2023 SPECIAL SESSION I

CHAPTER 1

[H 6001]

Approved September 14, 2023

An Act to amend and reenact Chapter 2 of the Acts of Assembly of 2022, Special Session I, as amended by Chapter 769 of the Acts of Assembly of 2023, which appropriates the public revenues for two years ending, respectively, on June 30, 2023, and June 30, 2024; and an Act to amend and reenact § 55.1-507, § 58.1-322.02, § 58.1-322.03, and § 58.1-402 of the Code of Virginia.

Be it enacted by the General Assembly of Virginia:

1. That Items 0, 1, 2, 3, 4, 5, 6, 24, 35, 36, 37, 38, 39, 42, 43, 44, 45, 46, 47, 51, 52, 60, 61, 68, 72, 73, 74, 75, 76, 77, 78, 79, 88, 90, 98, 99, 104, 113, 114, 115, 116, 122, 125, 126, 129, 138.10, 142, 144, 156, 171, 197, 202, 208, 212, 225, 240, 241, 244, 247, 251, 252, 274, 276, 277, 284, 285, 287, 289, 294, 295, 296, 301, 302, 303, 304, 306, 308, 311, 312, 313, 330, 331, 334, 342, 344, 345, 347, 363, 365, 374, 376, 380, 386, 392, 394, 397, 399, 402, 404, 408, 410, 419, 422, 427, 429, 430, 431, 449, 452, 458, 471, 483, 484, 485, 486, 487, 493, 503, C-1, C-2, C-60, C-72, C-73, C-75, C-78, C-79.50, C-82, C-85, § 3-1.01, § 3-5.22, 4-5.10, § 4-6.01 and § 4-14.00 of Chapter 2 of the 2022 Acts of Assembly, Special Session I, as amended by Chapter 769 of the 2023 Acts of Assembly be hereby amended and reenacted and that the cited chapter be further amended by adding Items 35.50, 138.10, 255.5, 267.1, C-2.50, C-2.80, C-6.50, C-15.60, C-15.70, C-19.50, C-19.80, C-24.50, C-24.70, C-28.50, C-33.50, C-34.50, C-52.50, C-69.50, C-70.50, C-78.50, C-79.10, C-80.50, § 3-5.28, and § 3-5.29.

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	$10,684,532,497	~~$0~~ *$10,930,591,910*	~~$10,684,532,497~~ *$21,615,124,407*
Additions to Balance	($3,078,628,035)	~~$405,452,425~~ *($7,126,108,812)*	~~($2,673,175,610)~~ *($10,204,736,847)*
Official Revenue Estimates	$24,871,135,500	~~$27,286,414,900~~ *$26,369,314,900*	~~$52,157,550,400~~ *$51,240,450,400*
Transfer	$714,716,804	~~$733,205,420~~ *($129,796,220)*	~~$1,447,922,224~~ *$584,920,584*
Total General Fund Resources Available for Appropriation	$33,191,756,766	~~$28,425,072,745~~ *$30,044,001,778*	~~$61,616,829,511~~ *$63,235,758,544*

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

	First Year	Second Year	Total
Balance, June 30, 2022	$8,383,240,878	$0	$8,383,240,878
Official Revenue Estimates	$45,429,302,663	~~$45,043,705,919~~ *$47,405,121,153*	~~$90,473,008,582~~ *$92,834,423,816*
Lottery Proceeds Fund	$784,671,715	~~$764,671,715~~	~~$1,549,343,430~~

		$850,842,423	*$1,635,514,138*
Internal Service Fund	$2,404,388,342	$2,413,968,065	$4,818,356,407
Bond Proceeds	$157,296,000	~~$0~~	~~$157,296,000~~
		$98,420,000	*$255,716,000*
Total Nongeneral Fund Revenues Available for Appropriation	$57,158,899,598	~~$48,222,345,699~~	~~$105,381,245,297~~
		$50,768,351,641	*$107,927,251,239*
TOTAL PROJECTED REVENUES	$90,350,656,364	~~$76,647,418,444~~	~~$166,998,074,808~~
		$80,812,353,419	*$171,163,009,783*

§ 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-two, through the thirtieth day of June two thousand twenty-four, inclusive.

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

C. "Next biennium" means the period from the first day of July two thousand twenty-four, through the thirtieth day of June two thousand twenty-six, 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 2022-24

	General Fund	**Nongeneral Fund**	**Total**
OPERATING EXPENSES	~~$58,519,699,502~~	~~$101,892,431,498~~	~~$160,412,131,000~~
	$60,768,061,978	*$104,126,520,049*	*$164,894,582,027*
LEGISLATIVE DEPARTMENT	~~$235,368,778~~	~~$10,164,648~~	~~$245,533,426~~
	$237,295,625	*$10,491,800*	*$247,787,425*
JUDICIAL DEPARTMENT	~~$1,164,608,959~~	$75,913,598	~~$1,240,522,557~~
	$1,171,654,063		*$1,247,567,661*

EXECUTIVE DEPARTMENT	~~$57,086,159,489~~ *$59,325,134,857*	~~$99,487,933,920~~ *$101,721,695,319*	~~$156,574,093,409~~ *$161,046,830,176*
INDEPENDENT AGENCIES	~~$33,562,276~~ *$33,977,433*	~~$2,318,419,332~~ *$2,318,419,332*	~~$2,351,981,608~~ *$2,352,396,865*
STATE GRANTS TO NONSTATE AGENCIES	$0	$0	$0
CAPITAL OUTLAY EXPENSES	~~$2,249,179,488~~ *$2,460,439,690*	~~$1,134,983,221~~ *$1,446,900,612*	~~$3,384,162,709~~ *$3,907,340,302*
TOTAL	~~$60,768,878,990~~ *$63,228,501,668*	~~$103,027,414,719~~ *$105,573,420,661*	~~$163,796,293,709~~ *$168,801,922,329*

§ 8. This chapter shall be known and may be cited as the "2023 Special Session I Amendments to the 2023 Appropriation Act."

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PART 1: OPERATING EXPENSES

LEGISLATIVE DEPARTMENT

§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)

1.	Enactment of Laws (78200) a sum sufficient, estimated at.....		$59,457,146	~~$59,437,146~~ *$60,627,135*
	Legislative Sessions (78204).....	$59,457,146	~~$59,437,146~~ *$60,627,135*	
	Fund Sources: General.....	$59,457,146	~~$59,437,146~~ *$60,627,135*	

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded $36,167,822 the first year and ~~$36,147,822~~ *$36,747,822* the second year from the general fund. The Senate is funded $23,287,964 the first year and ~~$23,287,964~~*$23,887,964* the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be $36,321 per year. The salaries of other members of the House of Delegates shall be $17,640 per year. The salaries of the members of the Senate shall be $18,000 per year.

2. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, $16,200 each year, to be paid in equal monthly installments during the year.

3. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. $112,187 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 483 of this act.

b. $306,093 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 483 of this act.

c. $212,920 per calendar year for the compensation of one or more secretaries or legislative assistants for the Senate majority and minority leadership, as determined by the Majority Leader in consultation with the Chairman of the Senate Committee on Rules. Salary increases shall be governed by the provisions of Item 483 of this act.

d.1. $46,332 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and $52,123 for the compensation of legislative assistants for each member of the Senate. Salary increases granted shall be governed by the provisions of Item 483 of this act.

2. In addition, $17,374 per calendar year for each member of the House of Delegates and $11,583 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the operation of legislative offices within members' districts. Salary increases granted shall be governed by the provisions of Item 483 of this act.

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e. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B.5, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

f. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

g. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

h. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

i. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.

j. $74,107 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate , and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Salary increases shall be governed by the provisions of Item 483 of this act.

4.a All compensation and reimbursement of expenses to members of the General Assembly and non-General Assembly members for attending a meeting described in paragraphs B.4.c., B.4.d., B.5., and B.6. shall be paid solely as provided pursuant to this item.

b. The provisions of paragraphs B.4.c. and B.4.d. of this item shall not apply during any regular session of the General Assembly or extension thereof, or during any special session of the General Assembly; provided, however, that the provisions of such paragraphs shall apply during any recess of the same.

c. Notwithstanding any other provision of law, each General Assembly member shall receive compensation for each day, or portion thereof, of attendance at an official meeting of any joint subcommittee, board, commission, authority, council, compact, or other body that has been created or established by the General Assembly or by resolution of a house of the General Assembly, provided that the member has been appointed to, or designated an official member of, such joint subcommittee, board, commission, authority, council, compact, or other body pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation.

Notwithstanding any other provision of law, each General Assembly member shall also receive compensation for each day, or portion thereof, of attendance at an official meeting of (i) any standing committee or subcommittee thereof of the House of Delegates to which the member has been appointed, (ii) any standing committee or subcommittee thereof or Committee on Rules of the Senate to which the member has been appointed, or (iii) the

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Joint Rules Committee of the General Assembly. Any official meeting of a subcommittee of any of the committees described in clauses (i), (ii), or (iii) shall also be an official meeting for which the member shall receive compensation.

Notwithstanding any other provision of law, any General Assembly member whose attendance, in the written opinion of the chairman of (a) any joint subcommittee, board, commission, authority, council, or other body that has been created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly; (b) any such standing committee of the House of Delegates or of the Senate; (c) the Committee on Rules of the Senate; or (d) the Joint Rules Committee of the General Assembly, is required at an official meeting of the body shall also receive compensation for each day, or portion thereof, of attendance at such official meeting.

Any General Assembly member receiving compensation pursuant to this paragraph for attending an official meeting shall be reimbursed for his or her reasonable and necessary expenses incurred in attending such meeting. Notwithstanding any other provision of law, the reimbursement shall be provided by the respective body holding the meeting or by the entity that supports the work of the body.

d. Compensation to General Assembly members for attendance at any official meeting described under B.4.c.of this item may be at a rate equal to $300 for each day, or portion thereof, of attendance. If the member attends two or more official meetings during the same day, and at least one of which occurs in the morning and one of which occurs in the afternoon, then the member shall be compensated at a rate of $400 for the entire day, otherwise compensation is capped at the $300 per day. The payment of such compensation shall be subject to the restrictions and limitations set forth in subsections B., C., and G. of § 30-19.12, Code of Virginia. Notwithstanding any other provision of law, compensation to General Assembly members for attendance at such official meetings shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. The body holding the meeting shall as soon as practicable report the member's attendance at any official meeting of such body to the Clerk of the House of Delegates or the Clerk of the Senate, as applicable, in order to facilitate payment of the compensation. Such body shall report the member's attendance in such manner as prescribed by the respective Clerk.

5. Notwithstanding any other provision of law, whenever any General Assembly member is required to travel for official attendance as a representative of the General Assembly at any meeting, conference, seminar, workshop, or conclave, which is not conducted by the Commonwealth of Virginia or any of its agencies or instrumentalities, such member shall be entitled to (i) compensation in an amount not to exceed the per day rate set forth in paragraph B.4.d., and (ii) reimbursement for reasonable and necessary expenses incurred. Such compensation and reimbursement for expenses shall be set by the Speaker of the House of Delegates for members of the House of Delegates and by the Senate Committee on Rules for members of the Senate.

6. The provisions of this paragraph shall apply only to non-General Assembly members (hereinafter, "citizen members") of any (i) board, commission, authority, council, or other body created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly, or (ii) joint legislative committee or subcommittee.

Notwithstanding any other provision of law, any citizen member of any body described in this paragraph who is appointed at the state level, or designated an official member of such body, pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation, shall receive compensation solely for each day, or portion thereof, of attendance at an official meeting of the same. In no event shall any citizen member be paid compensation for attending a meeting of an advisory committee or other advisory body. Subject to any contrary law that provides for a higher amount of compensation to be paid, compensation shall be paid at the rate of $50 for each day, or portion thereof, of attendance at an official meeting.

Such citizen members shall also be reimbursed for reasonable and necessary expenses incurred in attending (i) an official meeting of any body described in this paragraph, or (ii) a meeting of an advisory committee or advisory body of any body described in this paragraph.

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Compensation and reimbursement of expenses to such citizen members shall be paid by the body holding the meeting (or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held) or by the entity that supports the work of the body.

A citizen member, however, who is a full-time employee of the Commonwealth or any of its local political subdivisions, including any full-time faculty member of a public institution of higher education, shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed by his employer. If such full-time employee who is a citizen member is required by his employer to take annual, family and personal, or other paid leave or unpaid leave to attend an official meeting under this paragraph, then such person shall be reimbursed for his reasonable and necessary expenses incurred by the body holding the meeting, or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held, or by the entity that supports the work of the body. For the purposes of this paragraph, reasonable and necessary expenses shall exclude the reimbursement for leave taken by a citizen member who is a full-time employee of the Commonwealth.

A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed.

7. Pursuant to § 30-19.13, Code of Virginia, allowances for expenses of members of the General Assembly during any regular session of the General Assembly or extension thereof or during any special session of the General Assembly shall be paid in an amount not to exceed the maximum daily amount permitted by the Internal Revenue Service under rates established by the U.S. General Services Administration.

8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of $1,250 for each month of each calendar year. An additional $500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate, the Chair or Chairs of the Senate Finance and Appropriations Committee, and the Chair of the House Appropriations Committee.

C. One legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph B.3.d.1, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and operating expenses during the current biennium shall be transferred to the account established for this

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purpose.

E. An amount of up to $10,000 per year shall be transferred from Item 38 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee.

F. The Speaker of the House shall establish the salary for the Clerk of the House of Delegates.

G. The Senate Committee on Rules shall establish the salary for the Clerk of the Senate.

H. Notwithstanding the salaries set out in Items 2, 4, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in § 4-6.01 of this act.

I. The Joint Commission on Transportation Accountability shall regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15 the Director of the Department of Rail and Public Transportation, the Northern Virginia Transportation Authority and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Commonwealth Rail Fund, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, each year to be presented to the Joint Commission on Transportation Accountability.

J.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee for Early Childhood Care and Education to provide ongoing oversight of the implementation of Virginia's unified public-private system for early childhood care and education. The members of the Joint Subcommittee shall elect a chairman and vice chairman annually.

2. The goals and objectives of the Joint Subcommittee shall be to (i) review the cost-effectiveness of federal and state funding used to improve Virginia's early childhood care and education system, (ii) ensure that the transition of child care regulation from the Board of Social Services to the Board of Education occurs seamlessly without impacting health and safety oversight functions, (iii) ensure that the transition of functions from the Department of Social Services to the Department of Education occurs seamlessly without the interruption of the provision of state services or undue impact on the operation of either agency, (iv) review the implementation of the Board of Education's Quality Rating Implementation System, (v) review workforce needs for Virginia's early childhood education system, (vi) further facilitate partnerships between school divisions and private providers for the Virginia Preschool Initiative, (vii) consider recommendations and options included in the 2017 JLARC report on Improving Virginia's Early Childhood Development Programs, and (viii) consider funding methodology changes to transition the Virginia Preschool Initiative funding model to maximize the number of children served, while recognizing prevailing costs.

3. The staff of the Elementary and Secondary Education subcommittees for the House Appropriations and Senate Finance and Appropriations Committees and the Department of Education will help with facilitating the scope of work to be completed by the Joint Subcommittee. The Virginia Early Childhood Foundation will provide support and resources to the members and staff of the Joint Subcommittee. Other stakeholders, such as those from the Virginia Department of Social Services, the Virginia Community College System, local school divisions, private and faith-based child day-care providers, accredited organizations, education associations and businesses may provide additional information if requested. A report of any findings and recommendations shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

K.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint five members from their respective committees to a Joint Subcommittee for Health and Human Resources Oversight to respond to federal health care changes, provide ongoing oversight of the Medicaid and children's health insurance programs and oversight of Health and Human Resources agencies. The members of the Joint Subcommittee shall elect a Chair and Vice Chair annually.

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2. The Joint Subcommittee shall monitor, evaluate and respond to federal legislation that repeals, amends or replaces the Affordable Care Act (ACA), Medicaid (Title XIX of the Social Security Act), the Children's Health Insurance Program (Title XXI of the Social Security Act) or any proposals to block grant or change the method by which these programs are funded. The Joint Subcommittee shall recommend actions to be taken by the General Assembly to address the impact of any such federal legislation that would affect the state budget and health care coverage now available to Virginians. Furthermore, the Subcommittee shall evaluate federal changes for opportunities to improve Virginia's Medicaid and other health insurance programs.

3. The Joint Subcommittee shall provide ongoing oversight of initiatives and operations of the Health and Human Resources agencies. The Joint Subcommittee shall examine progress made in implementing changes to: (i) Medicaid managed care, including managed long-term supports and services; (ii) Medicaid waiver programs including the Medicaid waivers serving individuals with developmental disabilities; (iii) the Medicaid Enterprise System; (iv) improve eligibility, enrollment and renewal processes in the Medicaid and CHIP programs; (v) the organizational structure and realignment of staff and resources of the Department of Medical Assistance Services resulting from the change from a fee-for-service to a managed care delivery system; (vi) improve the cost effective delivery of services through the Comprehensive Services Act; and (vii) initiatives and programmatic changes across the Health and Human Resources agencies to ensure efficient and effective use of resources across the Secretariat.

4. The Joint Subcommittee may seek support and technical assistance from staff of the House Appropriations and Senate Finance and Appropriations Committees, the staff of the Joint Legislative Audit and Review Commission, the staff of the Joint Commission on Health Care, and the staff of the Department of Medical Assistance Services. Other state agency staff shall provide support upon request.

5. The staff of the House Appropriations and Senate Finance and Appropriations Committees and the Joint Commission on Health Care shall help facilitate the scope of work to be completed by the Joint Subcommittee for Health and Human Resources Oversight.

L.1. The Chair of the Senate Finance and Appropriations Committee shall appoint five members from their Committee and the Chair of the House Appropriations Committee shall appoint four members from his Committee and two members of the House Finance Committee to a Joint Subcommittee on Local Government Fiscal Stress. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee will be to review (i) savings opportunities from increased regional cooperation and consolidation of services, including by jointly operating or merging small school divisions; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) potential financial incentives and other governmental reforms to encourage increased regional cooperation; and (v) the different taxing authorities of cities and counties.

3. Administrative staff support shall be provided by the Office of the Clerks of the House and Senate. The Joint Subcommittee may seek support and technical assistance from the staff of the Division of Legislative Services, House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the Joint Subcommittee for this study, upon request.

4. No recommendation of the Joint Subcommittee shall be adopted if a majority votes against the recommendation. The Joint Subcommittee shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.

M. 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 will temporarily move to and operate from the Pocahontas Building bounded by the

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following streets: 9th Street to the west, 10th Street to the east, Bank Street to the north, and Main Street to the south in the City of Richmond. Space occupied temporarily by the General Assembly shall be under the control of the Legislative Support Commission (§ 30-34.1). Funding for routine maintenance and operations of the temporary space is included in Item 1 of this act.

N. Any nonlegislative citizen member appointed by either the Speaker of the House, the Senate Committee on Rules or the Joint Rules Committee to any Authority, Board, Commission, Committee, or other deliberative body in the Commonwealth shall serve at the pleasure of such appointing authority. Any such member may be relieved of his appointment at any time, with or without cause.

O.1. The Chair of the Senate Finance and Appropriations Committee shall appoint six members from the Senate Committee on Finance and Appropriations and the Chair of the House Appropriations Committee shall appoint three members from the House Committee on Appropriations and three members of the House Committee on Finance to a Joint Subcommittee on Tax Policy. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee shall include (i) evaluating the fiscal impact of amendments to tax brackets, tax rates, credits, deductions, and exemptions, as well as any other factors it deems relevant to making Virginia's individual income tax system more fair and equitable; (ii) giving consideration to the fairness, certainty, convenience of payment, economy in collection, simplicity, neutrality, and economic efficiency of the Commonwealth's tax policies and any changes thereto; and (iii) recommending whether the General Assembly should amend the Code of Virginia.

3. To assist the Joint Subcommittee, the Chair of the Joint Subcommittee may appoint a workgroup which includes the staff of the House Committee on Finance, the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, and any other stakeholders deemed appropriate. All agencies of the Commonwealth shall provide technical assistance to the Joint Subcommittee, upon request.

P. The Clerk of the House of Delegates and the Clerk of the Senate of Virginia, in coordination with staff of the House Appropriations Committee and the Senate Finance and Appropriations Committee, shall review and evaluate the compensation and benefits currently provided to legislative assistants and deliver a report containing recommendations on any changes to such compensation and benefits to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by November 1, 2022.

Q.1. The Virginia Minority Business Commission (the Commission) shall promote the growth and competitiveness of Virginia minority-owned businesses.

2.a. The Commission shall consist of 13 members that include seven legislative members and six nonlegislative citizen members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the Chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

b. Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for

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reappointment. Vacancies shall be filled in the same manner as the original appointments. The Commission shall elect a Chair and Vice-Chair from among its membership, who shall be members of the General Assembly.

c. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2813 and § 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission.

3. The Commission shall: (i) Evaluate the impact of existing statutes and proposed legislation on minority businesses; (ii) Assess the Commonwealth's minority business assistance programs and examine ways to enhance their effectiveness; (iii) Provide minority business owners and advocates with a forum to address their concerns; (iv) Develop strategies and recommendations to promote the growth and competitiveness of Virginia minority-owned businesses; and, (v) Collaborate with the Department of Small Business and Supplier Diversity and other appropriate entities to facilitate the Commission's work and mission.

