
§ 62.1-44.15:56.....	249
§ 62.1-44.19:3.....	249
§ 62.1-44.19:20.....	250
§ 62.1-216.1.....	363

Title 63.2 WELFARE (SOCIAL SERVICES)

Section	Page
§ 63.2-611.....	222
§ 63.2-612.....	222
§ 63.2-905.1.....	225
§ 63.2-1300.....	224
§ 63.2-1302.....	225
§ 63.2-1303.....	224
§ 63.2-1502.....	224
§ 63.2-1700.....	233
§ 63.2-1701.1.....	233