4. The Chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1st of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

R. Included within this appropriation is $471,937 the first year and ~~$471,937~~ *$461,926* the second year from the general fund for operational support for the following legislative commissions:

Legislative Commission/Council	Authority	FY 2023	FY 2024
American Revolution 250 Commission (Legislative Member Expenses)	Title 30, Chapter 25, Code of Virginia	$12,200	$12,200
Autism Advisory Council	Title 30, Chapter 50, Code of Virginia	$6,330	$6,330
Commission on Civics Education	Title 30, Chapter 55, Code of Virginia	$15,000	$15,000
Commission on Electric Utility Regulation	Title 30, Chapter 31, Code of Virginia	$10,011	~~$10,011~~ *$0*
Commission on School Construction and Modernization	Title 30, Chapter 60, Code of Virginia	$34,340	$34,340
Commission on Unemployment Compensation	Title 30, Chapter 33, Code of Virginia	$6,019	$6,019
Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes	Title 30, Chapter 65, Code of Virginia	$37,540	$37,540
Commission to Evaluate Opportunity for Minority Business Expansion	Discretionary Inclusion	$20,000	$20,000
Joint Commission on Administrative Rules	Title 30, Chapter 8.1, Code of Virginia	$10,065	$10,065
Joint Commission on Transportation Accountability	Title 30, Chapter 43, Code of Virginia	$40,302	$40,302

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Joint Subcommittee to Study Virginia Department of Corrections Staffing Levels	HJR 552, 2021 Acts of Assembly, Special Session I		$14,200		$14,200
Joint Subcommittee for Early Childhood Care and Education	Chapter 1289, 2020 Acts of Assembly (Item 1, Paragraph Q)		$24,400		$24,400
Joint Subcommittee for Health and Human Resources Oversight	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph T)		$24,400		$24,400
Joint Subcommittee on Campaign Finance Reform	HJR 526, 2021 Acts of Assembly, Special Session I		$22,400		$22,400
Joint Subcommittee on Coastal Flooding	HJR 16, SJR 35, 2022 Acts of Assembly		$20,000		$20,000
Joint Subcommittee on Local Government Fiscal Stress	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph U)		$26,840		$26,840
Joint Subcommittee on Tax Policy	Chapter 552, 2021 Acts of Assembly, Special Session I (Item 1, Paragraph AA)		$29,280		$29,280
Legislative Support Commission	Title 30, Chapter 3.1, Code of Virginia		$7,320		$7,320
Manufacturing Development Commission	Title 30, Chapter 41, Code of Virginia		$12,020		$12,020
School Health Services Committee	Title 30, Chapter 64, Code of Virginia		$28,040		$28,040
Small Business Commission	Title 30, Chapter 22, Code of Virginia		$15,131		$15,131
State Water Commission	Title 30, Chapter 24, Code of Virginia		$10,222		$10,222
Virginia Coal and Energy Commission	Title 30, Chapter 25, Code of Virginia		$21,629		$21,629
Virginia Disability Commission	Title 30, Chapter 35, Code of Virginia		$25,608		$25,608
Total			**$471,937**		**~~$471,937~~*$461,926***

S. The Division of Legislative Services shall provide staffing and operational support, as needed, for the legislative commissions listed within the table of the preceding paragraph R. of this item.

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

2. The workgroup shall review the considerations set forth in the JLARC report and produce recommendations with regard to: (i) the method, timing, and amount of any withdrawals from the Fund, including the appropriate funded status at which withdrawals should be considered, with consideration to maintaining sufficient assets to ensure Fund solvency for future obligations; (ii) provide guidelines for the appropriate allocation and subsequent use of monies withdrawn from the Fund, to include returning funds to Legacy Prepaid529 account holders, and for programs supporting higher education access and affordability; and (iii) ongoing oversight of Fund balances to determine availability of any future actuarial

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surpluses.

3. The workgroup shall provide an interim status report by the first day of the 2024 General Assembly Session and submit its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2024.

T.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee on Elementary and Secondary Education Funding to provide on-going direction and oversight of the Standards of Quality funding cost policies and to make recommendations to their respective committees.

2. As part of its oversight, the Joint Subcommittee shall: (i) review the recommendations and policy options offered in the Joint Legislative Audit and Review Commission's July 2023 report, "Virginia's K-12 Funding Formula"; (ii) determine the appropriateness of implementing each recommendation or policy option, (iii) propose appropriate amendments to each recommendation or policy option and (iv) develop a long-range plan for the phased implementation of its recommendations. In its deliberations, the Joint Subcommittee shall consider the long-term fiscal implications of each recommendation.

3. The Joint Subcommittee shall submit initial recommendations and an implementation plan to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1, 2024.

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

U.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and make recommendations to their respective committees.

2. The initial review of the Joint Subcommittee on Higher Education Funding Policies shall: (i) prioritize the review of funding related to operations and financial aid; (ii) provide recommendations to improve funding models; and (iii) develop a short- and long-term plan for phased implementation of any recommendations. As part of its review, the Joint Subcommittee shall consider the recommendations provided in reports related to higher education funding, including recent Joint Legislative Audit and Review Commission reports and the State Council of Higher Education for Virginia's report on Cost and Funding Needs.

3. The Joint Subcommittee shall convene after December 1, 2024 and shall submit initial recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than September 15, 2025.

4. The Joint Subcommittee may seek support from the staff of the Senate Finance and Appropriations and House Appropriations Committees, the State Council of Higher Education for Virginia, public institutions of higher education, and other higher education and state agency representatives. At its discretion, the Joint Subcommittee may contract for consulting services.

Total for General Assembly of Virginia.....			**$59,457,146**	**~~$59,437,146~~** ***$60,627,135***
General Fund Positions.....	224.00	~~224.00~~ *230.00*		
Position Level.....	224.00	~~224.00~~ *230.00*		
Fund Sources: General.....	$59,457,146	~~$59,437,146~~ *$60,627,135*		

§ 1-2. AUDITOR OF PUBLIC ACCOUNTS (133)

ITEM 2.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
2.	Legislative Evaluation and Review (78300).....			$15,637,832	$15,637,832
	Financial and Compliance Audits (78301).....	$15,637,832	$15,637,832		
	Fund Sources: General.....	$13,704,429	$13,704,429		
	Special.....	$1,933,403	$1,933,403		

Authority: Article IV, Section 18, Constitution of Virginia; Title 30, Chapter 14, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Auditor of Public Accounts, $218,491 from July 10, 2022 to June 9, 2023, ~~and~~ $229,416 from June 10, 2023 to *December 9, 2023, and $234,004 from December 10, 2023 to* June 30, 2024.

B. 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 pursuant to § 2.2-1829, Code of Virginia. The Auditor shall, at the same time, provide his report on (i) the 15 percent limitation and the amount that could be paid into the Revenue Stabilization Fund and (ii) any amounts necessary for deposit 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.

C. The specifications of the Auditor of Public Accounts for the independent certified public accountants auditing localities shall include requirements for any money received by the sheriff. These requirements shall include that the independent certified public accountant must submit a letter to the Auditor of Public Accounts annually providing assurance as to whether the sheriff has maintained a proper system of internal controls and records in accordance with the Code of Virginia. This letter shall be submitted along with the locality's audit report.

D.1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs. For any specific stormwater outfall generating more than $200,000 in annual fees, such report shall include identification of specific actions to remediate nutrient and sediment reduction from the specific outfall.

2. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.

E. The Auditor of Public Accounts' Specifications for Audits of Counties, Cities, and Towns and the Specifications for Audits of Authorities, Boards, and Commissions, for the independent certified public accountants auditing localities and local government entities, shall include requirements related to the communication of other internal control deficiencies or financial matters, commonly referred to as a management letter. These requirements shall include that any such communication issued by the independent certified public accountants related to other internal control deficiencies or other financial matters that merit the attention of management and the governing body must be made in the form of official, written communication.

F. Out of the amounts appropriated in this item, $325,000 the first year and $325,000 the second year from the general fund shall be available to implement compensation adjustments to address recruitment and retention. Implementation of the salary adjustments is contingent on the approval of a compensation plan by the Committee on Joint Rules

Total for Auditor of Public Accounts.....			**$15,637,832**	**$15,637,832**
General Fund Positions.....	120.00	120.00		
Nongeneral Fund Positions.....	16.00	16.00		
Position Level.....	136.00	136.00		

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	Fund Sources: General	$13,704,429	$13,704,429		
	Special	$1,933,403	$1,933,403		

§ 1-3. COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (413)

3.	Ground Transportation System Safety Services (60500)			$2,550,431	$2,550,431
	Ground Transportation Safety Promotion (60503)	$2,550,431	$2,550,431		
	Fund Sources: Special	$2,550,431	$2,550,431		

Authority: §§ 18.2-271.1 and 18.2-271.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Executive Director, $140,607 from July 10, 2022 to June 24, 2023 ~~and~~, $147,637 from June 25, 2023 to *December 9, 2023, and $150,590 from December 10, 2023 to* June 30, 2024.

B. Notwithstanding the salaries listed in paragraph A. of this item, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program.

C. The Commission shall review its organizational and financial structure and develop recommended actions needed to achieve long-term fiscal stability. The Commission shall report its findings, to include any recommendations that require legislative action, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022.

	Total for Commission on the Virginia Alcohol Safety Action Program			**$2,550,431**	**$2,550,431**
	Nongeneral Fund Positions	11.50	11.50		
	Position Level	11.50	11.50		
	Fund Sources: Special	$2,550,431	$2,550,431		

§ 1-4. DIVISION OF CAPITOL POLICE (961)

4.	Administrative and Support Services (39900)			$15,438,915	$15,438,915
	Security Services (39923)	$15,438,915	$15,438,915		
	Fund Sources: General	$15,438,915	$15,438,915		

Authority: Title 30, Chapter 3.1, Code of Virginia.

Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol Police, $220,500 from July 10, 2022 to June, 9, 2023, ~~and~~ $231,525 from June 10, 2023 to *December 9, 2023, and $236,156 from December 10, 2023 to* June 30, 2024.

	Total for Division of Capitol Police			**$15,438,915**	**$15,438,915**
	General Fund Positions	121.00	121.00		
	Position Level	121.00	121.00		
	Fund Sources: General	$15,438,915	$15,438,915		

§ 1-5. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)

5.	Information Technology Development and Operations (82000)			$8,328,169	$6,555,697
	Computer Operations Services (82001)	$8,328,169	$6,555,697		
	Fund Sources: General	$8,040,567	$6,268,095		
	Special	$287,602	$287,602		

Authority: Title 30, Chapter 3.2, Code of Virginia.

ITEM 5.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, $190,777 from July 10, 2022 to June 9, 2023 ~~and~~, $200,316 from June 10, 2023 to *December 9, 2023, and $204,322 from December 10, 2023 to* June 30, 2024.				
B. Included in this appropriation is funding sufficient for the ongoing replacement of a legacy legislative bill tracking system. The expenditure of these funds is contingent on the Director of the Division of Legislative Automated Systems developing a detailed implementation plan and submitting the plan to the Committee on Joint Rules for its approval. Any procurement of a replacement legislative bill tracking system shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of § 2.2-2012. The plan may propose to procure a replacement legislative bill tracking system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director.				
C. Out of the amounts included in this item, $201,140 the first year and $201,140 the second year from the general fund is provided to complete the replacement of a legacy legislative bill tracking system.				
D. Out of the amounts included in this item, $50,000 the first year and $50,000 the second year from the general fund is provided for software, security, and infrastructure upgrades for the Division of Legislative Automated Systems.				
Total for Division of Legislative Automated Systems.			**$8,328,169**	**$6,555,697**
General Fund Positions	21.00	21.00		
Position Level	21.00	21.00		
Fund Sources: General	$8,040,567	$6,268,095		
Special	$287,602	$287,602		
§ 1-6. DIVISION OF LEGISLATIVE SERVICES (107)				
6. Legislative Research and Analysis (78400)			$8,738,378	~~$8,738,378~~ *$9,315,530*
Bill Drafting and Preparation (78401)	$8,738,378	~~$8,738,378~~ *$9,315,530*		
Fund Sources: General	$8,718,346	~~$8,718,346~~ *$8,968,346*		
Special	$20,032	~~$20,032~~ *$347,184*		
Authority: Title 30, Chapter 2.2, Code of Virginia.				
A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, $183,500 from July 10, 2022 to June 9, 2023 ~~and~~, $192,938 from June 10, 2023, to *December 9, 2023, and $196,797 from December 10, 2023 to* June 30, 2024.				
B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.				
C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Behavioral Health Commission, the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, *the Commission on Electric Utility Regulation,* and the Virginia State Crime Commission.				
D. Out of this appropriation, $250,000 the first year from the general fund is provided to support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century. The funding may be used to contract for expertise and assistance in its work to evaluate the community-based system of service delivery or other related topics as required by the work of the Joint Subcommittee. Any contractor hired shall evaluate the current system along with alternative delivery systems				

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to provide the necessary information and assistance to the subcommittee in determining the most appropriate delivery system, or modifications to the current delivery system, that ensures access, quality, consistency, and accountability. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.				
E.*1.* Out of this appropriation, $178,400 each year from the general fund is provided to support costs associated with the Joint Subcommittee to Examine the Commonwealth's Pandemic Response, authorized by Senate Joint Resolution 10 of the 2022 General Assembly.				
2. Notwithstanding any other provision of law, the Senate Joint Resolution 10 (2022 Session) Joint Subcommittee to Examine the Commonwealth's Pandemic Response shall continue conducting its study and meet as needed, provide an interim status report by the first day of the 2024 General Assembly Session, and provide a final report by September 1, 2024. Any remaining appropriation at year end shall be carried forward to the subsequent fiscal year to support the Joint Subcommittee.				
F. Included in this item is $327,152 in the second year from dedicated special revenue to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.				
G. Out of this appropriation, $250,000 the second year from the general fund is provided for the Division to procure additional expertise as necessary in its role as staff support to the Virginia Gaming Commission established by House Joint Resolution 548, 2023 Acts of Assembly. In addition to the activities directed in HJR 548, the Joint Subcommittee shall evaluate all potential options to consolidate gaming regulation and oversight in the Commonwealth and provide a detailed transition plan in support of recommendations.				
Total for Division of Legislative Services.....			**$8,738,378**	**~~$8,738,378~~** ***$9,315,530***
General Fund Positions.....	61.00	61.00		
Position Level.....	61.00	61.00		
Fund Sources: General.....	$8,718,346	~~$8,718,346~~ *$8,968,346*		
Special.....	$20,032	~~$20,032~~ *$347,184*		
Capitol Square Preservation Council (820)				
7. Architectural and Antiquity Research Planning and Coordination (74800).....			$224,081	$224,081
Architectural Research (74801).....	$224,081	$224,081		
Fund Sources: General.....	$224,081	$224,081		
Authority: Title 30, Chapter 28, Code of Virginia.				
Total for Capitol Square Preservation Council.....			**$224,081**	**$224,081**
General Fund Positions.....	2.00	2.00		
Position Level.....	2.00	2.00		
Fund Sources: General.....	$224,081	$224,081		
8. Not set out.				
Dr. Martin Luther King, Jr. Memorial Commission (845)				
9. Human Relations Management (14600).....			$100,659	$100,659
Human Relations Management (14601).....	$100,659	$100,659		
Fund Sources: General.....	$100,659	$100,659		

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	Authority: Title 30, Chapter 27, Code of Virginia.				
	Total for Dr. Martin Luther King, Jr. Memorial Commission			**$100,659**	**$100,659**
	Fund Sources: General	$100,659	$100,659		
	Joint Commission on Technology and Science (847)				
10.	Technology Research, Planning, and Coordination (53700)			$232,887	$232,887
	Technology Research (53701)	$232,887	$232,887		
	Fund Sources: General	$232,887	$232,887		
	Authority: Title 30, Chapter 11, Code of Virginia.				
	Total for Joint Commission on Technology and Science			**$232,887**	**$232,887**
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$232,887	$232,887		
	Commissioners for the Promotion of Uniformity of Legislation in the United States (145)				
11.	Governmental Affairs Services (70100)			$87,547	$87,547
	Interstate Affairs (70103)	$87,547	$87,547		
	Fund Sources: General	$87,547	$87,547		
	Authority: Title 30, Chapter 29, Code of Virginia.				
	Commissioners shall receive no compensation for their services from the funds appropriated in this item, but their necessary travel and hotel expenses shall be reimbursed, subject to the approval of the Joint Rules Committee or to the joint approval of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules.				
	Total for Commissioners for the Promotion of Uniformity of Legislation in the United States			**$87,547**	**$87,547**
	Fund Sources: General	$87,547	$87,547		
12.	Not set out.				
13.	Not set out.				
	Virginia Code Commission (108)				
14.	Enactment of Laws (78200)			$93,432	$93,432
	Code Modernization (78201)	$93,432	$93,432		
	Fund Sources: General	$69,400	$69,400		
	Special	$24,032	$24,032		
	Authority: Title 30, Chapter 15, Code of Virginia.				
	The Code Commission shall not authorize, or undertake, a re-numbering or re-codification of the Code of Virginia, 1950 as amended unless there is a specific appropriation included in a general Appropriation Act addressing the fiscal impact of such an action. The Commission is authorized to develop a proposal, for review by the Committee on Joint Rules, to re-number the Code of Virginia, including the proposed re-numbering structure and a detailed estimate of any potential fiscal impact on state agencies from the restructuring.				
	Total for Virginia Code Commission			**$93,432**	**$93,432**

ITEM 14.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: General	$69,400	$69,400		
	Special	$24,032	$24,032		
	Virginia Freedom of Information Advisory Council (834)				
15.	Governmental Affairs Services (70100)			$245,803	$245,803
	Public Information Services (70109)	$245,803	$245,803		
	Fund Sources: General	$245,803	$245,803		
	Authority: Title 30, Chapter 21, Code of Virginia.				
	Total for Virginia Freedom of Information Advisory Council			**$245,803**	**$245,803**
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$245,803	$245,803		
	Virginia Housing Commission (840)				
16.	Housing Assistance Services (45800)			$417,624	$423,874
	Housing Research and Planning (45803)	$417,624	$423,874		
	Fund Sources: General	$417,624	$423,874		
	Authority: § 30-257, Code of Virginia.				
	Total for Virginia Housing Commission			**$417,624**	**$423,874**
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$417,624	$423,874		
	Brown v. Board of Education Scholarship Committee (858)				
17.	Human Relations Management (14600)			$25,358	$25,358
	Human Relations Management (14601)	$25,358	$25,358		
	Fund Sources: General	$25,358	$25,358		
	Authority: Title 30, Chapter 34.1, Code of Virginia.				
	Total for Brown v. Board of Education Scholarship Committee			**$25,358**	**$25,358**
	Fund Sources: General	$25,358	$25,358		
18.	Not set out.				
19.	Not set out.				
	Commission on Electric Utility Regulation (863)				
20.	Not set out.				
21.	Not set out.				
22.	Not set out.				
23.	Not set out.				

ITEM 23.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Virginia Conflict of Interest and Ethics Advisory Council (876)				
24.	Personnel Management Services (70400)			$635,143	~~$635,143~~ *$688,745*
	Personnel Management Services (70400)	$598,874	~~$598,874~~ *$652,476*		
	Agency Human Resource Services (70401)	$36,269	$36,269		
	Fund Sources: General	$635,143	~~$635,143~~ *$688,745*		
	Authority: Chapters 792 and 804 of the 2014 Acts of Assembly.				
	Out of the the amounts appropriated to the Council, an amount estimated at $195,000 each year is from lobbyist registration fees pursuant to § 2.2-424, Code of Virginia.				
	Total for Virginia Conflict of Interest and Ethics Advisory Council			**$635,143**	**~~$635,143~~** ***$688,745***
	General Fund Positions	5.00	~~5.00~~ *6.00*		
	Position Level	5.00	~~5.00~~ *6.00*		
	Fund Sources: General	$635,143	~~$635,143~~ *$688,745*		
25.	Not set out.				
	Virginia-Israel Advisory Board (330)				
26.	Economic Development Services (53400)			$277,425	$227,425
	Economic Development Research, Planning, and Coordination (53401)	$266,173	$216,173		
	Economic Development Services (53412)	$11,252	$11,252		
	Fund Sources: General	$277,425	$227,425		
	Total for Virginia-Israel Advisory Board			**$277,425**	**$227,425**
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$277,425	$227,425		
27.	Not set out.				
	Commission on the May 31, 2019 Virginia Beach Mass Shooting (879)				
28.	Research, Planning, and Coordination (78800)			$38,504	$38,504
	Policy Research and Planning (78801)	$38,504	$38,504		
	Fund Sources: General	$38,504	$38,504		

Authority: Discretionary Inclusion

A. The Commission to Investigate the May 31, 2019, Virginia Beach Mass Shooting is established as an independent commission. The purpose of the Commission is to conduct an independent, thorough, objective incident review of the May 31, 2019, tragedy and make recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other governmental agencies and private providers.

B.1. The Commission shall consist of 22 members appointed as follows: five nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; five nonlegislative

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citizen members to be appointed by the Senate Committee on Rules; and 11 nonlegislative citizen members to be appointed by the Governor. The Superintendent of State Police shall serve ex officio as a nonvoting member of the Commission. One of the nonlegislative citizen members shall serve as a victim advocate; all other nonlegislative citizen member of the Commission shall have significant experience as either a (i) law-enforcement officer, (ii) jurist, (iii) local government administrator, (iv) qualified, licensed forensic psychologist, (v) first responder, (vi) security expert, or (vii) IT specialist, and no nonlegislative citizen members of the Commission shall be currently serving in an elected capacity. The Governor shall appoint at least one person from each of the occupations and professions described in clauses (i) through (vii). Every effort shall be made to ensure that appointees do not have a conflict of interest yet can provide the best insight into their specialization. The Commission shall elect a chairman and vice-chairman from among its membership.

2. Unless otherwise approved in writing by the chairman of the Commission, Commission members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

C.1. The Commission shall: (i) investigate the underlying motive for the May 31, 2019, Virginia Beach mass shooting; (ii) investigate the gunman's personal background and entire prior employment history with the City of Virginia Beach and his interactions with coworkers and supervisors, including but not limited to formal documentation and informal incidents; (iii) determine how the gunman was able to carry out his actions; (iv) identify any obstacles confronted by first responders; (v) identify and examine the security procedures and protocols in place immediately prior to the mass shooting; (vi) examine the post-shooting communications between law enforcement and the families of the victims; (vii) assess such other matters as it deems necessary to gain a comprehensive understanding of the tragic events of May 31, 2019, and (viii) develop recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other government agencies and private providers, to minimize the risk of a tragedy of this nature from ever occurring again in the Commonwealth.

2. To the extent required by law, the Commission shall (i) protect the confidentiality of any individual's or family member's personal or health information and (ii) make public or publish information and findings only in summary or aggregate form without identifying personal or health information related to any individual or family member unless authorization is obtained from an individual or family member that specifically permits the Commission to disclose that person's personal or health information; and (iii) ensure that its investigation does not impede any investigation into the matter being conducted by law enforcement.

D. The Office of the State Inspector General shall provide staff support to the Commission. All agencies of the Commonwealth shall provide assistance to the Office of the State Inspector General upon request. Upon the request of the Chairman, the Director of the Department of Planning and Budget may authorize a transfer of this appropriation to the Office of the State Inspector General to support the work of the Commission.

E. Beginning in 2021, the Chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1 of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Total for Commission on the May 31, 2019 Virginia Beach Mass Shooting.....			**$38,504**	**$38,504**
Fund Sources: General.....	$38,504	$38,504		

29. Not set out.

Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African

ITEM 29.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Americans (880)				
30.	Research, Planning, and Coordination (78800)			$94,164	$94,164
	Policy Research and Planning (78801)	$94,164	$94,164		
	Fund Sources: General	$94,164	$94,164		
	Authority: Title 2.2, Chapter 25, Article 11, Code of Virginia.				
	Total for Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans			**$94,164**	**$94,164**
	Fund Sources: General	$94,164	$94,164		
	Grand Total for Division of Legislative Services			**$11,211,005**	**~~$11,167,255~~** ***$11,798,009***
	General Fund Positions	76.00	~~76.00~~ *77.00*		
	Position Level	76.00	~~76.00~~ *77.00*		
	Fund Sources: General	$11,166,941	~~$11,123,191~~ *$11,426,793*		
	Special	$44,064	~~$44,064~~ *$371,216*		
	§ 1-7. CHESAPEAKE BAY COMMISSION (842)				
31.	Resource Management Research, Planning, and Coordination (50700)			$343,630	$343,630
	Resource Management Policy and Program Development (50701)	$343,630	$343,630		
	Fund Sources: General	$343,630	$343,630		
	Authority: Title 30, Chapter 36, Code of Virginia.				
	Total for Chesapeake Bay Commission			**$343,630**	**$343,630**
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$343,630	$343,630		
	§ 1-8. JOINT COMMISSION ON HEALTH CARE (844)				
32.	Health Research, Planning, and Coordination (40600)			$981,532	$981,532
	Health Policy Research (40606)	$981,532	$981,532		
	Fund Sources: General	$981,532	$981,532		
	Authority: Title 30, Chapter 18, Code of Virginia.				
	Total for Joint Commission on Health Care			**$981,532**	**$981,532**
	General Fund Positions	7.00	7.00		
	Position Level	7.00	7.00		
	Fund Sources: General	$981,532	$981,532		
	§ 1-9. BEHAVIORAL HEALTH COMMISSION (882)				
33.	Health Research, Planning, and Coordination (40600)			$608,507	$608,507
	Behavioral Health Policy Research (40610)	$608,507	$608,507		

ITEM 33.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$608,507	$608,507		
Authority: Title 30, Chapter 63, Code of Virginia.				
The Behavioral Health Commission shall conduct a study of how to maximize school-based mental health services across the Commonwealth. The Commission shall form a task force of local school administrators, school-based mental health professionals, community-based mental health professionals in public and private settings, teachers, students, and parents as well as relevant stakeholders from the Departments of Medical Assistance Services, Behavioral Health and Developmental Services, and Education to evaluate the current reach of school-based mental health services and to identify strategies to connect mental health clinical interventions (Tier 2 and Tier 3) to school settings. The Commission shall consider opportunities to align Medicaid-funded behavioral health services included in Project BRAVO and school-initiated services that will be newly eligible under the "free care rule" implementation. In addition, the Commission shall provide relevant information related to the role of qualified mental health professionals eligible to provide these services and opportunities to identify where they can be appropriately included and compensated to meet student mental health needs. Other initiatives, such as youth peer support specialists, recovery high schools, and school-based health centers shall be included as well. The Commission shall make recommendations about strategies to implement and expand school-based mental health services by December 1, 2023.				
Total for Behavioral Health Commission			**$608,507**	**$608,507**
General Fund Positions	4.00	4.00		
Position Level	4.00	4.00		
Fund Sources: General	$608,507	$608,507		
§ 1-10. VIRGINIA COMMISSION ON YOUTH (839)				
34. Social Services Research, Planning, and Coordination (45000)			$383,652	$383,652
Social Services Research and Planning (45003)	$383,652	$383,652		
Fund Sources: General	$383,652	$383,652		
Authority: Title 30, Chapter 20, Code of Virginia.				
Total for Virginia Commission on Youth			**$383,652**	**$383,652**
General Fund Positions	3.00	3.00		
Position Level	3.00	3.00		
Fund Sources: General	$383,652	$383,652		
§ 1-11. VIRGINIA STATE CRIME COMMISSION (142)				
35. Criminal Justice Research, Planning and Coordination (30500)			$1,379,453	~~$1,379,453~~ *$1,454,453*
Criminal Justice Research (30503)	$1,379,453	~~$1,379,453~~ *$1,454,453*		
Fund Sources: General	$1,241,911	~~$1,241,911~~ *$1,316,911*		
Federal Trust	$137,542	$137,542		
Authority: Title 30, Chapter 16, Code of Virginia.				
Included in this appropriation is $75,000 the second year from the general fund to support the implementation of the compensation adjustment plan for commission staff effective December 10, 2023.				

ITEM 35.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Total for Virginia State Crime Commission			**$1,379,453**	**~~$1,379,453~~ *$1,454,453***
	General Fund Positions	9.00	9.00		
	Nongeneral Fund Positions	4.00	4.00		
	Position Level	13.00	13.00		
	Fund Sources: General	$1,241,911	~~$1,241,911~~ *$1,316,911*		
	Federal Trust	$137,542	$137,542		

§ 1-12. COMMISSION ON ELECTRIC UTILITY REGULATION (863)

35.50	*Commission on Electric Utility Regulation (78800)*			*$0*	*$345,525*
	Policy Research and Planning (78801)	*$0*	*$345,525*		
	Fund Sources: General	*$0*	*$345,525*		
	Total for Commission on Electric Utility Regulation			***$0***	***$345,525***
	General Fund Positions	*0.00*	*6.00*		
	Position Level	*0.00*	*6.00*		
	Fund Sources: *General*	*$0*	*$345,525*		

§ 1-13. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)

36.	Legislative Evaluation and Review (78300)			$5,856,936	$5,756,936
	Performance Audits and Evaluation (78303)	$5,856,936	$5,756,936		
	Fund Sources: General	$5,727,654	$5,627,654		
	Trust and Agency	$129,282	$129,282		

Authority: Title 30, Chapters 7 and 8, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), $186,905 from July 10, 2022, to June 9, 2023, ~~and~~ $196,250 from June 10, 2023 to~~,~~*December 9, 2023, and $200,175 from December 10, 2023 to* June 30, 2024.

B. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance and Appropriations Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

C. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the Chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.

D.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of

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law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of VITA or JLARC.

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to conduct, on a continuing basis, a review and evaluation of economic development initiatives and policies and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) spending on and performance of individual economic development incentives, including grants, tax preferences, and other assistance; (ii) economic benefits to Virginia of total spending on economic development initiatives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission; and (iv) design, oversight, and accountability of economic development entities, initiatives, and policies as needed.

3. For the purpose of carrying out its duties under this authority and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the facilities, employees, information, and records, including confidential information, and the public and executive session meetings and records of the board of VEDP, involved in economic

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development initiatives and policies for the purpose of carrying out such duties in accordance with the established standards, processes, and practices exercised by JLARC pursuant to its statutory authority. Access shall include the right to attend such meetings for the purpose of carrying out such duties. Any non-disclosure agreement that VEDP enters into on or after July 1, 2016, for the provision of confidential and proprietary information to VEDP by a third party shall require that JLARC also be allowed access to such information for the purposes of carrying out its duties.

4. Notwithstanding the provisions of subsection A or B of § 58.1-3 or any other provision of law, unless prohibited by federal law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to JLARC such tax information as may be necessary to conduct oversight of economic development initiatives and policies.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its oversight of economic development initiatives and policies, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its oversight of economic development initiatives and policies where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. By August 15 of each year, the Secretary of Commerce and Trade shall provide to JLARC all information collected pursuant to § 2.2-206.2, Code of Virginia, in a format and manner specified by JLARC to ensure that the final report to be submitted by the Secretary fulfills the intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.

7. JLARC shall assist the agencies submitting information to the Secretary of Commerce and Trade pursuant to the provisions of § 2.2-206.2, Code of Virginia, to ensure that the agencies work together to effectively develop standard definitions and measures for the data required to be reported and facilitate the development of appropriate unique project identifiers to be used by the impacted agencies.

8. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

9. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

10. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

F. Notwithstanding the salaries listed in paragraph A. of this item, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC.

G.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the agencies and programs under the Secretary of Health and Human Resources (HHR) on a continuing basis.

2. Review and evaluation work shall be directed by JLARC in consultation with the Joint Committee for Health and Human Resources Oversight.

3. Review and evaluation shall include, but not be limited to (i) studies of agencies or programs; (ii) targeted analysis of spending trends and other issues warranting examination; and (iii) assessment of the soundness and accuracy of population and spending forecasts, including the process, assumptions, methodology, and results.

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4. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all agencies within the HHR secretariat.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of agencies and programs within the HHR secretariat, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of agencies and programs within the HHR secretariat where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation of agencies and programs within the HHR secretariat, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

7. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

8. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

H.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Commonwealth's enterprise resource planning and related financial, payroll, personnel management and benefit eligibility systems (Cardinal) on a continuing basis and to provide such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) procurement for the planning, development, implementation, operation, and maintenance of Cardinal and any subsequent contracts and amendments thereto; (ii) the development, implementation, performance, and costs of Cardinal; (iii) the long-term viability of the technologies utilized in Cardinal; (iv) the adequacy of the system of governance for Cardinal, including the responsibility for, and control of specific data in Cardinal, the responsibility for systems support and maintenance, and the appropriate role of the Virginia Information Technologies Agency; and (v) the security of governmental and personally identifiable information contained in Cardinal.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all state agencies and institutions.

4. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of Cardinal, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of

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confidentiality from JLARC, used by JLARC in connection with its evaluation of Cardinal where, if such records are made public, the financial interest of the private entity would be adversely affected.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for Cardinal review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

7. All agencies and institutions of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

I. The clerk of each circuit court shall provide the Joint Legislative Audit and Review Commission with all case data in an electronic format from its own case management system or the statewide Circuit Case Management System upon request of the Commission. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish analyses based on this data as needed for its reports, fiscal impact reviews, or racial and ethnic impact statements as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, which may be included in the data from a case management system. Upon transfer to the Joint Legislative Audit and Review Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data in reports, fiscal impact reviews, or racial and ethnic impact statements.

J. The Joint Legislative Audit and Review Commission shall engage, on a limited basis, the professional and technical consultants retained for the November 2019 Report "Gaming in the Commonwealth" for a limited review of the potential state and local revenues that may be generated from a casino located in the City of Petersburg, including any potential negative revenue impact on casinos located in other authorized host cities.

K. JLARC shall evaluate and review the cost of competing adjustment (COCA) as a part of its study on SOQ standards and funding.

Total for Joint Legislative Audit and Review Commission			**$5,856,936**	**$5,756,936**
General Fund Positions	41.00	41.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	42.00	42.00		
Fund Sources: General	$5,727,654	$5,627,654		
Trust and Agency	$129,282	$129,282		

§ 1-14. VIRGINIA COMMISSION ON INTERGOVERNMENTAL COOPERATION (105)

37.	Governmental Affairs Services (70100)			$847,301	~~$847,301~~ *$860,032*
	Interstate Affairs (70103)	$847,301	~~$847,301~~ *$860,032*		
	Fund Sources: General	$847,301	~~$847,301~~ *$860,032*		

Authority: Title 30, Chapter 19, Code of Virginia.

Out of this appropriation may be paid from the general fund the annual assessments:

1. To the National Conference of State Legislatures;

ITEM 37.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
2. To the Council of State Governments;				
3. To the Southern Regional Education Board; and				
4. To the Education Commission of the States.				
Total for Virginia Commission on Intergovernmental Cooperation			**$847,301**	**~~$847,301~~** ***$860,032***
Fund Sources: General	$847,301	~~$847,301~~ *$860,032*		

§ 1-15. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)

38.	Enactment of Laws (78200)			$710,315	$710,315
	Undesignated Support for Enactment of Laws Services (78205)	$710,315	$710,315		
	Fund Sources: General	$710,315	$710,315		

Authority: Discretionary Inclusion.

A. Transfers out of this appropriation may be made to fund unanticipated costs in the budgets of legislative agencies or other such costs approved by the Joint Rules Committee.

B. Included within this appropriation is an amount estimated at $200,000 the first year and $200,000 the second year from the general fund and one position for the operation of the Capitol Guides program. The allocation of these funds shall be subject to the approval of the Committee on Joint Rules. The Capitol Guides program shall be jointly administered by the Clerk of the House of Delegates and the Clerk of the Senate.

C. On or before June 30, 2024, the Committee on Joint Rules shall authorize a reversion to the general fund of $7,072,307 representing savings generated by legislative agencies in the second year of the 2022-2024 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	***Estimated Savings FY 2024***
101: General Assembly	*$1,200,000*
107: Division of Legislative Services	*$1,200,000*
110: Joint Legislative Audit and Review Commission	*$934,762*
839: Virginia Commission on Youth	*$25,000*
844: Joint Commission on Health Care	*$20,000*
961: Division of Capitol Police	*$3,692,545*
Total	***$7,072,307***

Total for Legislative Department Reversion Clearing Account			**$710,315**	**$710,315**
General Fund Positions	1.00	1.00		
Position Level	1.00	1.00		
Fund Sources: General	$710,315	$710,315		
TOTAL FOR LEGISLATIVE DEPARTMENT			**$123,734,824**	**~~$121,798,602~~** ***$124,052,601***
General Fund Positions	628.00	~~628.00~~ *641.00*		
Nongeneral Fund Positions	32.50	32.50		
Position Level	660.50	~~660.50~~ *673.50*		

ITEM 38.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$118,652,500	~~$116,716,278~~ *$118,643,125*		
Special	$4,815,500	~~$4,815,500~~ *$5,142,652*		
Trust and Agency	$129,282	$129,282		
Federal Trust	$137,542	$137,542		

ITEM 39.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

JUDICIAL DEPARTMENT

§ 1-16. SUPREME COURT (111)

39.	Pre-Trial, Trial, and Appellate Processes (32100)....			$15,511,010	$15,511,010
	Appellate Review (32101).....	$10,225,110	$10,225,110		
	Other Court Costs And Allowances (Criminal Fund) (32104).....	$5,285,900	$5,285,900		
	Fund Sources: General.....	$15,331,730	$15,331,730		
	Special.....	$179,280	$179,280		

Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia.

A. Out of the amounts for Appellate Review shall be paid:

1. The annual salary of the Chief Justice, $222,618 from July 10, 2022 to June 30, 2023, $233,749 from July 1, 2023 to *December 9, 2023, and $238,424 from December 10, 2023 to* June 30, 2024.

2. The annual salaries of the six (6) Associate Justices, each $208,808 from July 10, 2022 to June 30, 2023, $219,248 from July 1, 2023 to *December 9, 2023, and $223,633 from December 10, 2023 to* June 30, 2024.

3. To each justice, $13,500 the first year and $13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.

B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 36, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.

C.1. Out of the amounts appropriated in this Item, $5,175,000 the first year and $5,175,000 the second year from the general fund is included for increased reimbursements for court-appointed counsel pursuant to § 19.2-163, Code of Virginia.

2. The Director, Department of Planning and Budget, shall upon the request of the Executive Secretary of the Supreme Court of Virginia, transfer from the second year amount identified in Paragraph C.1. of this item to the first year an amount equal to the estimated shortfall for criminal fund waivers in the first year. Any such request shall be submitted by the Executive Secretary no later than May 1st of any fiscal year. Any amounts transferred shall be communicated to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than 30 days following any such transfer.

D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations District Court judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies.

40.	Law Library Services (32300).....			$1,098,678	$1,098,678
	Law Library Services (32301).....	$1,098,678	$1,098,678		
	Fund Sources: General.....	$1,098,678	$1,098,678		

Authority: §§ 42.1-60 through 42.1-64, Code of Virginia.

41.	Adjudication Training, Education, and Standards (32600).....			$899,140	$899,140
	Judicial Training (32603).....	$899,140	$899,140		
	Fund Sources: General.....	$899,140	$899,140		

ITEM 41.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Authority: Title 16.1, Chapter 9; Title 17.1, Chapter 7; §§ 2.2-4025, 19.2-38.1 and 19.2-43, Code of Virginia.				
42.	Administrative and Support Services (39900).....			$46,906,862	$46,903,157
	General Management and Direction (39901).....	$46,906,862	$46,903,157		
	Fund Sources: General.....	$36,610,138	$36,606,433		
	Special.....	$124,375	$124,375		
	Dedicated Special Revenue.....	$8,857,604	$8,857,604		
	Federal Trust.....	$1,314,745	$1,314,745		

Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.

A. The Executive Secretary of the Supreme Court shall submit an annual fiscal year summary, on or before September 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.

B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.

C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.

D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairs of the House Committee on Courts of Justice and Senate Committee on the Judiciary, and the House Appropriations and Senate Finance and Appropriations Committees.

E. Included in this Item is $3,750,000 the first year and $3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts. The Executive Secretary of the Supreme Court shall submit an annual report to the Director, Department of Planning and Budget on or before September 1 of each year outlining the improvement projects undertaken and the project status of each project. Each project in the report should include the life to date cost of the project, the amount spent on the project in the most recently completed fiscal year, the year the project began, the estimated cost to complete the remainder of the project and an estimated project completion date.

F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairs of the House Committee on Courts of Justice and Senate Committee on the Judiciary, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System.

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.

H. 1. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.

2. Notwithstanding the provisions of subsection O. of § 18.2-254.1, Code of Virginia, any locality is authorized to establish a drug treatment court supported by existing state resources and by federal or local resources that may be available. This authorization is subject to the

ITEM 42.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

requirements and conditions regarding the establishment and operation of a local drug treatment court advisory committee as provided by § 18.2-254.1 and the requirements and conditions established by the state Drug Treatment Court Advisory Committee. Any drug court treatment program established after July 1, 2012, shall limit participation in the program to offenders who have been determined, through the use of a nationally recognized, validated assessment tool, to be addicted to or dependent on drugs. However, no such drug court treatment program shall limit its participation to first-time substance abuse offenders only; nor shall it exclude probation violators from participation.

3. The evaluation of drug treatment court programs required by § 18.2-254.1 shall include the collection of data needed for outcome measures, including recidivism. Drug treatment court programs shall provide to the Office of the Executive Secretary of the Supreme Court the information needed to conduct such an evaluation.

4. Included within this appropriation is $960,000 the first year and $960,000 the second year from the general fund for drug courts in jurisdictions with high drug caseloads, to be allocated by the State Drug Treatment Court Advisory Committee to existing drug courts which have been approved by the Supreme Court of Virginia but have not previously received state funding.

I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of all Commonwealth collections directly into the State Treasury for Item 45 General District Courts, Item 46 Juvenile and Domestic Relations District Courts, Item 47 Combined District Courts, and Item 48 Magistrate System.

J. Included in this appropriation, $289,000 the first year and $289,000 the second year from the general fund is provided to implement the Judicial Performance Evaluation Program established by § 17.1-100 of the Code of Virginia.

K. Working in collaboration with the Chief Justice and Associate Justices of the Supreme Court of Virginia and the Chief Judge and Associate Judges of the Court of Appeals of Virginia, the Executive Secretary of the Supreme Court, in consultation with the Director of the Department of General Services, is directed to develop a comprehensive plan that meets the future space needs of both courts around Capitol Square, which is acceptable to the Chief Justice of the Supreme Court of Virginia and the Chief Judge of the Court of Appeals of Virginia.

L. Included in this appropriation, $175,321 the first year and $175,321 the second year from nongeneral funds and two positions to support drug treatment court evaluation and monitoring. The source of funds is the Drug Offender Assessment Fund.

M. Included in the amounts appropriated for this item are $400,000 the first year and $400,000 the second year from the general fund to be allocated by the State Drug Treatment Court Advisory Committee for the establishment of drug courts in jurisdictions with high drug-related caseloads, or to increase funding provided to existing drug court programs experiencing high caseload growth.

N. Included in this appropriation is $500,000 the first year and $500,000 the second year from the general fund to support the creation and expansion of mental health court dockets in jurisdictions with high caseloads, to be allocated by the Virginia Supreme Court.

O.1. There is hereby created in the state treasury a special nonreverting fund to be known as the Attorney Wellness Fund, hereinafter referred to as the Fund. The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund, but shall remain in the Fund. Except for transfers pursuant to this Item, there shall be no transfers out of the Fund, including transfers to the general fund.

2. Notwithstanding the provisions of § 54.1-3912, Code of Virginia, in addition to any other fee permitted by law, the Supreme Court of Virginia may adopt rules assessing members of the Virginia State Bar an annual fee of up to $30 to be deposited in the State Bar Fund and transferred to the Attorney Wellness Fund.

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3.Moneys in the Fund shall be allocated at the direction of the Supreme Court of Virginia solely for the purposes of wellness initiatives for attorneys, judges, and law students, to prevent substance abuse and behavioral health disorders. The revenue raised in support of the Fund shall not be used to supplant current funding to the judicial branch. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Executive Secretary of the Supreme Court of Virginia.

P. The Office of the Executive Secretary of the Supreme Court shall prepare and distribute evaluation forms in all Circuit Court cases that are overseen by a retired judge for the purpose of collecting information on the number and types of cases referred to retired judges, and use such information to prepare and annually publish a report to be distributed to the members of the House Committee on Courts of Justice and the Senate Committee on the Judiciary, on or about January 1, each year.

Q. Included in this appropriation is $1,539,033 the first year and $1,539,033 the second year for the implementation of an automatic expungement process pursuant to House Bill 2113 and Senate Bill 1339 of the 2021 Session of the General Assembly.

R. Included in the amounts appropriated for this item is $94,963 each year from the general fund to implement the Hope Card Program in all circuit and district courts in the Commonwealth.

S. The Office of the Executive Secretary (OES), in consultation with the Veterans Docket Advisory Committee established pursuant to Virginia Supreme Court Rule 1:25(e) and the Virginia Department of Veterans Services, will promote localized training to enable correctional and other criminal justice system entities to identify inmates or defendants who have served in the United States military. Such training will encourage use of the Virginia Reentry Search Services (VRSS) developed by the U.S. Veterans Administration to facilitate direct outreach to these veterans, and to inform the development of veteran-specific programs in the criminal justice system including the establishment of a Veterans Docket pursuant to Rule 1:25(b). OES will offer support for jurisdictions applying for funding consistent with Virginia Code 18.2-254.2 (B).

T. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $37,869,899 in the second year from the surplus balances of the Criminal Fund and $5,000,000 the second year from the surplus balances of the Involuntary Mental Commitment Fund.

Total for Supreme Court			**$64,415,690**	**$64,411,985**
General Fund Positions	240.63	240.63		
Nongeneral Fund Positions	8.00	8.00		
Position Level	248.63	248.63		
Fund Sources: General	$53,939,686	$53,935,981		
Special	$303,655	$303,655		
Dedicated Special Revenue	$8,857,604	$8,857,604		
Federal Trust	$1,314,745	$1,314,745		

Court of Appeals of Virginia (125)

43.	Pre-Trial, Trial, and Appellate Processes (32100)			$18,236,792	~~$18,236,792~~ *$18,418,251*
	Appellate Review (32101)	$18,231,792	~~$18,231,792~~ *$18,413,251*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$5,000	$5,000		
	Fund Sources: General	$18,236,792	~~$18,236,792~~ *$18,418,251*		

Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia.

A. Out of the amounts in this Item for Appellate Review shall be paid:

ITEM 43.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

1. The annual salary of the Chief Judge, $201,518 from July 10, 2022 to June 30, 2023, $211,594 from July 1, 2023 to *December 9, 2023, and $215,826 from December 10, 2023 to* June 30, 2024.

2. The annual salaries of the sixteen (16) judges, each at $198,368 from July 10, 2022 to June 30, 2023, $208,286 from July 1, 2023 *to December 9, 2023 and $212,452 from December 10, 2023* to June 30, 2024.

3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional $3,000 annually.

4. To each judge, $6,500 the first year and $6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.

B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 40, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.

C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the court.

D. Out of the amounts appropriated in this Item, $7,613,112 the first year and $7,613,112 the second year from the general fund to support additional judges and associated staff to address anticipated workload increases related to legislation adopted by the 2021 Session of the General Assembly that expands the jurisdiction and organization of the Court of Appeals of Virginia.

Total for Court of Appeals of Virginia			**$18,236,792**	**~~$18,236,792~~** ***$18,418,251***
General Fund Positions	125.13	~~125.13~~ *128.13*		
Position Level	125.13	~~125.13~~ *128.13*		
Fund Sources: General	$18,236,792	~~$18,236,792~~ *$18,418,251*		

Circuit Courts (113)

44.	Pre-Trial, Trial, and Appellate Processes (32100)			$114,175,390	~~$114,172,090~~ *$114,999,326*
	Trial Processes (32103)	$50,811,360	~~$50,808,060~~ *$51,635,296*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$63,364,030	$63,364,030		
	Fund Sources: General	$114,175,390	~~$114,172,090~~ *$114,999,326*		

Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of Circuit Court judges, each at $193,848 from July 10, 2022 to June 30, 2023, $203,540 from July 1, 2023 to *December 9, 2023, and $207,611 from December 10, 2023 to* June 30, 2024. Such salaries shall represent the total compensation from all sources for Circuit Court judges.

2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding $1,500 a year for each judge.

3. The state's share of expenses incident to the prosecution of a petition for a writ of

ITEM 44.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

4. A circuit court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 41, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.

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.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total $130,509,977 the first year and $130,509,977 the second year in this Item and Items 39, 43, 45, 46 and 47.

2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated, consistent with statutory provisions in the Code of Virginia. Funds within these appropriations are to be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Should this appropriation not be sufficient to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable.

3. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.

4. The Department of Planning and Budget is authorized to transfer appropriations between the Criminal Fund and the Involuntary Mental Commitment Fund, as appropriated in any item within the courts system, to support authorized program expenses in the event of an unanticipated shortfall in either fund. Any such transfers shall be made only as needed and shall be reported to the House Appropriations and Senate Finance and Appropriations Committees within 60 days.

F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of Virginia, or otherwise, including any new construction, shall be delayed at the request of the local governing body in which the court is located until June 30, 2024. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008.

G. In order to reduce expenditures through the Criminal Fund for court-appointed counsel, compensation paid to attorneys appointed pursuant to Virginia Code § 53.1-40 shall be limited to $55 per hour, with a maximum per diem compensation of $200, except in cases where the appointed attorney is appointed to represent indigent prisoners at more than one state prison, and in such cases their billing shall be capped monthly at $6,000, plus reasonable expenses, to be paid from the Criminal Fund.

H.1. Notwithstanding the provisions of § 19.2-155, Code of Virginia, in cases where an Attorney for the Commonwealth must recuse himself from a case or a special prosecutor must be appointed, the circuit court judge must appoint an Attorney for the Commonwealth or an Assistant Attorney for the Commonwealth from another jurisdiction. If the circuit court judge determines that the appointment of such Attorney for the Commonwealth or such Assistant

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Attorney for the Commonwealth is not appropriate or that such an attorney or assistant is unavailable then the judge must request approval from the Executive Secretary of the Supreme Court for an exception to this requirement.				
2. The Executive Secretary of the Supreme Court shall include in the annual report required in paragraph A. of Item 42 information on the number of exceptions granted related to special prosecutors and the related expenditures.				
I. Notwithstanding any other provisions of Chapter 23 of Title 8.1 of the Code of Virginia, a reasonable fee not to exceed $150 may be charged by Commissioners of Accounts for any foreclosures on a timeshare estate to reimburse them for the reasonable costs associated therewith.				
Total for Circuit Courts			**$114,175,390**	**~~$114,172,090~~** ***$114,999,326***
General Fund Positions	154.00	154.00		
Position Level	154.00	154.00		
Fund Sources: General	$114,175,390	~~$114,172,090~~ *$114,999,326*		
General District Courts (114)				
45. Pre-Trial, Trial, and Appellate Processes (32100)			$143,605,277	~~$143,970,803~~ *$145,832,882*
Trial Processes (32103)	$119,740,319	~~$120,105,845~~ *$121,967,924*		
Other Court Costs And Allowances (Criminal Fund) (32104)	$17,935,793	$17,935,793		
Involuntary Mental Commitments (32105)	$5,929,165	$5,929,165		
Fund Sources: General	$143,605,277	~~$143,970,803~~ *$145,832,882*		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.2-809 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all General District Court judges, $174,464 from July 10, 2022 to June 30, 2023, $183,187 from July 1, 2023 to *December 9, 2023, and $186,851 from December 10, 2023 to* June 30, 2024. 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 General District Court Judges and incorporate all supplements formerly paid by the various localities.

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, 2022, in the appropriation made in Item 42, Chapter 552, Acts of Assembly of 2021 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, 2023.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, 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. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than

ITEM 45.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

25 miles.

F. Upon the retirement or separation from employment of any chief general district court clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in excess of one chief clerk for each general district court shall be reallocated by the Committee on District Courts to district courts with the highest documented unmet staffing requirements.

G. Included in the appropriation for this item is $15,431,783 the first year and $15,431,783 the second year from the general fund for the Office of the Executive Secretary of the Supreme Court to use, at its discretion, for additional general district court clerk positions, salary increases for general district court clerks, or a combination thereof.

H.*1*. Included within the appropriation for this item is $4,020,781 the first year and $4,386,307 the second year from the general fund to increase the base wage and salaries of all clerks and deputy clerks of the general district courts and the juvenile and domestic relations courts by $2,000, effective July 10, 2022.

2. In addition to the amounts in the preceding paragraph, included within the appropriation for this item is $1,024,041 the second year from the general fund to increase the base wage and salaries of all clerks and deputy clerks of the general district courts and the juvenile and domestic relations courts by two percent, effective December 10, 2023.

I. Included in the appropriation for this item is $104,156 the second year from the general fund for two additional interpreters for non-English-speaking persons in general district courts in the 20th judicial district, effective January 1, 2024.

Total for General District Courts.....			**$143,605,277**	**~~$143,970,803~~** ***$145,832,882***
General Fund Positions.....	1,276.10	~~1,276.10~~ *1,278.10*		
Position Level.....	1,276.10	~~1,276.10~~ *1,278.10*		
Fund Sources: General.....	$143,605,277	~~$143,970,803~~ *$145,832,882*		

Juvenile and Domestic Relations District Courts (115)

46.	Pre-Trial, Trial, and Appellate Processes (32100).....			$109,065,565	~~$109,065,565~~ *$109,383,832*
	Trial Processes (32103).....	$72,619,067	~~$72,619,067~~ *$72,937,334*		
	Other Court Costs And Allowances (Criminal Fund) (32104).....	$36,181,751	$36,181,751		
	Involuntary Mental Commitments (32105).....	$264,747	$264,747		
	Fund Sources: General.....	$109,065,565	~~$109,065,565~~ *$109,383,832*		

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, $174,464 from July 10, 2022 to June 30, 2023, $183,187 from July 1, 2023 to *December 9, 2023, and $186,851 from December 10, 2023 to* June 30, 2024. 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, 2022, in the appropriation made in Item 43, Chapter 552, Acts of Assembly of 2021, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary

ITEM 46.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

Mental Commitments and the balances remaining in these item details on June 30, 2023.

C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, 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.

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.

Total for Juvenile and Domestic Relations District Courts			**$109,065,565**	**~~$109,065,565~~** ***$109,383,832***
General Fund Positions	611.10	611.10		
Position Level	611.10	611.10		
Fund Sources: General	$109,065,565	~~$109,065,565~~ *$109,383,832*		

Combined District Courts (116)

47.	Pre-Trial, Trial, and Appellate Processes (32100)			$23,659,622	~~$23,659,622~~ *$23,742,459*
	Trial Processes (32103)	$14,373,059	~~$14,373,059~~ *$14,455,896*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$7,737,503	$7,737,503		
	Involuntary Mental Commitments (32105)	$1,549,060	$1,549,060		
	Fund Sources: General	$23,659,622	~~$23,659,622~~ *$23,742,459*		

Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 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 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, 2022, in the appropriation made in Item 44, Chapter 552, Acts of Assembly of 2021, 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, 2023.

C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of

ITEM 47.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Medical Assistance Services.				
D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
.				
Total for Combined District Courts			**$23,659,622**	**~~$23,659,622~~** ***$23,742,459***
General Fund Positions	195.55	195.55		
Position Level	195.55	195.55		
Fund Sources: General	$23,659,622	~~$23,659,622~~ *$23,742,459*		
Magistrate System (103)				
48. Pre-Trial, Trial, and Appellate Processes (32100)			$38,333,727	$38,528,011
Pre-Trial Assistance (32102)	$38,333,727	$38,528,011		
Fund Sources: General	$38,333,727	$38,528,011		
Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia.				
A. Out of the amounts appropriated in this Item, $3,885,675 the first year and $4,079,959 the second year from the general fund is included to implement the Office of the Executive Secretary of the Supreme Court's magistrate retention plan, which shall become effective no earlier than July 10, 2022. The Executive Secretary shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges in the Magistrate System. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, no later than October 15, 2023.				
Total for Magistrate System			**$38,333,727**	**$38,528,011**
General Fund Positions	423.20	423.20		
Position Level	423.20	423.20		
Fund Sources: General	$38,333,727	$38,528,011		
Grand Total for Supreme Court			**$511,492,063**	**~~$512,044,868~~** ***$515,316,746***
General Fund Positions	3,025.71	~~3,025.71~~ *3,030.71*		
Nongeneral Fund Positions	8.00	8.00		
Position Level	3,033.71	~~3,033.71~~ *3,038.71*		
Fund Sources: General	$501,016,059	~~$501,568,864~~ *$504,840,742*		
Special	$303,655	$303,655		
Dedicated Special Revenue	$8,857,604	$8,857,604		
Federal Trust	$1,314,745	$1,314,745		
§ 1-17. BOARD OF BAR EXAMINERS (233)				
49. Regulation of Professions and Occupations (56000)			$1,820,982	$1,820,982
Lawyer Regulation (56019)	$1,820,982	$1,820,982		
Fund Sources: Special	$1,820,982	$1,820,982		
Authority: Title 54.1, Chapter 39, Articles 3 and 4 and § 54.1-3934, Code of Virginia.				

ITEM 49.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
The State Comptroller shall continue the Board of Bar Examiners Fund on the Cardinal system. Revenues collected from fees paid by applicants for admission to the bar shall be deposited into the Board of Bar Examiners Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners Fund. Interest generated by the fund shall be retained by the fund.				
Total for Board of Bar Examiners			**$1,820,982**	**$1,820,982**
Nongeneral Fund Positions	9.00	9.00		
Position Level	9.00	9.00		
Fund Sources: Special	$1,820,982	$1,820,982		

§ 1-18. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)

50. Adjudication Training, Education, and Standards (32600)			$707,601	$707,601
Judicial Standards (32602)	$707,601	$707,601		
Fund Sources: General	$707,601	$707,601		
Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia.				
Total for Judicial Inquiry and Review Commission.			**$707,601**	**$707,601**
General Fund Positions	3.00	3.00		
Position Level	3.00	3.00		
Fund Sources: General	$707,601	$707,601		

§ 1-19. INDIGENT DEFENSE COMMISSION (848)

51. Legal Defense (32700)			$69,536,300	~~$69,536,300~~ *$73,249,226*
Criminal Indigent Defense Services (32701)	$65,304,782	~~$65,304,782~~ *$69,017,708*		
Legal Defense Regulatory Services (32703)	$229,524	$229,524		
Administrative Services (32722)	$4,001,994	$4,001,994		
Fund Sources: General	$69,524,320	~~$69,524,320~~ *$73,237,246*		
Special	$11,980	$11,980		

Authority: §§ 19.2-163.01 through 19.2-163.8, Code of Virginia

A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the commission.

B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.

C. Out of the amounts in this item, $6,558,009 the first year and $6,558,009 the second year from the general fund is provided to hire additional public defender positions to address increased workloads and reduce turnover in offices across the Commonwealth. The Commission may direct a portion of the funding for salary adjustments, including increasing starting salaries for attorneys and adjusting salaries for current staff to address turnover rates within the offices.

D. The Commission shall convene a workgroup to assess the feasibility of creating an Appellate Defender Office.

E. Out of the amounts in this item, $3,712,926 the second year from the general fund is provided for attorney compensation and employee salary compression adjustments, effective December 10, 2023.

ITEM 51.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Total for Indigent Defense Commission			**$69,536,300**	**~~$69,536,300~~** ***$73,249,226***
General Fund Positions	709.00	709.00		
Position Level	709.00	709.00		
Fund Sources: General	$69,524,320	~~$69,524,320~~ *$73,237,246*		
Special	$11,980	$11,980		

§ 1-20. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)

52.	Adjudicatory Research, Planning, and Coordination (32400)		$1,626,046	~~$1,626,046~~ *$1,686,346*
	Adjudicatory Research And Planning (32403)	$1,626,046	~~$1,626,046~~ *$1,686,346*	
	Fund Sources: General	$1,555,977	~~$1,555,977~~ *$1,616,277*	
	Special	$70,069	$70,069	

Authority: Title 17.1, Chapter 8, Code of Virginia

A. For any fiscal impact statement prepared by the Virginia Criminal Sentencing Commission pursuant to § 30-19.1:4, Code of Virginia, for which the commission does not have sufficient information to project the impact, the commission shall assign a minimum fiscal impact of $50,000 to the bill and this amount shall be printed on the face of each such bill, but shall not be codified. The provisions of § 30-19.1:4, paragraph H. shall be applicable to any such bill.

B. The clerk of each circuit court shall provide the Virginia Criminal Sentencing Commission case data in an electronic format from its own case management system or the statewide Circuit Case Management System. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish statistical reports and analyses based on this data as needed for its annual reports or for other reports as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, that may be included in the data from a case management system. Upon transfer to the Virginia Criminal Sentencing Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data when requested by a member of the General Assembly, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet.

C. Included in this appropriation is $60,300 the second year from the general fund to provide a compensation adjustment to staff at the Virginia Criminal Sentencing Commission effective December 10, 2023.

Total for Virginia Criminal Sentencing Commission			**$1,626,046**	**~~$1,626,046~~** ***$1,686,346***
General Fund Positions	12.00	12.00		
Position Level	12.00	12.00		
Fund Sources: General	$1,555,977	~~$1,555,977~~ *$1,616,277*		
Special	$70,069	$70,069		

§ 1-21. VIRGINIA STATE BAR (117)

53.	Legal Defense (32700)		$18,574,120	$18,574,120
	Indigent Defense, Civil (32704)	$18,574,120	$18,574,120	

ITEM 53.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$9,224,120	$9,224,120		
Special	$8,350,000	$8,350,000		
Dedicated Special Revenue	$1,000,000	$1,000,000		

Authority: § 17.1-278, Code of Virginia.

A.1. The amounts for Indigent Defense, Civil, include up to $75,000 the first year and up to $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 $9,131,100 the first year and up to $9,131,100 the second year from the general fund to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice.

B. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations 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.

54. Regulation of Professions and Occupations (56000)			$16,227,764	$16,227,764
Lawyer Regulation (56019)	$16,227,764	$16,227,764		
Fund Sources: Dedicated Special Revenue	$16,227,764	$16,227,764		

Authority: Title 54.1, Chapter 39, Article 2 and §§ 54.1-3935 through 54.1-3938, Code of Virginia.

A. It is the intention of the General Assembly that the Virginia State Bar strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that, insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes.

B. Out of the amounts appropriated for this Item, $1,000,000 the first year and $1,000,000 the second year from revenues generated from the assessment of annual fees by the Supreme Court of Virginia upon members of the Virginia State Bar, pursuant to Chapter 847, 2007 Acts of Assembly, is provided for transfer to the Clients' Protection Fund of the Virginia State Bar.

C. The Virginia State Bar shall review its member fee structure and make changes necessary to ensure fees are set at amounts needed only to cover costs and to provide for an appropriate balance.

Total for Virginia State Bar			**$34,801,884**	**$34,801,884**
Nongeneral Fund Positions	89.00	89.00		
Position Level	89.00	89.00		
Fund Sources: General	$9,224,120	$9,224,120		
Special	$8,350,000	$8,350,000		
Dedicated Special Revenue	$17,227,764	$17,227,764		
TOTAL FOR JUDICIAL DEPARTMENT			**$619,984,876**	~~**$620,537,681**~~ ***$627,582,785***
General Fund Positions	3,749.71	~~3,749.71~~ *3,754.71*		
Nongeneral Fund Positions	106.00	106.00		
Position Level	3,855.71	~~3,855.71~~ *3,860.71*		

ITEM 54.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$582,028,077	~~$582,580,882~~ *$589,625,986*		
Special	$10,556,686	$10,556,686		
Dedicated Special Revenue	$26,085,368	$26,085,368		
Federal Trust	$1,314,745	$1,314,745		

ITEM 55.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

EXECUTIVE DEPARTMENT

EXECUTIVE OFFICES

§ 1-22. OFFICE OF THE GOVERNOR (121)

55.	Administrative and Support Services (79900)			$7,280,020	$7,000,864
	General Management and Direction (79901)	$7,280,020	$7,000,864		
	Fund Sources: General	$7,256,027	$6,976,871		
	Federal Trust	$23,993	$23,993		

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. 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.

D. This item includes $479,500 the first year and $479,500 the second year from the general fund and four and a half positions for the Office of the Children's Ombudsman.

E.1. Out of this appropriation, $75,000 the first year from the general fund is provided to support a comprehensive review of workforce development in the state.

2. The Governor shall designate a member of the Executive Branch to be an advisor on Health Workforce Development in Virginia. This advisor may or may not have other duties and responsibilities. The Health Workforce Development advisor shall gather information to evaluate the status of health workforce development in the Commonwealth. The advisor also shall recommend options to improve such workforce development to make Virginia's health workforce the best it can be to maximize the health status of Virginians and the quality of health care provided to Virginians. The advisor shall work with Secretariats and state agencies, with designated boards, with the Virginia Health Workforce Development Authority, with regional bodies in Virginia, with private entities involved in health workforce development, and with charitable entities working to promote development of an outstanding health workforce. The advisor shall work with designated persons in the offices of the Secretaries of Labor, Health and Human Resources, Education, and Commerce and Trade. The Health Workforce Development advisor shall produce any reports requested by the Governor to help use the workforce to improve the health of Virginians and the quality of care provided.

56.	Human Relations Management (14600)			$1,612,616	$1,816,772
	Diversity, Equity, and Inclusion Services (14602)	$1,612,616	$1,816,772		
	Fund Sources: General	$1,612,616	$1,816,772		

Authority: Title 2.2, Chapter 6, Article 1, Code of Virginia.

57.	Historic and Commemorative Attraction Management (50200)			$816,397	$816,397
	Executive Mansion Operations (50207)	$816,397	$816,397		
	Fund Sources: General	$816,397	$816,397		

Authority: Title 2.2, Chapter 1, Code of Virginia.

ITEM 58.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
58.	Governmental Affairs Services (70100)			$548,693	$548,693
	Intergovernmental Relations (70101)	$548,693	$548,693		
	Fund Sources: General	$375,445	$375,445		
	Commonwealth Transportation	$173,248	$173,248		
	Authority: Title 2.2, Chapter 3, Code of Virginia.				
59.	Disaster Planning and Operations (72200)			a sum sufficient	
	Disaster Operations (72202)	a sum sufficient			
	Disaster Assistance (72203)	a sum sufficient			
	Authority: Title 44, Chapter 3.2, Code of Virginia.				

A.1. The amount for Disaster Assistance is from all funds of the state treasury, not constitutionally restricted, and is to be effective only in the event of a declared state of emergency or authorization by the Governor of the sum sufficient, pursuant to § 44-146.28, Code of Virginia. Any appropriation authorized by this Item shall be transferred to state agencies for payment of eligible costs according to written directions of the Governor or by such other person or persons as may be designated by him for this purpose.

2. Any amount authorized for expenditure pursuant to § 44-146.28, Code of Virginia, shall be paid to eligible jurisdictions in accordance with guidelines and procedures established by the Department of Emergency Management, pursuant to § 44-146.28, Code of Virginia.

3. The amount calculated for disaster assistance for any event provided under this authority shall be made in consultation with the Secretary of Finance, and, as deemed appropriate by the Secretary, the Department of Planning and Budget.

B. In the event of a Presidentially declared disaster, the state and local share of any federal assistance, hazard mitigation, or flood control programs in which the state participates will be determined in accordance with the procedures in the "Commonwealth of Virginia Emergency Operations Plan, Basic Plan," promulgated by the Department of Emergency Management. The state share of any such program shall be no less than 10 percent.

Total for Office of the Governor			**$10,257,726**	**$10,182,726**
General Fund Positions	61.17	61.17		
Nongeneral Fund Positions	1.33	1.33		
Position Level	62.50	62.50		
Fund Sources: General	$10,060,485	$9,985,485		
Commonwealth Transportation	$173,248	$173,248		
Federal Trust	$23,993	$23,993		

§ 1-23. LIEUTENANT GOVERNOR (119)

60.	Administrative and Support Services (79900)			$408,926	~~$408,926~~ *$533,926*
	General Management and Direction (79901)	$408,926	~~$408,926~~ *$533,926*		
	Fund Sources: General	$408,926	~~$408,926~~ *$533,926*		
	Authority: Article V, Sections 13, 14, and 16, Constitution of Virginia; and Title 24.2, Chapter 2, Article 3, Code of Virginia.				

Out of this appropriation shall be paid:

1. The salary of the Lieutenant Governor, $36,321 the first year and $36,321 the second year;

2. Expenses of the Lieutenant Governor during sessions of the General Assembly on the same basis as for the members of the General Assembly;

3. Salaries and benefits for compensation of up to three staff positions in the Office of the

ITEM 60.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Lieutenant Governor.				
Total for Lieutenant Governor			**$408,926**	**~~$408,926~~** ***$533,926***
General Fund Positions	4.00	4.00		
Position Level	4.00	4.00		
Fund Sources: General	$408,926	~~$408,926~~ *$533,926*		

§ 1-24. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)

61.	Legal Advice (32000)			$47,175,927	~~$48,368,110~~ *$48,862,943*
	State Agency/Local Legal Assistance and Advice (32002)	$47,175,927	~~$48,368,110~~ *$48,862,943*		
	Fund Sources: General	$32,975,470	~~$34,167,653~~ *$34,662,486*		
	Special	$12,949,625	$12,949,625		
	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 482 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

ITEM 61.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

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 who receive a non-salary stipend from their law school or another institution or recent law school graduates who graduated within the past two years sponsored by their graduating institution with a non-salary 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.

H. Included in this appropriation is $287,780 the second year from the general fund to support compensation adjustments to address compression for non-attorney staff effective December 10, 2023.

62.	Medicaid Program Services (45600).....			$14,429,831	$14,429,831
	Medicaid Fraud Investigation and Prosecution (45614).....	$14,429,831	$14,429,831		
	Fund Sources: Special.....	$3,826,794	$3,826,794		
	Federal Trust.....	$10,603,037	$10,603,037		
	Authority: Title 32.1, Chapter 9, Code of Virginia.				
63.	Regulation of Business Practices (55200).....			$4,969,701	$5,257,201
	Regulatory and Consumer Advocacy (55201).....	$4,969,701	$5,257,201		
	Fund Sources: General.....	$2,674,170	$2,961,670		
	Special.....	$2,295,531	$2,295,531		
	Authority: Title 2.2, Chapter 5, Code of Virginia.				

Included in this Item is $1,250,000 the first year and $1,250,000 the second year from special

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funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also authorized to deposit to the fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided, however, that any amounts contained in the fund that exceed $1,250,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be used to pay costs associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.

64. Any judgment rendered pursuant to the Virginia Tort Claims Act shall be paid out of the state treasury under the direction of the Attorney General. Claims against agencies funded solely from the general fund shall be paid from the general fund. Claims against agencies funded by both general and nongeneral funds shall be paid from a combination of funds based upon the appropriations from such funds.

65.	Personnel Management Services (70400)		$1,227,315	$1,227,315
	Compliance and Enforcement (70414)	$1,227,315 / $1,227,315		
	Fund Sources: General	$1,150,866 / $1,150,866		
	Federal Trust	$76,449 / $76,449		

Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.

	Total for Attorney General and Department of Law		**$67,802,774**	**~~$69,282,457~~** ***$69,777,290***
	General Fund Positions	313.75 / ~~326.75~~ *329.75*		
	Nongeneral Fund Positions	203.25 / 203.25		
	Position Level	517.00 / ~~530.00~~ *533.00*		
	Fund Sources: General	$36,800,506 / ~~$38,280,189~~ *$38,775,022*		
	Special	$19,071,950 / $19,071,950		
	Federal Trust	$11,930,318 / $11,930,318		

Division of Debt Collection (143)

66.	Collection Services (74000)		$3,477,852	$3,477,852
	State Collection Services (74001)	$3,163,637 / $3,163,637		
	State Fraud Recovery Services (74002)	$314,215 / $314,215		
	Fund Sources: Special	$3,477,852 / $3,477,852		

Authority: Title 2.2, Chapter 5 and Title 8.01, Chapter 3, Code of Virginia.

A. 1. The Division of Debt Collection shall provide legal services and advice related to the collection of funds owed the Commonwealth, including the recovery of certain funds pursuant to the Virginia Fraud Against Taxpayers Act (FATA) (§ 8.01-216.1 et seq.) by the Commonwealth as defined by 8.01-216.2. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4800 et seq. of the Code of Virginia, and all agencies, institutions, and political

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subdivisions shall follow the procedures for recovery of funds as specified in §§ 2.2-518 and 8.01-216.1 et seq. of the Code of Virginia, except as provided otherwise therein or in this act.

2. The provisions of this section shall not apply to any investigations, litigation, or recoveries related to matters handled under the authority granted to the Medicaid Fraud Control Unit within the Department of Law pursuant to the provisions of 42 C.F.R. § 1007 et seq. All matters pertaining to the recovery of such Medicaid funds, including damages, fines, and penalties received pursuant to FATA, are specifically excluded from the provisions of this section.

B.1. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by its collection services pursuant to paragraph A. to pay operating costs supported by the appropriation in this item.

2. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division may retain up to a $400,000 balance in its operating accounts. Any amounts contained in the operating accounts that exceed $400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.

3. The Division of Debt Collection is entitled to retain as special revenue up to 30 percent of any funds recovered on behalf of the Commonwealth as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA for its fraud recovery services pursuant to paragraph A., to pay operating costs supported by the appropriation in this item.

4. There shall be created on the books of the Comptroller a special, nonreverting, revolving fund to be known as the Fraud Recovery Fund (FATA Fund). The Division is authorized to deposit to the FATA Fund any revenue, fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of its fraud recovery services. The Division is also authorized to deposit to the FATA Fund any attorneys' fees which from time to time may be awarded to the Commonwealth. Any deposit to, and interest earnings on, the FATA Fund shall be retained in the FATA Fund. The Division shall retain 30% of any funds recovered as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA, and shall transfer the remaining funds to the appropriate state agencies and political subdivisions on a periodic basis or such other period of time approved by the Division.

5. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.2. if the Division of Debt Collection can show just cause.

C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than $15,000.

Total for Division of Debt Collection			**$3,477,852**	**$3,477,852**
Nongeneral Fund Positions	27.00	27.00		
Position Level	27.00	27.00		
Fund Sources: Special	$3,477,852	$3,477,852		
Grand Total for Attorney General and Department of Law			**$71,280,626**	~~**$72,760,309**~~ ***$73,255,142***
General Fund Positions	313.75	~~326.75~~ *329.75*		
Nongeneral Fund Positions	230.25	230.25		
Position Level	544.00	~~557.00~~ *560.00*		
Fund Sources: General	$36,800,506	~~$38,280,189~~ *$38,775,022*		
Special	$22,549,802	$22,549,802		
Federal Trust	$11,930,318	$11,930,318		

§ 1-25. SECRETARY OF THE COMMONWEALTH (166)

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67.	Central Records Retention Services (73800)			$2,823,218	$2,823,218
	Appointments (73801)	$1,987,164	$1,987,164		
	Authentications (73802)	$77,230	$77,230		
	Judicial Support Services (73803)	$570,946	$570,946		
	Lobbyist and Organization Registrations (73804)	$15,012	$15,012		
	Notaries Commissioning (73805)	$172,866	$172,866		
	Fund Sources: General	$2,710,483	$2,710,483		
	Dedicated Special Revenue	$112,735	$112,735		

Authority: §§ 2.2-400 through 2.2-435, 2.2-3106, Code of Virginia.

A. The fee charged by the Secretary of the Commonwealth under the provisions of § 2.2-409, Code of Virginia, for a Service of Process shall be $28.00.

B. Included in the general fund appropriation for this item is $18,470 each year for costs related to the Virginia Indian Advisory Board, pursuant to § 2.2-401.01, Code of Virginia.

	Total for Secretary of the Commonwealth			**$2,823,218**	**$2,823,218**
	General Fund Positions	19.00	19.00		
	Position Level	19.00	19.00		
	Fund Sources: General	$2,710,483	$2,710,483		
	Dedicated Special Revenue	$112,735	$112,735		

§ 1-26. OFFICE OF THE STATE INSPECTOR GENERAL (147)

68.	Inspection, Monitoring, and Auditing Services (78700)			$7,406,425	~~$7,406,425~~ *$7,656,425*
	Inspection and Compliance of Program Operations (78701)	$7,406,425	~~$7,406,425~~ *$7,656,425*		
	Fund Sources: General	$4,944,696	~~$4,944,696~~ *$5,194,696*		
	Special	$282,390	$282,390		
	Commonwealth Transportation	$2,179,339	$2,179,339		

Authority: Title 2.2, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the State Inspector General $173,669 from July 1, 2022 to June 30, 2023 and $173,669 from July 1, 2023 to June 30, 2024.

B. The Office of the State Inspector General shall be responsible for investigating the management and operations of state agencies and nonstate agencies to determine whether acts of fraud, waste, abuse, or corruption have been committed or are being committed by state officers or employees or any officers or employees of a nonstate agency, including any allegations of criminal acts affecting the operations of state agencies or nonstate agencies. However, no investigation of an elected official of the Commonwealth to determine whether a criminal violation has occurred, is occurring, or is about to occur under the provisions of § 52-8.1 shall be initiated, undertaken, or continued except upon the request of the Governor, the Attorney General, or a grand jury.

C. The Office of the State Inspector General shall be responsible for coordinating and recommending standards for those internal audit programs in existence as of July 1, 2012, and developing and maintaining other internal audit programs in state agencies and nonstate agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls. The State Inspector General shall assess the condition of the accounting, financial, and administrative controls of state agencies and nonstate agencies.

D. The Office of the State Inspector General shall be responsible for providing timely

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notification to the appropriate attorney for the Commonwealth and law-enforcement agencies whenever the State Inspector General has reasonable grounds to believe there has been a violation of state criminal law.

E. The Office of the State Inspector General shall be responsible for assisting citizens in understanding their rights and the processes available to them to express concerns regarding the activities of a state agency or nonstate agency or any officer or employee of the foregoing;

F.1. The Office of the State Inspector General shall be responsible for development, coordination and management of a program to train internal auditors. The Office of the State Inspector General shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Office of the State Inspector General shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.

2. To fund the direct costs of hiring training instructors, the Office of the State Inspector General is authorized to collect fees from training participants to provide training events for internal auditors. A nongeneral fund appropriation of $125,000 the first year and $125,000 the second year is provided for use by the Office of the State Inspector General to facilitate the collection of payments from training participants for this purpose.

G.1. Out of the amounts appropriated in this item is $250,000 the second year from the general fund to establish the Office of the Department of Corrections Ombudsman. The purpose of the Ombudsman is to (i) provide information to inmates, family members, Department of Corrections employees, and others regarding the rights of inmates and employees; (ii) monitor conditions of confinement, assess compliance with existing policies and best practices, and make recommendations to facilities; (iii) provide technical assistance to support inmate self- advocacy; (iv) establish procedures to gather stakeholder input into the Ombudsman's activities; and (v) make recommendations that would support the safety and wellbeing of inmates and employees. As it relates to access to Department of Corrections' facilities and records, the Ombudsman and his employees shall have the same powers as Office of the State Inspector General employees who are authorized to conduct inspections of licensed mental health treatment units in state correctional facilities.

2. The Corrections Oversight Committee ("Committee") shall be established consisting of 13 voting members, including: (i) two members of the Senate who are not members of the same political party, to be appointed by the Senate Committee on Rules; (ii) two members of the House of Delegates who are not members of the same political party, to be appointed by the Speaker of the House of Delegates; and (iii) the following nonlegislative citizen members to be appointed by the Governor: (a) one representative of a nonprofit prisoner advocacy group; (b) one representative of a nonprofit organization that provides training or rehabilitation programs for incarcerated individuals; (c) two citizens who were formerly incarcerated within the Commonwealth for a term of imprisonment of three years or more within the 10 years immediately preceding their appointment provided that such citizens have had their civil rights restored by the Governor; (d) one licensed physician; (e) one licensed mental health or behavioral health professional; (f) one person who is a family member of a person currently incarcerated within the Commonwealth; (g) one current or former Department correctional officer in a supervisory role selected from an association of correctional officers and employees or a nonprofit organization in which he is a member; and (h) one current or former Department line correctional officer selected from an association of correctional officers and employees or a nonprofit organization in which he is a member. Members appointed to the Corrections Oversight Committee shall serve a term of three years. Pursuant to §§ 2.2-2813 and 2.2-2825, Code of Virginia, Committee members are not eligible to receive compensation but are eligible for reimbursement of expenses. The Committee shall meet at least once annually. The Committee shall be responsible for advising, assisting, and providing guidance to the Ombudsman.

3. The Ombudsman shall develop a short- and long-term strategic plan that (i) is informed by visits to Department of Corrections facilities, at least two public meetings, consultation with stakeholders, and reviewing best practices in other states; (ii) includes procedures for coordination with existing employees at the Office of the State Inspector General and the Department of Corrections, in collaboration with those employees and with the goal of

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complimenting existing efforts; and (iii) includes potential options and recommendations for legislation and budget actions that would support its short- and long-term goals. The Office shall provide a report by November 15, 2024 on its initial activities and strategic plan to the Governor and the General Assembly.				
Total for Office of the State Inspector General.....			**$7,406,425**	**~~$7,406,425~~** ***$7,656,425***
General Fund Positions.....	24.00	~~24.00~~ *26.00*		
Nongeneral Fund Positions.....	16.00	16.00		
Position Level.....	40.00	~~40.00~~ *42.00*		
Fund Sources: General.....	$4,944,696	~~$4,944,696~~ *$5,194,696*		
Special.....	$282,390	$282,390		
Commonwealth Transportation.....	$2,179,339	$2,179,339		
§ 1-27. INTERSTATE ORGANIZATION CONTRIBUTIONS (921)				
69. Governmental Affairs Services (70100).....			$190,939	$190,939
Interstate Affairs (70103).....	$190,939	$190,939		
Fund Sources: General.....	$190,939	$190,939		
Authority: Discretionary Inclusion.				
Out of the amounts for Interstate Affairs funding is provided for the following organizational memberships:				
1. National Association of State Budget Officers				
2. National Governors' Association				
3. Federal Funds Information for States				
Total for Interstate Organization Contributions.....			**$190,939**	**$190,939**
Fund Sources: General.....	$190,939	$190,939		
TOTAL FOR EXECUTIVE OFFICES.....			**$92,367,860**	**~~$93,772,543~~** ***$94,642,376***
General Fund Positions.....	421.92	~~434.92~~ *439.92*		
Nongeneral Fund Positions.....	247.58	247.58		
Position Level.....	669.50	~~682.50~~ *687.50*		
Fund Sources: General.....	$55,116,035	~~$56,520,718~~ *$57,390,551*		
Special.....	$22,832,192	$22,832,192		
Commonwealth Transportation.....	$2,352,587	$2,352,587		
Dedicated Special Revenue.....	$112,735	$112,735		
Federal Trust.....	$11,954,311	$11,954,311		

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	OFFICE OF ADMINISTRATION				
	§ 1-28. SECRETARY OF ADMINISTRATION (180)				
70.	Administrative and Support Services (79900)			$1,603,317	$1,603,317
	General Management and Direction (79901)	$721,082	$721,082		
	Accounting and Budgeting Services (79903)	$882,235	$882,235		
	Fund Sources: General	$1,603,317	$1,603,317		
	Authority: Title 2.2, Chapter 2, Code of Virginia.				
71.	Central Support Services for Business Solutions (82400)			$4,903,279	$5,503,279
	Information Technology Services for Data Exchange Programs (82401)	$4,903,279	$5,503,279		
	Fund Sources: General	$251,279	$251,279		
	Internal Service	$4,652,000	$5,252,000		
	Authority: § 2.2-203.2:4, Code of Virginia				
	Pursuant to § 2.2-2020, Code of Virginia, the nongeneral funds appropriated to this Item shall be used to support a data sharing and analytics program for the purposes of developing a database to identify data elements and document user access patterns. The database will also support the creation of an enterprise data dictionary and a cloud-based data catalog platform. Agencies, as defined in § 2.2-3801, Code of Virginia, shall cooperate with the Secretary of Administration to further develop the data sharing and analytics program.				
	Total for Secretary of Administration			**$6,506,596**	**$7,106,596**
	General Fund Positions	13.00	13.00		
	Nongeneral Fund Positions	6.00	7.00		
	Position Level	19.00	20.00		
	Fund Sources: General	$1,854,596	$1,854,596		
	Internal Service	$4,652,000	$5,252,000		
	§ 1-29. COMPENSATION BOARD (157)				
72.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700)			$573,722,067	~~$584,196,128~~ *$593,528,504*
	Financial Assistance for Regional Jail Operations (30710)	$198,332,868	~~$204,067,663~~ *$205,094,615*		
	Financial Assistance for Local Law Enforcement (30712)	$108,643,817	$109,464,232		
	Financial Assistance for Local Court Services (30713)	$66,038,779	$66,665,308		
	Financial Assistance to Sheriffs (30716)	$13,664,735	~~$13,786,048~~ *$14,512,415*		
	Financial Assistance for Local Jail Operations (30718)	$187,041,868	~~$190,212,877~~ *$197,791,934*		
	Fund Sources: General	$565,719,409	~~$576,193,470~~ *$585,525,846*		
	Dedicated Special Revenue	$8,002,658	$8,002,658		
	Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.				
	A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and				

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whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

	August 1, 2022 to June 30, 2023	**July 1, 2023 to November 30, 2023**	**December 1, 2023 to June 30, 2024**
Law Enforcement and Jail Responsibility			
Less than 10,000	$78,853	$82,796	~~$82,796~~ *$115,946*
10,000 to 19,999	$90,633	$95,165	~~$95,165~~ *$115,946*
20,000 to 39,999	$99,599	$104,579	~~$104,579~~ *$115,946*
40,000 to 69,999	$108,260	$113,673	~~$113,673~~ *$115,946*
70,000 to 99,999	$120,288	$126,302	~~$126,302~~ *$128,828*
100,000 to 174,999	$133,657	$140,340	~~$140,340~~ *$143,147*
175,000 to 249,999	$140,688	$147,722	~~$147,722~~ *$150,676*
250,000 and above	$156,320	$164,136	~~$164,136~~ *$167,419*
Law Enforcement or Jail			
Less than 10,000	$77,273	$81,137	~~$81,137~~ *$113,628*
10,000 to 19,999	$88,822	$93,263	~~$93,263~~ *$113,628*
20,000 to 39,999	$97,606	$102,486	~~$102,486~~ *$113,628*
40,000 to 69,999	$106,095	$111,400	~~$111,400~~ *$113,628*
70,000 to 99,999	$117,882	$123,776	~~$123,776~~ *$126,252*
100,000 to 174,999	$130,980	$137,529	~~$137,529~~ *$140,280*
175,000 to 249,999	$137,876	$144,770	~~$144,770~~ *$147,665*
250,000 and above	$153,976	$161,675	~~$161,675~~ *$164,909*
No Law Enforcement or Jail Responsibility			
Less than 10,000	$72,609	$76,239	~~$76,239~~ *$106,671*

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10,000 to 19,999	$80,676		$84,710		~~$84,710~~ *$106,671*
20,000 to 39,999	$89,637		$94,119		~~$94,119~~ *$106,671*
40,000 to 69,999	$99,599		$104,579		~~$104,579~~ *$106,671*
70,000 to 99,999	$110,667		$116,200		~~$116,200~~ *$118,524*
100,000 to 174,999	$122,960		$129,108		~~$129,108~~ *$131,690*
175,000 to 249,999	$129,430		$135,902		~~$135,902~~ *$138,620*
250,000 and above	$145,378		$152,647		~~$152,647~~ *$155,700*

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. In accordance with the provisions of § 53.1-120, Code of Virginia, sheriffs are responsible for ensuring courtroom safety and chief judges are responsible, by agreement with the sheriff of the jurisdiction, for the designation of courtroom security deputies for their respective courts. However, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered by a judge for civil cases, not more than one deputy may be ordered by a judge for criminal cases in a district court, and not more than two deputies may be ordered by a judge for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 79, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying

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to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 79 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 72 and 73, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in paragraph A of this Item by the percentage shown herein for a twelve-month period effective the following July 1.

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria includes that a sheriff has achieved certification in a program agreed upon by the Compensation Board and the Virginia Sheriffs' Institute by Virginia Commonwealth University , or, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association.

3. Other constitutional officers' associations may request the General Assembly to include certification in a program agreed upon by the Compensation Board and the officers' associations by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.

K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $8,000,000 the first year and $8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

L. Notwithstanding the provisions of §§ 53.1-131 through 53.1 -131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.

M.1. Included in this appropriation is $ 1,856,649 the first year and $1,856,649 the second

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year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Information and Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry and provide for automated protective order notifications. All law enforcement agencies receiving general funds pursuant to this item shall provide the data requirements necessary to participate in the SAVIN system.

2. The data collected for purposes of the Statewide Automated Victim Information and Notification (SAVIN) system may be used to support additional public safety systems authorized by statute or the Appropriation Act. In support of these systems, the data may be used to determine or supplement risk factors, provide notifications, or data-driven information. The Commonwealth of Virginia's Chief Data Officer and the Compensation Board shall be permitted access to, and extraction of, such raw state data provided for these purposes, under terms agreed to by both the vendor collecting data under contract with the Virginia Center for Policing Innovation and the Commonwealth of Virginia's Chief Data Officer. No raw data shall be transferred beyond the SAVIN system except that which is shared with the Commonwealth of Virginia's Chief Data Officer in such mutually agreed upon manner.

N. Included in this appropriation is $2,478,556 the first year and $2,478,556 the second year from the general fund to support staffing costs associated with the expansion project at Prince William/Manassas Regional Jail.

O. Included in this appropriation is $2,194,589 the first year and $2,194,589 the second year from the general fund to support staffing costs associated with the Henry County jail replacement project.

P. Out of the amounts appropriated in this item, $7,332,246 the first year and $9,835,820 the second year from the general fund is provided for additional behavioral health case managers and medical treatment positions in local and regional jails. The Compensation Board shall provide a progress report on the implementation of these positions, including but not limited to the amount of funding allocated to each jail and how the jail utilized the funding, behavioral health screening and assessment of individuals committed to local correctional facilities, the type of mental health services provided, the number of individuals with serious mental illness assessed as requiring behavioral health services who (i) needed and (ii) received discharge planning upon release from the local correctional facility, and barriers to implementing the initiative. A progress report shall be submitted to the Governor, the Secretary of Administration, the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and the Director, Department of Planning and Budget, on or before November 1, 2022 and November 1, 2023.

Q. Out of the amounts appropriated in this item, $32,154,902 the first year and $38,585,989 the second year from the general fund is provided to raise the entry level annual salary of sworn sheriff deputies and regional jail officers personnel to $42,000, effective August 1, 2022. The Compensation Board shall report on the allocation of these funds and the specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriation and Senate Finance and Appropriation Committees, and the Director, Department of Planning and Budget no later than October 15, 2023.

R. Included in this item, $6,777,219 the first year and $8,132,664 the second year from the general fund to provide a base salary increase of $100 for each full year of service for sworn personnel who have three or more years of continuous state service up to thirty years, effective August 1, 2022.

S. Out of the amounts appropriated in this item, $7,579,057 the second year from the general fund is provided for compensation adjustments for deputy sheriffs and regional jail officers, effective December 1, 2023, to address compression issues which resulted from increasing the entry level starting pay to $42,000.

T. Notwithstanding the provisions of paragraph H. of Item 79 of this act, included in this appropriation is $1,026,952 the second year from the general fund to support new staffing

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associated with an increase in the rated operating capacity resulting from former expansions at the Piedmont Regional Jail that were not previously provided in base staffing and related funding by the Compensation Board, effective December 1, 2023.				
73. Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			$50,841,403	~~$53,637,055~~ *$54,906,489*
Financial Assistance for Local Jail Per Diem (35601).....	$21,544,188	~~$22,661,474~~ *$23,261,981*		
Financial Assistance for Regional Jail Per Diem (35604).....	$29,297,215	~~$30,975,581~~ *$31,644,508*		
Fund Sources: General.....	$50,841,403	~~$53,637,055~~ *$54,906,489*		

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, 2023, and June 1, 2024, 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, 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.*a*. 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, *for inmates housed through November 30, 2023*.

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b. For local responsible inmates--$5 per inmate day, or, if the inmate is housed and maintained in a jail farm not under control of the sheriff, the rate shall be $19 per inmate day, for inmates housed beginning December 1, 2023.

2. For state responsible inmates--$12 per inmate day through June 30, 2022, and $15 per inmate day effective July 1, 2022.

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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 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

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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. For Western Tidewater Regional Jail, exemption from the recovery provided in paragraph H.1. shall apply to the first 76 federal inmates housed at the jail and for any inmate above 130 housed at the jail at any given time.

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 72 and 73, 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 Chairs of the Senate Finance and Appropriations 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

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instrument. The Commissioner of Behavioral Health and Developmental Services shall 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, $215,939 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.

74.	Financial Assistance for Local Finance Directors (71700)			$6,112,122	$6,130,988
	Financial Assistance to Local Finance Directors (71701)	$743,520	$743,520		
	Financial Assistance for Operations of Local Finance Directors (71702)	$5,368,602	$5,387,468		
	Fund Sources: General	$6,112,122	$6,130,988		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	August 1, 2022 to June 30, 2023	July 1, 2023 to November 30, 2023	December 1, 2023 to June 30, 2024
Less than 10,000	$71,000	$74,550	~~$74,550~~ *$76,041*
10,000-19,999	$78,892	$82,837	~~$82,837~~ *$84,494*
20,000-39,999	$87,658	$92,041	~~$92,041~~ *$93,882*
40,000-69,999	$97,395	$102,265	~~$102,265~~ *$104,310*
70,000-99,999	$108,218	$113,629	~~$113,629~~ *$115,902*
100,000-174,999	$120,238	$126,250	~~$126,250~~ *$128,775*
175,000 to 249,999	$126,570	$132,899	~~$132,899~~ *$135,557*
250,000 and above	$143,831	$151,023	~~$151,023~~ *$154,043*

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this Item.

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B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.				
2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.				
75. Financial Assistance for Local Commissioners of the Revenue (77100)			$22,260,302	~~$22,398,446~~ *$23,329,747*
Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101)	$11,425,751	$11,427,681		
Financial Assistance for Operations of Local Commissioners of the Revenue (77102)	$10,355,039	~~$10,487,504~~ *$11,418,805*		
Financial Assistance for State Tax Services by Commissioners of the Revenue (77103)	$479,512	$483,261		
Fund Sources: General	$22,260,302	~~$22,398,446~~ *$23,329,747*		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	Augusty 1, 2022 to June 30, 2023	**July 1, 2023 to November 30, 2023**	**December 1, 2023 to June 30, 2024**
Less than 10,000	$71,000	$74,550	~~$74,550~~ *$76,041*
10,000-19,999	$78,892	$82,837	~~$82,837~~ *$84,494*
20,000-39,999	$87,658	$92,041	~~$92,041~~ *$93,882*
40,000-69,999	$97,395	$102,265	~~$102,265~~ *$104,310*
70,000-99,999	$108,218	$113,629	~~$113,629~~ *$115,902*
100,000-174,999	$120,238	$126,250	~~$126,250~~ *$128,775*
175,000 to 249,999	$126,570	$132,899	~~$132,899~~ *$135,557*
250,000 and above	$143,831	$151,023	~~$151,023~~ *$154,043*

B. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by commissioners of the revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board may increase the annual salary in paragraph A of this item by 9.3 percent following receipt of the commissioner's certification that the minimum

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requirements of the Commissioners' Career Development Program have been met, provided that such certifications are submitted by commissioners as part of their annual budget request to the Compensation Board on February 1 of each year.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners Career Development Program.

2. For each deputy commissioner selected by the commissioner of the revenue for participation in the Deputy Commissioners Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the commissioner of the revenue's certification that the minimum requirements of the Deputy Commissioners Career Development Program have been met, and provided that such certification is submitted by the commissioner of the revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1.

D. Out of the amounts appropriated in this item, $931,301 the second year from the general fund is provided to restore positions, effective December 1, 2023, that are allocated through the staffing standards but have been unfunded due to prior budget reductions.

76. Financial Assistance for Attorneys for the Commonwealth (77200)			$83,673,178	~~$83,702,641~~ *$87,667,387*
Financial Assistance to Attorneys for the Commonwealth (77201)	$18,023,987	$18,023,987		
Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202)	$65,649,191	~~$65,678,654~~ *$69,643,400*		
Fund Sources: General	$83,083,328	~~$83,112,791~~ *$87,077,537*		
Dedicated Special Revenue	$589,850	$589,850		

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	August 1, 2022 to June 30, 2023	July 1, 2023 to November 30, 2023	December 1, 2023 to June 30, 2024
Less than 10,000	$62,920	$66,066	~~$66,066~~ *$67,387*
10,000-19,999	$69,921	$73,417	~~$73,417~~ *$74,885*
20,000-34,999	$76,910	$80,756	~~$80,756~~ *$82,371*
35,000-44,999	$138,433	$145,355	~~$145,355~~ *$148,262*
45,000-99,999	$153,812	$161,503	~~$161,503~~ *$164,733*
100,000-249,999	$159,581	$167,560	~~$167,560~~ *$170,911*
250,000 and above	$165,353	$173,621	~~$173,621~~ *$177,093*

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.

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3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

D. The provisions of this act notwithstanding, no Commonwealth's attorney, public defender or employee of a public defender, shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and 924.

F. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's attorneys, the amount of unpaid fines and costs collected by this program.

G. Out of this appropriation, $389,165 the first year and $389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's attorney's offices that shall be dedicated to prosecuting gang-related criminal activities. The board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).

H. In accordance with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may employ individuals, or contract with private attorneys, private collection agencies, or other state or local agencies, to assist in collection of delinquent fines, costs, forfeitures, penalties, and restitution. If the attorney for the Commonwealth employs individuals, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. If the attorney for the Commonwealth does not undertake collection, the attorney for the Commonwealth shall, as soon as practicable, take steps to ensure that any agreement or contract with an individual, attorney or agency complies with the terms of the current Master Guidelines Governing Collection of Unpaid Delinquent Court-Ordered

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Fines and Costs Pursuant to Virginia Code § 19.2-349 promulgated by the Office of the Attorney General, the Executive Secretary of the Supreme Court, the Department of Taxation, and the Compensation Board ("the Master Guidelines"). Notwithstanding any other provision of law, the delinquent amounts owed shall be increased by seventeen (17) percent to help offset the costs associated with employing such individuals or contracting with such agencies or individuals. If such increase would exceed the contracted collection agent's fee, then the delinquent amount owed shall be increased by the percentage or amount of the collection agent's fee. Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being compensated on a contingency basis but shall instead be compensated for administrative costs pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2015, any treasurer collecting a contingency fee shall retain only the expenses of collection, and the excess collection shall be divided between the state and the locality in the same manner as if the collection had been done by the attorney for the Commonwealth. The attorneys for the Commonwealth shall account for the amounts collected and the fees and costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

I. Notwithstanding the provisions of Article 7, Chapter 4, Title 38, Code of Virginia, beginning July 1, 2018, $600,000 each year from the Insurance Fraud Fund is included in this appropriation to fund multi-jurisdictional Assistant Commonwealth's Attorney positions that shall be dedicated to prosecuting insurance fraud and related criminal activities. The Department of State Police shall identify those jurisdictions most affected by insurance fraud based upon data provided by the Virginia State Police Insurance Fraud Program. The Virginia State Police Insurance Fraud Program shall ensure that these positions work across jurisdictional lines, serving jurisdictions identified as most in need of these resources as supported by data. These funds shall remain unallocated until the Compensation Board and Virginia State Police notify the Director of the Department of Planning and Budget of the joint agreements reached with the Commonwealth's Attorneys of the jurisdictions receiving the additional Assistant Commonwealth's Attorney positions and the jurisdictions to be served by these positions. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that these positions are used primarily, if not exclusively, for the prosecution of insurance fraud and related criminal activities.

J. The appropriations in this item includes $1,433,928 the first year and $1,433,928 the second year from the general fund to fund approximately twenty-five percent of the unfunded positions needed based on the fiscal year 2020 staffing standards calculation.

K. Any locality in the Commonwealth that employs the use of body worn cameras for its law enforcement officers shall be required to establish and fund one full-time equivalent entry-level Assistant Commonwealth's Attorney, at a salary no less than that established by the Compensation Board for an entry-level Commonwealth's Attorney, at a rate of one Assistant Commonwealth's Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter. However, with the consent of the Commonwealth's Attorney, a locality may provide their Commonwealth's Attorney's office with additional funding, using a different formula than stated above, as needed to accommodate the additional workload resulting from the requirement to review, redact and present footage from body worn cameras. If, as of July 1, 2019, a locality is providing additional funding to the Commonwealth's Attorney's office specifically to address the staffing and workload impact of the implementation of body worn cameras on that office, that additional funding shall be credited to the formula used in that locality. Any agreed upon funding formula between the impacted Commonwealth's Attorney and the locality employing body worn cameras shall be filed with the Compensation Board by July 1 of each year and shall remain in effect unless modified by the agreement of both parties until June 30th of the following year. The term "locality" means every county or independent city with an Attorney for the Commonwealth. The term "employed for use" includes all body worn cameras maintained by the law enforcement agency or agencies of that locality, regardless of any temporary inoperability.

L. Included in this appropriation is $93,200 the first year and $93,200 the second year from the general fund to support the costs of converting the Commonwealth's Attorney's office in

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Craig County from part-time to full-time status effective July 1, 2021, in accordance with the election of the officer pursuant to § 15.2-1629, Code of Virginia.				
M. Out of the amounts appropriated in this item, $3,964,746 the second year from the general fund is provided to increase salaries for attorneys in Commonwealth's attorney's offices, effective December 1, 2023.				
77. Financial Assistance for Circuit Court Clerks (77300)			$64,549,772	~~$64,837,950~~ *$65,431,457*
Financial Assistance to Circuit Court Clerks (77301)	$15,523,915	$15,552,146		
Financial Assistance for Operations for Circuit Court Clerks (77302)	$30,231,905	~~$30,484,722~~ *$31,078,229*		
Financial Assistance for Circuit Court Clerks' Land Records (77303)	$18,793,952	$18,801,082		
Fund Sources: General	$56,546,402	~~$56,834,580~~ *$57,428,087*		
Trust and Agency	$8,003,370	$8,003,370		

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

	August 1, 2022 to June 30, 2023	July 1, 2023 to November 30, 2023	December 1, 2023 to June 30, 2024
Less than 10,000	$89,204	~~$93,664~~ $94,977	~~$93,664~~ $96,877
10,000 to 19,999	$109,918	~~$115,414~~ *$116,727*	~~$115,414~~ *$119,062*
20,000-39,999	$125,851	~~$132,144~~ *$133,457*	~~$132,144~~ *$136,126*
40,000-69,999	$132,220	~~$138,831~~ *$140,144*	~~$138,831~~ *$142,947*
70,000-99,999	$143,368	~~$150,536~~ *$151,849*	~~$150,536~~ *$154,886*
100,000-174,999	$156,114	~~$163,920~~ *$165,233*	~~$163,920~~ *$168,538*
175,000-249,999	$160,959	~~$169,007~~ *$170,320*	~~$169,007~~ *$173,726*
250,000 and above	$165,676	~~$173,960~~ *$175,273*	~~$173,960~~ $178,778

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this Item.

3. Except as provided in Item 79 A 2, the annual salary herein prescribed shall be full compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so

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allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this Item.

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's attorney.

D. Included within this appropriation are Trust and Agency funds necessary to support one position to assist circuit court clerks in implementing the recommendations of the Land Records Management Task Force Report dated January 1, 1998.

E. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.

F. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board when distributing funds to the Circuit Court Clerk's Offices from the Technology Trust Fund shall ensure that each office has at least $1,000 per year for technology related expenditures.

G. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this Item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this Item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.

H.1. For audits of clerks of the circuit court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the clerks' office.

2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the clerk shall provide the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The clerk's response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.

3. Notwithstanding the provisions of Item 483, the Compensation Board shall not provide any salary increase to any circuit court clerk identified by the Auditor of Public Accounts who has not taken corrective action for the matters reported above.

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I.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks' Career Development Program.

2. Following receipt of a clerk's certification that the minimum requirements of the Clerks' Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.

J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts' Career Development Program.

2. For each deputy clerk selected by the clerk for participation in the Deputy Clerks' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the clerk's certification that the minimum requirements of the Deputy Clerks' Career Development Program have been met and provided that such certification is submitted by clerks as part of their annual budget request to the Compensation Board by February 1 of each year.

K. Upon request of the attorney for the Commonwealth, the clerk of the circuit court shall contemporaneously provide the attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to § 19.2-298.01 E, Code of Virginia.

L. The Compensation Board may obligate Trust and Agency funds in excess of the current biennium appropriation for the automation efforts of the clerks' offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

M. Offices of the Clerks of the Circuit Court, jails, adult detention centers, and the Department of Corrections are further authorized to enter into agreements to electronically transmit and process criminal court orders to assure timely and accurate recordation and processing of such records.

N. Included in the appropriation for this item is $75,000 the first year and $75,000 the second year from the general fund for the Williamsburg and James City County Circuit Court Clerk's office to conduct a pilot program to provide an online listing of foreclosures; continued courthouse posting of foreclosures; and to provide notice of foreclosures in the local newspaper for a limited period of time.

O. Out of the appropriation for this item is $1,287,189 the first year and $1,544,627 the second year from the general fund to provide a $1,250 increase to the base wage and salaries of all circuit court employees, effective August 1, 2022.

P. Out of the amounts appropriated in this item, $593,507 the second year from the general fund is provided to increase salaries for positions in circuit court clerks' offices, effective December 1, 2023.

78.	Financial Assistance for Local Treasurers (77400)..			$20,530,406	~~$20,613,699~~ *$22,602,132*
	Financial Assistance to Local Treasurers (77401)....	$11,329,148	$11,334,349		
	Financial Assistance for Operations of Local Treasurers (77402).....	$8,852,853	~~$8,929,054~~ *$10,917,487*		
	Financial Assistance for State Tax Services by Local Treasurers (77403).....	$348,405	$350,296		
	Fund Sources: General.....	$20,530,406	~~$20,613,699~~ *$22,602,132*		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

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A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	August 1, 2022 to June 30, 2023	**July 1, 2023 to November 30, 2023**	**December 1, 2023 to June 30, 2024**
Less than 10,000	$71,000	$74,550	~~$74,550~~ *$76,041*
10,000 to 19,999	$78,892	$82,837	~~$82,837~~ *$84,494*
20,000-39,999	$87,658	$92,041	~~$92,041~~ *$93,882*
40,000-69,999	$97,395	$102,265	~~$102,265~~ *$104,310*
70,000-99,999	$108,218	$113,629	~~$113,629~~ *$115,902*
100,000-174,999	$120,238	$126,250	~~$126,250~~ *$128,775*
175,000-249,999	$126,570	$132,899	~~$132,899~~ *$135,557*
250,000 and above	$143,831	$151,023	~~$151,023~~ *$154,043*

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.

2. For each deputy treasurer selected by the treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.

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D. Notwithstanding the provisions of § 8.01-490, Code of Virginia, a treasurer, sheriff or other officer distraining or levying upon personal property may employ a licensed auctioneer or auction firm, as defined in § 54.1-600, Code of Virginia, to sell such property on behalf of the officer, and may transport such property to the site of an auction for such purpose, regardless of whether the site is within or outside the officer's county or city.

E. Out of the amounts appropriated in this item, $1,988,433 the second year from the general fund is provided to restore positions, effective December 1, 2023, that are allocated through the staffing standards but have been unfunded due to prior budget reductions.

79. Administrative and Support Services (79900).....			$4,918,861	~~$4,918,861~~ *$4,960,711*
General Management and Direction (79901).....	$3,630,184	~~$3,630,184~~ *$3,672,034*		
Information Technology Services (79902).....	$1,253,527	$1,253,527		
Training Services (79925).....	$35,150	$35,150		
Fund Sources: General.....	$4,918,861	~~$4,918,861~~ *$4,960,711*		

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 72, 74, 75, 76, 77, and 78 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 72, 74, 75, 76, 77, and 78 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 72, 74, 75, 76, 77, and 78 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	FY 2023	**FY 2024**
Sheriffs	11,645	~~11,740~~ *11,780*
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	923	~~935~~ *939*
Commissioners of the Revenue	851	851
Treasurers	861	861
Directors of Finance	383	383
Commonwealth's Attorneys	1,332	1,332
Clerks of the Circuit Court	1,158	1,158
TOTAL	**16,806**	**~~16,913~~ *16,957***

2. The Compensation Board is authorized to provide funding for 597 temporary positions

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the first year and ~~597~~ *581* temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

E. Any new positions established in Item 79 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 72 of this act.

F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety and Homeland Security certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 400 of this act.

I. Subject to appropriations by the General Assembly for this purpose, the Compensation Board may provide funding for executive management, lawful employment practices, and jail management training for constitutional officers, their employees, and regional jail superintendents.

J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.

K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House

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Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.

2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.

3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The State Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 72, 75, 76, 77, and 78 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.

M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

N. The Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 72, 74, 75, 76, 77, and 78 of this act, an amount equal to 100 percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional officers, directors of finance, and regional jails. From sheriffs and regional jails, the Compensation Board shall deduct an additional $80,000 each year for the costs of conducting training on managing risk in the operation of local and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a 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 Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 72, 74, 75, 76, 77, and 78 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

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Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.

2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.

4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.

R. Localities shall not utilize Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012.

S. Effective July 1, 2016, the Compensation Board is authorized to withhold reimbursements due to the locality for sheriff's law enforcement expenses if the sheriff fails to certify to the Board that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia. Upon subsequent certification by the sheriff that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia, the Compensation Board shall make reimbursement of withheld funding due to the locality when such subsequent certification is made within the same fiscal year that funds have been withheld.

T.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Executive Secretary of the State Compensation Board shall implement the recommendations relating to the State Compensation Board 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.

U.1. The Compensation Board shall work with the Virginia Association of Commonwealth's Attorneys to examine the staffing standards used to determine and distribute funding and positions allocated to Commonwealth's Attorney's offices, including the use of diversion programs, specialty dockets, and other programs that incentivize best practices and improved outcomes as part of overall criminal justice reform efforts, rather than the current practice which relies solely on metrics related to felony charges and convictions. The examination shall identify funding needs to support staffing for statutorily prescribed duties while also identifying funding needs for participation in special programs, discretionary duties, and current local supplemental funds allocated. To assist in this goal, the Compensation Board shall contract with the National Center for State Courts to perform a time study as to the comprehensive duties and responsibilities of Commonwealth's Attorneys' offices including, but not limited to, “in-court" obligations, the use of diversion programs and specialty dockets, expungement/rights restoration volume as well as other obligations reflected in the Code of Virginia (e.g. duties prescribed under §15.2-1627, et seq). The Compensation Board shall develop a revised staffing standard for Commonwealth's Attorney's offices based on the results of the study that expands the current model focused on felony charges and convictions and accounts for the use of diversion programs, specialty dockets, and other programs. All Commonwealth's Attorneys shall participate in the study as needed and identified by the Compensation Board and the National Center for State Courts.

2. The Compensation Board shall deliver a report containing the results of the study, anticipated costs, and staffing standards methodology revisions under review or approved by the Board to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.

V. For July 1, 2022 through July 31, 2022, the annual salaries provided to officers specified in Items 72, 74, 75, 76, 77, and 78 of this act shall be set in accordance with the provisions of

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paragraph A.1. of this Item, according to the salary tables in effect as of June 30, 2022.				
W. Out of the appropriation for this item is $41,850 the second year from the general fund, which the Director, Department of Planning and Budget, is authorized to transfer to other items and programs within the Compensation Board as necessary to fund qualified participants in career development programs, effective December 1, 2023.				
Total for Compensation Board			**$826,608,111**	**~~$840,435,768~~** ***$858,557,415***
General Fund Positions	21.00	21.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	22.00	22.00		
Fund Sources: General	$810,012,233	~~$823,839,890~~ *$841,961,537*		
Trust and Agency	$8,003,370	$8,003,370		
Dedicated Special Revenue	$8,592,508	$8,592,508		
§ 1-30. DEPARTMENT OF GENERAL SERVICES (194)				
80. Laboratory Services (72600)			$48,546,873	$48,863,885
Statewide Laboratory Services (72604)	$31,679,894	$31,996,906		
Newborn Screening Laboratory Services (72607)	$14,089,676	$14,089,676		
Laboratory Accreditation Services (72608)	$559,639	$559,639		
Drinking Water Testing Services (72609)	$2,217,664	$2,217,664		
Fund Sources: General	$19,910,349	$20,227,361		
Special	$20,000	$20,000		
Enterprise	$16,069,009	$16,069,009		
Internal Service	$5,134,355	$5,134,355		
Federal Trust	$7,413,160	$7,413,160		

Authority: Title 2.2, Chapter 11, Article 2, Code of Virginia.

A. The provisions of § 2.2-1104, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services shall ensure that no individual is denied the benefits of laboratory tests mandated by the Department of Health for reason of inability to pay for such services.

B. Out of this appropriation, $5,134,355 the first year and $5,134,355 the second year for Statewide Laboratory Services is sum sufficient and these amounts are estimates from an internal service fund which shall be paid from revenues derived from charges collected from state agencies and institutions of higher education for laboratory testing services. The internal service fund shall also consist of revenues transferred from the Department of Transportation for motor fuel testing as stated in § 3-1.02 of this act.

C.1. The provisions of § 2.2-1104 B, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services may charge a fee for the limited and specific purpose of analyses of water samples where (i) testing is required by Department of Health regulations as mandated by the federal Safe Drinking Water Act, (ii) funding to support such testing is not otherwise provided for in this act, and (iii) fees shall not be increased unless a plan is first approved by the Governor.

2. The Division of Consolidated Laboratory Services may charge a fee to recover its costs to certify laboratories under the requirements of §§ 2.2-1104 A. 4 and 2.2-1105, Code of Virginia, where certification of these laboratories is required by the Department of Health regulations mandated by the federal Safe Drinking Water Act, Chapter 13 (§ 10.1-1300 et seq.) of Title 10.1, the Virginia Waste Management Act (§ 10.1-1400 et seq.), or the State Water Control Law (§ 62.1-44.2 et seq.), Code of Virginia.

3.a. Any regulations or guidelines necessary to implement or change the amount of the fees charged for testing of water samples or certification of laboratories may be adopted without complying with the Administrative Process Act (§2.2-4000 et seq.) provided that

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input is solicited from the public. Such input requires only that notice and an opportunity to submit written comments be given.

b. Notwithstanding any other provision of law, changes to fees charged for testing of water samples or certification of laboratories shall be subject to the provisions of § 4-5.03 of this act, effective July 1, 2016.

c. Fees charged for testing of water samples or certification of laboratories shall not exceed the cost of providing such services.

D. Out of this appropriation, $410,861 the first year and $410,861 the second year from the general fund shall be used for the fifth and sixth year of payments to finance the replacement of instrumentation used for drinking water testing that is at least ten years old utilizing the state's Master Equipment Leasing Program in addition to annual service maintenance agreements for such instrumentation.

81.	Real Estate Services (72700)		$73,608,012	$73,608,012
	Statewide Leasing and Disposal Services (72705)	$73,608,012	$73,608,012	
	Fund Sources: Internal Service	$73,608,012	$73,608,012	

Authority: Title 2.2, Chapter 11, Article 4, § 2.2-1156, Code of Virginia.

A. Out of this appropriation, $73,608,012 the first year and $73,608,012 the second year for Statewide Leasing and Disposal Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues from rent payments or fees to be paid by state agencies and institutions for their occupancy of facilities and management of real property transactions, including, but not necessarily limited to, leases of non-state owned office space throughout the Commonwealth for use by such agencies and institutions. Also included are funds to pay costs associated with the disposal of state-owned real property and interests therein. In implementing the program, the Department of General Services may utilize brokerage services, portfolio management strategies, personnel policies, and compensation practices generally consistent with prevailing industry best practices.

B.1. The costs paid for each sale of state-owned property shall be returned to the fund upon sale of the property in an amount calculated at 115 percent of such costs.

2. The rate charged for administration of single-agency leases shall be four percent of lease costs and the rate for administration of master leases shall be five percent of lease costs. Fees approved in accordance with § 4-5.03 of this act may also be charged for one-time transactions.

82.	Procurement Services (73000)		$66,930,235	$66,830,235
	Statewide Procurement Services (73002)	$30,613,042	$30,513,042	
	Surplus Property Programs (73007)	$2,065,504	$2,065,504	
	Statewide Cooperative Procurement and Distribution Services (73008)	$34,251,689	$34,251,689	
	Fund Sources: General	$2,102,346	$2,002,346	
	Special	$3,787,391	$3,787,391	
	Enterprise	$24,723,305	$24,723,305	
	Internal Service	$36,317,193	$36,317,193	

Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.

A. 1. Out of this appropriation, $609,042 the first year and $609,042 the second year for federal surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

2. Out of this appropriation, $1,456,462 the first year and $1,456,462 the second year for state surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

B. Out of this appropriation, $34,251,689 the first year and $34,251,689 the second year for Statewide Cooperative Procurement and Distribution Services is sum sufficient and amounts

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shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

C. The Commonwealth's statewide electronic procurement system and program known as eVA will be financed by fees assessed to state agencies and institutions of higher education and vendors.

D. The Department of General Services shall allow nonprofit food banks operating in Virginia and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from the Virginia Distribution Center.

E.1. The Department of General Services, for goods and services requirements identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management, is directed to develop and maintain a list of emergency contracts for use by state agencies responsible for emergency response and recovery, and to establish contracts for resources, goods and services, as identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management in the event of state shelter activation during a declaration of state emergency.

2. Following completion or revision by the Department of Social Services of documentation, pursuant to Item 349, paragraph B, regarding the specifications of goods and services required in the event of shelter activation, the department shall take necessary steps, in compliance with the Virginia Public Procurement Act, to timely negotiate, execute, or amend contracts sufficient to support the goods and services needs identified by the Department of Social Services and the Virginia Department of Emergency Management.

3. Upon completion of the required documentation by the Department of Social Services referenced above, the Department of General Services, in consultation with relevant state agencies, shall submit a report identifying options for warehousing supplies needed to support state shelters to include associated storage and supply management resource costs to store and maintain needed supplies. The department shall report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Administration, the Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety and Homeland Security, and the Secretary of Finance.

83.	Physical Plant Management Services (74100).....			$59,628,841	$60,671,847
	Parking Facilities Management (74105).....	$5,482,079	$5,482,079		
	Statewide Building Management (74106).....	$47,093,854	$48,130,698		
	Statewide Engineering and Architectural Services (74107).....	$6,342,113	$6,342,113		
	Seat of Government Mail Services (74108).....	$710,795	$716,957		
	Fund Sources: General.....	$2,711,095	$2,717,257		
	Special.....	$5,482,079	$5,482,079		
	Internal Service.....	$51,435,667	$52,472,511		

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

A.1. Out of this appropriation, $45,557,636 the first year and $46,594,480 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 $15.96 per square foot the first year and $15.96 the second year.

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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 and Appropriations 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 $3,061,776 the first year and $3,061,776 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 2023	**FY 2024**
Alcoholic Beverage Control Authority	$102,931	$102,931
Department of Motor Vehicles	$252,815	$252,815
Department of State Police	$797	$797
Department of Transportation	$229,540	$229,540
Department for the Blind and Vision Impaired	$5,788	$5,788
Science Museum of Virginia	$17,904	$17,904
Virginia Museum of Fine Arts	$158,513	$158,513
Virginia Retirement System	$53,425	$53,425
Veterans Services	$174,799	$174,799
Workers' Compensation Commission	$84,267	$84,267
TOTAL	**$1,080,779**	**$1,080,779**

B.1. Out of this appropriation, $5,878,031 the first year and $5,878,031 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 $192.00 the first year and $192.00 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, $464,182 the first year and $464,182 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 location(s).

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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. The total service charge for payment in lieu of taxes to the City of Richmond 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. 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.

84.	Transportation Pool Services (82300).....			$20,261,389	$20,261,389
	Statewide Vehicle Management Services (82302)....	$20,261,389	$20,261,389		
	Fund Sources: Internal Service.....	$20,261,389	$20,261,389		

Authority: Title 2.2, Chapter 11, Article 7; § 2.2-120, Code of Virginia.

A. The appropriation for Statewide Vehicle Management Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges to agencies for fleet management services.

B. Charges for central fleet vehicles leased by state agencies and institutions shall be the vehicle purchase cost and interest charges amortized over a period of 84 months or less, in addition to a standard monthly operating charge of $120.00 the first year and $120.00 the second year per vehicle for the cost of maintenance and support.

C. In addition to providing services to state agencies and institutions, fleet management services may also be provided to local public bodies on a fee for service basis in accordance with established Department of General Services Fleet Management policies and procedures.

D. The Department of General Services shall manage the Commonwealth's consolidation of bulk and commercial fuel contracts awarded in response to Chapter 879, Acts of Assembly of 2008, Item 1-83 C. The intent of this consolidation is to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume to achieve the most favored pricing from private sector fuel providers, and reduce procurement administration workload from state agencies, institutions, local government entities, and other authorized users of awarded contracts that would have otherwise procured and contracted separately for these commodities.

E. The Commonwealth of Virginia, Department of General Services may enter into a comprehensive agreement, or multiple comprehensive agreements, pursuant to the Public-Private Education Facilities and Infrastructure Act – 2002 (§ 56-575.1 et seq.), to achieve the purposes of § 2.2-1176 (B) and result in the replacement of state-owned or operated vehicles with vehicles that operate on alternative fuels. Any agreement entered into must be cost neutral or result in a reduction in the Commonwealth's combined vehicle acquisition and operational costs, and result in lower environmental emissions. The agreements shall not be subject to the requirements found in Title 30, Chapter 42, Code of Virginia (§ 30-278 et. seq.). The Director, Department of General Services, in consultation with the Governor's Senior Advisor on Energy and the Secretary of Finance, shall determine whether the agreement is cost neutral or results in cost savings to the Commonwealth.

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F. The comprehensive agreement referenced in paragraph E. above, may allow for the Department of General Services (DGS) to establish alternative fuels (natural gas, propane, electric) fueling sites at its office of fleet management facility in Richmond, Virginia. Such sites may be open to the general public for the purchase of alternative fuels when such fuels are not available on the retail market within 10 miles of the DGS fleet management facility. Rates for fuel purchased by the general public will be established by the private vendor operating the fueling site. In emergency situations or fuel shortages, the Commonwealth retains the ability to restrict access to such sites as necessary.

85.	Administrative and Support Services (79900)		$6,124,171	$6,148,833
	General Management and Direction (79901)	$3,690,527	$3,690,527	
	Information Technology Services (79902)	$2,433,644	$2,458,306	
	Fund Sources: General	$6,000,865	$6,000,865	
	Enterprise	$123,306	$147,968	

Authority: Title 2.2, Chapter 11 and Chapter 24, Article 1, Code of Virginia.

A.1. The Department shall lead, provide administrative support to, and convene an annual public body procurement workgroup to review and study proposed changes to the Code of Virginia in areas of non-technology goods and services, technology goods and services, construction, transportation, and professional services procurements. The workgroup shall consist of the Director of the Department of Small Business and Supplier Diversity, Director of the Department of General Services, the Chief Information Officer of Virginia Information Technology Agency, Commissioner of the Virginia Department of Transportation, Director of the Department of Planning and Budget, the President of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP), the President of the Virginia Association of Governmental Purchasing or their designees; a representative from the Office of the Attorney General Government Operations and Transactions Division, a staff member of the Virginia House Appropriations Committee, Senate Finance and Appropriations Committee, and Division of Legislative Services.

2. The workgroup is charged with hearing legislation referred by letter from the Chairs of the House Rules, General Laws, and Appropriations Committees, and Chairs of the Senate Rules, General Laws and Technology, and Finance and Appropriations Committees. The workgroup will hear from stakeholders identified by the patron of the referred legislation and other interested individuals to discuss the legislation's impacts to: 1) small businesses to include women and minorities; 2) the Commonwealth's budget; and 3) the Commonwealth's procurement processes. Such meetings will be open to the public. In addition, the Chairs of the House Rules and House Appropriations Committees and Chairs of Senate Rules and Senate Finance and Appropriations Committees may request the workgroup review procurement related proposals in advance of upcoming legislative sessions to better understand potential impacts prior to the start of the annual General Assembly Session.

B. The Department of General Services, in collaboration with the Virginia Information Technologies Agency, shall inventory state agency call center contractual staffing solutions currently in place, and make recommendations on the benefit of developing a statewide standing call center staffing augmentation contract. The agencies shall report findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 31, 2022.

Total for Department of General Services			**$275,099,521**	**$276,384,201**
General Fund Positions	280.00	280.00		
Nongeneral Fund Positions	436.00	436.00		
Position Level	716.00	716.00		
Fund Sources: General	$30,724,655	$30,947,829		
Special	$9,289,470	$9,289,470		
Enterprise	$40,915,620	$40,940,282		
Internal Service	$186,756,616	$187,793,460		
Federal Trust	$7,413,160	$7,413,160		

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	§ 1-31. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)				
86.	Personnel Management Services (70400)			$116,457,838	$115,328,063
	Agency Human Resource Services (70401)	$2,339,985	$1,865,985		
	Human Resource Service Center (70402)	$1,129,478	$1,129,478		
	Equal Employment Services (70403)	$490,221	$490,221		
	Health Benefits Services (70406)	$12,954,791	$12,954,791		
	Personnel Development Services (70409)	$783,162	$783,162		
	Personnel Management Information Services (70410)	$1,803,014	$1,222,239		
	Employee Dispute Resolution Services (70416)	$1,214,092	$1,214,092		
	State Employee Program Services (70417)	$1,902,385	$1,902,385		
	State Employee Workers' Compensation Services (70418)	$91,512,934	$91,512,934		
	Administrative and Support Services (70419)	$2,327,776	$2,252,776		
	Fund Sources: General	$8,438,334	$7,542,572		
	Special	$1,739,642	$1,739,642		
	Enterprise	$3,598,583	$3,598,583		
	Internal Service	$10,739,343	$10,505,330		
	Trust and Agency	$91,941,936	$91,941,936		

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 and Appropriations 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 $1,593.00 per full-time equivalent and $637.00 per wage employee the first year and $1,593.00 per full-time equivalent and $637.00 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 training to agencies and institutions of higher education with classified employees.

2. Agency heads in the Executive Department are directed to require appropriate performance management training for all agency supervisors and managers.

E. The Department of Human Resource Management shall take into account the claims

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experience of each agency and institution when setting premiums for the workers' compensation program.

F.1. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by October 30 of each year, on its recommended workers' compensation premiums for state agencies for the following biennium. This report shall also include the basis for the department's recommendations; the status and recommendations of the loss control program authorized in paragraph F. 2; the number and amount of workers' compensation settlements concluded in the previous fiscal year, inclusive of those authorized in paragraph F. 3.a; and the impact of those settlements on the workers' compensation program's reserves.

2. Beginning July 1, 2015, the Department of Human Resource Management shall conduct an annual review of each state agency's loss control history, to include the severity of workers' compensation claims, experience modification factor, and frequency normalized by payroll. Based on the annual review, state agencies deemed by the Department of Human Resource Management as having higher than normal loss history shall be required to participate in a loss control program. All executive, judicial, legislative, and independent agencies required to participate in the loss control program shall fully cooperate with the Department of Human Resource Management's review.

3.a. A working capital advance of up to $20,000,000 shall be provided to the Department of Human Resource Management to identify and potentially settle certain workers' compensation claims open for more than one year but less than 10 years. The Department of Human Resource Management shall pay back the working capital advance from annual premiums over a seven-year period.

b. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of any approved drawdowns.

G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by October 15 of each year, on the renewal cost of the state employee health insurance program premiums that will go into effect on July 1 of the following year. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.

H. The Department of Human Resource Management shall develop and distribute instructions and guidelines to all executive department agencies for the provision of an annual statement of total compensation for each classified employee. The statement should account for the full cost to the Commonwealth and the employee of cash compensation as well as Social Security, Medicare, retirement, deferred compensation, health insurance, life insurance, and any other benefits. The Director, Department of Human Resource Management, shall ensure that all executive department agencies provide this notice to each employee. The Department of Accounts and the Virginia Retirement System shall provide assistance upon request. Further, the Director of the Department of Human Resource Management shall provide instructions and guidelines for the development notices of total compensation to all independent, legislative, and judicial agencies, and institutions of higher education for preparation of annual statements to their employees.

I. 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.

J. The Department of Human Resource Management shall work with the Department of General Services to review the feasibility of offering childcare services to state employees within the Capitol Square complex. As part of the review, the Department shall consider the feasibility of reestablishing the childcare center in the VDOT building at 1201 East Broad Street. The Department shall report its recommendations to the Governor and the General Assembly by November 1, 2022.

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K. The Department of Human Resource Management (DHRM) shall compile data related to the number of employees teleworking and the number of days per week such employees telework, by agency. Such data shall include: i.) the number of employees teleworking and days per week such employees teleworked under approved agency-based telework agreements during calendar year 2019, and the percentage of the overall agency personnel complement such employees represented; ii.) the number of employees teleworking and days per week such employees teleworked from March 2020 through July 4, 2022, and the percentage of the overall agency personnel complement such employees represented; and iii.) the number of employees approved for teleworking and days per week such employees telework under the Standard Telework Agreement, effective July 5, 2022, pursuant to DHRM Policy 1.61, and the percentage of the overall personnel complement such employees represent. DHRM shall prepare and deliver a report including such data to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.

Total for Department of Human Resource Management			**$116,457,838**	**$115,328,063**
General Fund Positions	56.90	54.90		
Nongeneral Fund Positions	62.10	62.10		
Position Level	119.00	117.00		
Fund Sources: General	$8,438,334	$7,542,572		
Special	$1,739,642	$1,739,642		
Enterprise	$3,598,583	$3,598,583		
Internal Service	$10,739,343	$10,505,330		
Trust and Agency	$91,941,936	$91,941,936		

Administration of Health Insurance (149)

87.	Personnel Management Services (70400)			$2,301,071,067	$2,301,071,067
	Health Benefits Services (70406)	$1,678,195,823	$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	$1,678,195,823	$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.

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.

B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.

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.

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).

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

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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.

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.

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 Chairs of the House Appropriations and Senate Finance and Appropriations 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.

G. 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.

Total for Administration of Health Insurance			**$2,301,071,067**	**$2,301,071,067**
Fund Sources: Enterprise	$587,455,244	$587,455,244		
Internal Service	$1,678,195,823	$1,678,195,823		
Trust and Agency	$35,420,000	$35,420,000		

Virginia Management Fellows Program Administration (164)

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

Authority: Discretionary Inclusion

A. Out of the appropriation for this Item is included $1,513,961 the first year and $1,513,961 the second year from the general fund for a joint internship and management training program to assist in improving leadership, management, and succession planning capabilities of all branches of state government. The Department of Human Resource Management shall contract with a Virginia public university for the continuation of the program. *The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item in amounts consistent with any contract or Memorandum of Agreement with a Virginia public university for administration of the program.* Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support the Virginia Management Fellows program in the subsequent fiscal year.

B. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item to applicable state agencies as required to execute the purposes of this item.

C. The Secretary of Administration shall establish an advisory group to oversee the program composed of one representative from the program's leadership team within the contracted Virginia public university, agency mentors from agencies that actively participate in the programs, and the staff directors, or their designees, of the House Appropriations and Senate Finance and Appropriations Committees.

Total for Virginia Management Fellows Program Administration			**$1,513,961**	**$1,513,961**
General Fund Positions	18.00	18.00		
Position Level	18.00	18.00		

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Fund Sources: General	$1,513,961	$1,513,961		
Grand Total for Department of Human Resource Management			**$2,419,042,866**	**$2,417,913,091**
General Fund Positions	74.90	72.90		
Nongeneral Fund Positions	62.10	62.10		
Position Level	137.00	135.00		
Fund Sources: General	$9,952,295	$9,056,533		
Special	$1,739,642	$1,739,642		
Enterprise	$591,053,827	$591,053,827		
Internal Service	$1,688,935,166	$1,688,701,153		
Trust and Agency	$127,361,936	$127,361,936		

§ 1-32. DEPARTMENT OF ELECTIONS (132)

89.	Electoral Services (72300)			$21,508,425	$19,314,633
	Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302)	$1,642,224	$1,642,224		
	Statewide Voter Registration System and Associated Information Technology Services (72304)	$12,184,511	$12,184,511		
	Campaign Finance Disclosure Administration Services (72309)	$183,885	$183,885		
	Voter Services and Communications (72311)	$4,323,816	$2,123,816		
	Administrative Services (72312)	$3,173,989	$3,180,197		
	Fund Sources: General	$18,456,175	$16,262,383		
	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. 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.

D. 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.

E. 1. 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). Any remaining balances out of the amounts appropriated in Item 86, paragraph I, of Chapter 552, 2021 Acts of Assembly, Special Session I, may be used to support VERIS replacement and shall serve as the state's required match to receive the federal HAVA award.

2. The Secretary of Finance and Secretary of Administration shall approve the allotment of remaining balances out of the amount appropriated in Item 86, paragraph I.3, of Chapter 552, 2021 Acts of Assembly, Special Session, to be used for VERIS replacement costs after the exhaustion of all available HAVA funding eligible for this purpose and the initial required state match component of $2,035,142.

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3. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support VERIS replacement in the subsequent fiscal year.

F. Out of this appropriation, $2,200,000 the first year from the general fund is provided for the department to mail Voter Information Notices to all registered voters in the Commonwealth of Virginia in response to changes made to the districts of the House of Delegates, the districts of the Senate of Virginia, the districts of Congressional Representatives, and some local districts during the redistricting process in accordance with the provisions of § 24.2-306, Code of Virginia. The department shall include information on new voter legislative districts, and, to the extent it is available, new polling locations in this notice.

G. Out of this appropriation, $6,208 the first year and $12,416 the second year from the general fund is provided to support costs associated with the expansion of the State Board of Elections.

H. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the general fund is provided for the department to educate voters on the laws and regulations governing elections in Virginia, upcoming general elections, primaries, and special elections, and any changes to Virginia's legislative districts and voter precincts.

90.	Financial Assistance for Electoral Services (78000)....		$10,077,280	$10,077,280
	Financial Assistance for General Registrar Compensation (78001).....	$9,080,525	$9,080,525	
	Financial Assistance for Local Electoral Board Compensation and Expenses (78002).....	$996,755	$996,755	
	Fund Sources: General.....	$10,077,280	$10,077,280	

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

A.1.a. In determining the salary for each general registrar, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia. The Department of Elections shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent general registrar remains in office.

b. The annual salaries of general registrars, in accordance with the provisions of § 24.2-111, Code of Virginia, shall be as hereinafter prescribed.

Population	**August 1, 2022 to June 30, 2023**	**July 1, 2023 to ~~June 30, 2024~~ *November 30,2023***	***December 1, 2023 to June 30, 2024***
0-9,999	$71,000	$74,550	*$76,041*
10,000-19,999	$78,892	$82,837	*$84,494*
20,000-39,999	$87,658	$92,041	*$93,882*
40,000-69,999	$97,395	$102,265	*$104,310*
70,000-99,999	$108,218	$113,629	*$115,902*
100,000-174,999	$120,238	$126,250	*$128,775*
175,000-249,999	$126,570	$132,899	*$135,557*
250,000 and above	$143,831	$151,023	*$154,043*

c. Any locality required to supplement the salary of a general registrar on June 30, 1981, shall continue that supplement at the identical annual amount as paid in FY 1982. This supplement shall continue as long as the incumbent general registrar on July 1, 1982, continues in office. Further, any locality may supplement the annual salary of the general registrar. There shall be no reimbursement out of the state treasury for such supplements.

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2. General registrars in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park shall receive a cost of competition supplement equal to 15 percent of the salaries authorized in paragraph A.1.a. The cost of this supplement shall be paid out of the general fund of the state treasury.

B.1.a. The Department of Elections shall set the annual compensation for secretaries and members of local electoral boards on July 1 of each year. In determining such compensation, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia.

b. The annual compensation of the secretary of each local electoral board shall be as hereinafter prescribed.

Population	**August 1, 2022 to June 30, 2023**	**July 1, 2023 to ~~June 30,2024~~ *November 30,2023***	***December 1, 2023 to June 30, 2024***
0-10,000	$2,442	$2,564	*$2,615*
10,001-25,000	$3,659	$3,842	*$3,919*
25,001-50,000	$4,878	$5,122	*$5,224*
50,001-100,000	$6,098	$6,403	*$6,531*
100,001-150,000	$7,315	$7,681	*$7,835*
150,001-200,000	$8,555	$8,983	*$9,163*
200,001-350,000	$9,764	$10,252	*$10,457*
Above 350,000	$10,978	$11,527	*$11,758*

c. The annual compensation of other members of local electoral boards shall be fixed at one-half the annual compensation provided to the secretary of the board.

d. The governing body of any county or city may pay to a full-time secretary of an electoral board such supplemental compensation as it deems appropriate. There shall be no reimbursement out of the state treasury for such supplements.

2. Nothing herein contained shall prevent the governing body of any county or city from paying the secretary of its electoral board such additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the state treasury for such expenses.

3. Notwithstanding § 24.2-108, Code of Virginia, counties and cities shall not be reimbursed for mileage paid to members of electoral boards.

Total for Department of Elections			**$31,585,705**	**$29,391,913**
General Fund Positions	66.00	66.00		
Position Level	66.00	66.00		
Fund Sources: General	$28,533,455	$26,339,663		
Special	$52,250	$52,250		
Trust and Agency	$3,000,000	$3,000,000		

§ 1-33. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)

91. Information Technology Development and Operations (82000)			$413,083,342	$415,311,321
Network Services -- Data, Voice, and Video (82003)	$143,829,180	$143,542,794		
Data Center Services (82005)	$37,089,256	$39,635,269		
Desktop and End User Services (82006)	$190,527,180	$190,682,442		

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Multisourcing Service Integrator (MSI) Oversight Services (82009)	$32,046,555	$31,902,700		
Computer Operations Security Services (82010)	$9,591,171	$9,548,116		
Fund Sources: Internal Service	$413,083,342	$415,311,321		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. Out of this appropriation, $413,083,342 the first year and $415,311,321 the second year for Information Technology Development and Operations is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B. Political subdivisions and local school divisions are hereby authorized to purchase information technology goods and services of every description from the Virginia Information Technologies Agency and its vendors, provided that such purchases are not prohibited by the terms and conditions of the contracts for such goods and services.

C. 1. The Secretary of Finance and Secretary of Administration shall approve the draw downs from the agency's line of credit authorized in § 3-2.03 of this act prior to the expenditure of funds for costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.

2. The Director, Department of Planning and Budget, is authorized to administratively adjust the appropriation in this item and Item 93 of this act for approved transition costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.

D. The Virginia Information Technologies Agency shall continue to identify the charge-back structure to allocate costs based on agencies' consumption of data storage. The funds from this charge-back structure shall be used to support the Chief Data Officer's efforts to create a Commonwealth data inventory, and enterprise data dictionary and catalog.

E. The Virginia Information Technologies Agency shall provide a network infrastructure report to the House Appropriations Committee, Senate Finance and Appropriations Committee, and Joint Legislative Audit and Review Commission by November 1 of each year. The report shall indicate whether the Commonwealth's network infrastructure is adequate to meet the needs of state agencies, and if not, identify any needed upgrades. For each network infrastructure upgrade identified, the report shall specify the estimated cost and whether the upgrade is to the portion of the network maintained by the Virginia Information Technologies Agency or another state agency.

92. Central Support Services for Business Solutions (82400)			$6,865,060	$6,865,060
Information Technology Services for Data Exchange Programs (82401)	$6,632,234	$6,632,234		
Information Technology Services for Productivity Improvements (82402)	$232,826	$232,826		
Fund Sources: Internal Service	$6,865,060	$6,865,060		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. The appropriation for Central Support Services for Business Solutions is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services. Included in these amounts are the projected first and second year costs for workplace productivity and collaboration solutions. These solutions are offered as optional services to executive branch agencies and other customers.

B. Included in the amounts provided in paragraph A. of this item is $75,000 the first year and $75,000 the second year shall be used to implement a training curriculum for state employees on best practices for cyber security.

93. Administrative and Support Services (89900)			$79,250,638	$54,623,639
General Management and Direction (89901)	$55,545,361	$29,900,489		
Accounting and Budgeting Services (89903)	$10,770,014	$11,697,385		

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Human Resources Services (89914)	$937,135	$956,817		
Planning and Evaluation Services (89916)	$3,372,006	$3,442,826		
Procurement and Contracting Services (89918)	$5,422,342	$5,422,342		
Web Development and Support Services (89940)	$3,203,780	$3,203,780		
Fund Sources: General	$4,921,400	$0		
Special	$11,448,356	$12,169,356		
Internal Service	$41,484,486	$42,454,283		
Federal Trust	$21,396,396	$0		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. Out of this appropriation, $41,484,486 the first year and $42,454,283 the second year for Administrative and Support Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

2. In accordance with § 2.2-2013 D, Code of Virginia, the surcharge rate used to fund expenses for operations and staff of services administered by the Virginia Information Technologies Agency shall be no more than 11.79 percent the first year and 12.13 percent the second year.

3. Included in the amounts for Administrative and Support Services are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.

B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.

C. The requirement that the Department of Behavioral Health and Developmental Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.

D. The Chief Information Officer and the Secretary of Administration shall provide the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees with a report detailing any amendments or modifications to the information technology infrastructure services contracts. The report shall include statements describing the fiscal impact of such amendments or modifications and shall be submitted within 30 days following the signing of any amended agreement.

E.1. Notwithstanding the provisions of §§ 2.2-1509, 2.2-2007 and 2.2-2017, Code of Virginia, the scope of formal reporting on major information technology projects in the Recommended Technology Investment Projects (RTIP) report is reduced. The efforts involved in researching, analyzing, reviewing, and preparing the report will be streamlined and project ranking will be discontinued. Project analysis will be targeted as determined by the Chief Information Officer (CIO) and the Secretary of Administration. Information on major information technology investments will continue to be provided General Assembly members and staff. Specifically, the following tasks will not be required, though the task may be performed in a more streamlined fashion: (i) The annual report to the Governor, the Secretary, and the Joint Commission on Technology and Science; (ii) The annual report from the CIO for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report); (iii) The development by the CIO and regular update of a methodology for prioritizing projects based upon the allocation of points to defined criteria and the inclusion of this information in the RTIP Report; (iv) The indication by the CIO of the number of points and how they were awarded for each project recommended for funding in the RTIP Report; (vi) The reporting, for each project listed in the RTIP, of all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation, a justification and description for each project baseline change, and whether the project fails to incorporate existing standards for the maintenance, exchange,

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and security of data; and (vii) The reporting of trends in current projected information technology spending by state agencies and secretariats, including spending on projects, operations and maintenance, and payments to Virginia Information Technologies Agency.

2. Notwithstanding any other provision of law and effective July 1, 2015, the Virginia Information Technologies Agency (VITA) shall maintain and update quarterly a list of major information technology projects that are active or are expected to become active in the next fiscal year and have been approved and recommended for funding by the Secretary of Administration. Such list shall serve as the official repository for all ongoing information technology projects in the Commonwealth and shall include all information required by § 2.2-1509.3 (B)(1)-(8), Code of Virginia. VITA shall make such list publically available on its website, updated on a quarterly basis, and shall submit electronically such quarterly update to the Chairs of the House Appropriations and Senate Finance and Appropriation Committee and the Director, Department of Planning and Budget, in a format mutually agreeable to them. To ensure such list can be maintained and updated quarterly, state agencies with major information technology projects that are active or are expected to become active in the next fiscal year shall provide in a timely manner all data and other information requested by VITA.

F.1. Out of the amounts provided in this item, $4,921,400 the first year from the general fund and $21,396,396 in nongeneral fund appropriation is for cybersecurity grant awards under State and Local Cybersecurity Improvement Act subtitle of the Infrastructure Investment and Jobs Act of 2021, P.L. 117-58. The Virginia Information Technologies Agency (the agency) shall take the necessary steps to obtain and use the cybersecurity grant funding that is available to Virginia under this program. The general fund appropriation provided herein is intended to serve as the full program match for grant availability under this program. Any balances remaining from the general fund appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to serve as state matching dollars pursuant to securing the federal grant awards.

2. In accordance with the federal grant requirements, the agency shall establish and identify candidates for appointment by the Governor to a planning committee that includes members from (i) state government; counties, cities, and towns; institutions of public education and health within Virginia; and (ii) suburban, rural, and high-population jurisdictions. No less than half of the members shall have substantial professional experience in cybersecurity or information technology. The Chief Information Officer of the Commonwealth, or the Chief Information Security Officer as designee, shall be the Chair of the planning committee. Staffing for the planning committee shall be provided by the agency. In addition, the agency shall: (i) develop a cybersecurity plan, present such plan to the planning committee for approval, and submit such plan to the appropriate federal officials in compliance with the federal program requirements; (ii) propose priorities for grant funding for the planning committee's consideration and approval, in establishing priorities, the committee shall consider the needs of local school divisions; (iii) approve, manage, and allocate grant funding once received, ensuring that the grants fit within the priorities approved by the planning committee; and (iv) report on program's activities to the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1 of each year of the program. To the extent permitted by federal grant guidelines, the agency may retain a portion of the federal grant funding to reimburse actual costs incurred in providing support and administration of the provisions of this paragraph.

94.	Information Technology Security Oversight (82900)..		$10,014,518	$11,407,184
	Technology Security Oversight Services (82901).....	$6,436,010	$7,828,676	
	Information Technology Security Service Center (82902).....	$2,863,990	$2,863,990	
	Cloud Based Services Oversight (82903).....	$714,518	$714,518	
	Fund Sources: General.....	$291,064	$291,064	
	Special.....	$295,414	$295,414	
	Internal Service.....	$9,428,040	$10,820,706	

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. Out of this appropriation, $6,238,815 the first year and $7,631,481 the second year for Technology Security Oversight Services is sum sufficient and amounts shown are estimates

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from an internal service fund which shall be paid solely from charges to other programs within this agency.

B.1. The Virginia Information Technologies Agency shall operate an information technology security service center to support the information technology security needs of agencies electing to participate in the information technology security service center. Support for participating agencies shall include, but not be limited to, vulnerability scans, information technology security audits, and Information Security Officer services. Participating agencies shall cooperate with the Virginia Information Technologies Agency by transferring such records and functions as may be required.

2.a. The Virginia Information Technologies Agency shall perform vulnerability scans of all public-facing websites and systems operated by state agencies. All state agencies which operate such websites and systems shall cooperate with the Virginia Information Technologies Agency in order to complete the vulnerability scans. However, the State Corporation Commission shall not be required to disable, in full or in part, any software system, process, or other tool utilized to protect such public-facing websites and systems. All state agencies shall mitigate or resolve website risks and vulnerabilities identified by the Virginia Information Technologies Agency.

b. Out of this appropriation, $291,064 the first year and $291,064 the second year from the general fund shall be used to support vulnerability scanning of public-facing websites and systems of the Commonwealth.

3. Agencies electing to participate in the information technology security service center shall enter into a memorandum of understanding with the Virginia Information Technologies Agency. Such memorandums shall outline the services to be provided by the Virginia Information Technologies Agency and the costs to provide those services. If a participating agency elects to not renew its memorandum of understanding, the agency shall notify the Virginia Information Technologies Agency twelve months prior to the scheduled renewal date of its intent to become a non-participating agency.

4. Non-participating agencies shall be required by July 1 each year to notify the Chief Information Officer of the Commonwealth that the agency has met the requirements of the Commonwealth's information security standards. If the agency has not met the requirements of the Commonwealth's information security standards, the agency shall report to the Chief Information Officer of the Commonwealth the steps and procedures the agency is implementing in order to satisfy the requirements.

5. Out of this appropriation, $2,572,926 the first year and $2,572,926 the second year for Information Technology Security Service Center is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues.

6. Notwithstanding any other provision of state law, and to the extent and in the manner permitted by federal law, the Virginia Information Technologies Agency shall have the legal authority to access, use, and view data and other records transferred to or in the custody of the information technology security service center pursuant to this item. The services of the center are intended to enhance data security, and no state law or regulation imposing data security or dissemination restrictions on particular records shall prevent or burden the custodian agency's authority under this item to transfer such records to the center for the purpose of receiving the center's services. All such transfers and any access, use, or viewing of data by center personnel in support of the center's provision of such services to the transferring agency shall be deemed necessary to assist in valid administrative needs of the transferring agency's program that received, used, or created the records transferred, and personnel of the center shall, to the extent necessary, be deemed agents of the transferring agency's administrative unit that is responsible for the program. Without limiting the foregoing, no transfer of records under this item shall trigger any requirement for notice or consent under the Government Data Collection and Dissemination Practices Act (GDCDPA) (§ 2.2-3800 et. Seq.) or other law or regulation of the Commonwealth. The transferring agency shall continue to be deemed the custodian of any record transferred to the center for purposes of the GDCDPA, the Freedom Of Information Act, and other laws or regulations of the Commonwealth pertaining to agencies that administer the transferred records and associated programs. Custody of such

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records for security purposes shall not make the Virginia Information Technologies Agency a custodian of such records. Any memorandum of understanding under authority of this item shall specify the records to be transferred, security requirements, and permitted use of data provided. VITA and any contractor it uses in the provision of the center's services shall hold such data in confidence and implement and maintain all information security safeguards defined in the memorandum of understanding or required by federal or state laws, regulations, or policies for the protection of sensitive data.

7. The rates required to recover the costs of the information technology security service center shall be provided by the Virginia Information Technologies Agency to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate.

C.1. Out of this appropriation, $616,299 the first year and $616,299 the second year for Cloud Based Services Oversight is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues for a program to support the use of cloud service providers by state agencies served by the Virginia Information Technologies Agency.

2. As part of the program, the Virginia Information Technologies Agency shall develop policies, standards, and procedures for the use of cloud services providers by state agencies served by the Virginia Information Technologies Agency. These policies, standards, and procedures shall address the security and privacy of Commonwealth and citizen data; ensure compliance with federal and state laws and regulations; and provide for ongoing oversight and management of cloud services to verify performance through service level agreements or other means. VITA shall also establish a statewide contract of approved vendors authorized to offer cloud based services to state agencies.

3. Requests to use cloud providers shall be submitted by participating agencies to the Virginia Information Technologies Agency, which shall review such requests in accordance with the Commonwealth's policies, standards, and procedures. For approved requests, and consistent with Chapter 20.1 of Title 2.2, the Virginia Information Technologies Agency will procure cloud services on behalf of other agencies or may, upon request, authorize other state agencies to undertake such procurements on their own. The Virginia Information Technologies Agency shall also administer and oversee all contracts for cloud services used by agencies participating in the cloud services center, including verification of security and performance.

4. The Virginia Information Technologies Agency shall work with state agencies to assess opportunities for additional use of cloud services, including infrastructure, platform, and software as a service. This assessment shall include a review of options for use of service brokers and integrators, and options for providing storage and server services through cloud or on-premises means.

5. The rates required to recover the costs associated with providing oversight and management of cloud based services shall be included in the submission required by § 4-5.03 of this act.

Total for Virginia Information Technologies Agency.			**$509,213,558**	**$488,207,204**
General Fund Positions	2.00	2.00		
Nongeneral Fund Positions	282.40	317.40		
Position Level	284.40	319.40		
Fund Sources: General	$5,212,464	$291,064		
Special	$11,743,770	$12,464,770		
Internal Service	$470,860,928	$475,451,370		
Federal Trust	$21,396,396	$0		
TOTAL FOR OFFICE OF ADMINISTRATION			**$4,068,056,357**	**~~$4,059,438,773~~** ***$4,077,560,420***
General Fund Positions	456.90	454.90		
Nongeneral Fund Positions	787.50	823.50		
Position Level	1,244.40	1,278.40		

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Fund Sources: General	$886,289,698	~~$892,329,575~~ *$910,451,222*		
Special	$22,825,132	$23,546,132		
Enterprise	$631,969,447	$631,994,109		
Internal Service	$2,351,204,710	$2,357,197,983		
Trust and Agency	$138,365,306	$138,365,306		
Dedicated Special Revenue	$8,592,508	$8,592,508		
Federal Trust	$28,809,556	$7,413,160		

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OFFICE OF AGRICULTURE AND FORESTRY				
§ 1-34. SECRETARY OF AGRICULTURE AND FORESTRY (193)				
95. Administrative and Support Services (79900)			$546,828	$546,828
General Management and Direction (79901)	$546,828	$546,828		
Fund Sources: General	$546,828	$546,828		
Authority: Title 2.2, Chapter 2, Article 2.1; § 2.2-203.3, Code of Virginia.				
Total for Secretary of Agriculture and Forestry			**$546,828**	**$546,828**
General Fund Positions	3.00	3.00		
Position Level	3.00	3.00		
Fund Sources: General	$546,828	$546,828		
§ 1-35. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)				
96. Nutritional Services (45700)			$6,671,909	$6,671,909
Distribution of USDA Donated Food (45708)	$6,671,909	$6,671,909		
Fund Sources: General	$1,929,910	$1,929,910		
Federal Trust	$4,741,999	$4,741,999		
Authority: Title 3.2, Chapters 1 and 47, Code of Virginia.				
Out of the appropriation in this Item, $1,600,000 the first year and $1,600,000 the second year from the general fund shall be deposited to the Virginia Agriculture Food Assistance Fund for the award of grants to assist Virginia farmers and food producers with donating, selling, or otherwise providing agriculture products to Virginia's charitable food assistance organizations in accordance with § 3.2-4781, Code of Virginia.				
97. Animal and Poultry Disease Control (53100)			$8,812,040	$8,812,040
Animal Disease Prevention and Control (53101)	$3,534,532	$3,534,532		
Diagnostic Services (53102)	$4,824,922	$4,824,922		
Animal Welfare (53104)	$452,586	$452,586		
Fund Sources: General	$5,963,306	$5,963,306		
Special	$1,755,689	$1,755,689		
Federal Trust	$1,093,045	$1,093,045		
Authority: Title 3.2, Chapters 60 and 65, Code of Virginia.				
Out of the amounts in this Item, $150,000 the first year and $150,000 the second year from the general fund is included for the purchase of laboratory equipment through the Commonwealth's Master Equipment Leasing Program.				
98. Agricultural Industry Marketing, Development, Promotion, and Improvement (53200)			$24,854,689	~~$23,777,314~~ *$24,235,814*
Grading and Certification of Virginia Products (53201)	$7,846,952	$7,846,952		
Milk Marketing Regulation (53204)	$888,753	$888,753		
Marketing Research (53205)	$313,200	$313,200		
Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206)	$5,343,927	$5,343,927		
Agricultural Commodity Boards (53208)	$8,540,393	~~$7,463,018~~ *$7,921,518*		
Agribusiness Development Services and Farmland Preservation (53209)	$1,921,464	$1,921,464		
Fund Sources: General	$11,111,463	~~$10,034,088~~ *$10,492,588*		

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Special	$158,125	$158,125		
Trust and Agency	$7,285,070	$7,285,070		
Dedicated Special Revenue	$5,579,133	$5,579,133		
Federal Trust	$720,898	$720,898		

Authority: Title 3.2, Chapters 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30, 32, 34, 35; Title 28.2, Chapter 2; and Title 61.1, Chapter 4, Code of Virginia.

A. Agricultural Commodity Boards shall be paid from the special fund taxes levied in the following estimated amounts:

1. To the Tobacco Board, $143,000 the first year and $143,000 the second year.

2. To the Corn Board, $390,000 the first year and $390,000 the second year.

3. To the Egg Board, $210,000 the first year and $210,000 the second year.

4. To the Soybean Board, $1,164,000 the first year and $1,164,000 the second year.

5. To the Peanut Board, $320,000 the first year and $320,000 the second year.

6. To the Cattle Industry Board, $800,000 the first year and $800,000 the second year.

7. To the Virginia Small Grains Board, $400,000 the first year and $400,000 the second year.

8. To the Virginia Horse Industry Board, $320,000 the first year and $320,000 the second year.

9. To the Virginia Sheep Industry Board, $35,000 the first year and $35,000 the second year.

10. To the Virginia Potato Board, $25,000 the first year and $25,000 the second year.

11. To the Virginia Cotton Board, $180,000 the first year and $180,000 the second year.

12. To the State Apple Board, $150,000 the first year and $150,000 the second year.

B. Each commodity board is authorized to expend funds in accordance with its authority as stated in the Code of Virginia. Such expenditures will be limited to available revenue levels.

C. Each commodity board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the board's past year activities. The manner of notification shall be determined by each board.

D. Out of the amounts in this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, $402,543 and two positions the first year and $402,543 and two positions the second year.

E.1. Out of the amounts in this Item, $2,514,048 the first year and $2,514,048 the second year from the general fund shall be deposited to the Virginia Wine Promotion Fund as established in § 3.2-3005, Code of Virginia.

2. Out of the amounts provided in this item, $125,000 the first year from the general fund is provided to support the Wine Board of Virginia for the purpose of developing vinifera-style wine grapes adapted to the Mid-Atlantic region.

F. Out of the amounts in this Item, $952,375 the first year the general fund and an amount the second year to be provided consistent with the provisions of Chapters 84 and 85 of the Acts of Assembly of 2022 shall be deposited to the Virginia Spirits Promotion Fund established pursuant to § 3.2-3012, Code of Virginia.

G. Out of the amounts in this Item, $875,000 the first year and $875,000 the second year

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from the general fund shall be deposited to the Virginia Farmland Preservation Fund established in § 3.2-201, Code of Virginia. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

H. Out of the amounts in this Item, $30,000 the first year and $30,000 the second year from the general fund is provided to support a pilot partnership between the Department and Virginia State University's (VSU) Small Farm Management Agents to increase diversity of program participants, with an emphasis on small, socially disadvantaged, BIPOC, new and beginning, veteran and women farmers and landowners.

I. Out of the amounts in this Item, the Commissioner is authorized to expend from the general fund amounts not to exceed $25,000 the first year and $25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.

J. Out of the amounts in this Item, the Commissioner is authorized to expend $1,120,226 the first year and $1,120,226 the second year from the general fund for the promotion of Virginia's agricultural products overseas. Such efforts shall be conducted in concert with the international offices opened by the Virginia Economic Development Partnership.

K. Out of the amounts in this Item, $250,000 the first year and $250,000 the second year from the general fund is provided for the Department's efforts to support the International Trade Plan.

L. Out of the amounts in this Item, $25,000 the first year and $25,000 the second year from the general fund shall be provided to support 4-H and Future Farmers of America youth participation educational costs at the State Fair of Virginia. These funds shall not be used for administrative costs by the State Fair.

M. Out of the amounts for this Item, $458,500 the second year from the general fund and two positions are provided to establish the Virginia Beer Distribution Company, consistent with the provisions of § 3.2-102, Code of Virginia.

99.	Economic Development Services (53400).....			$2,838,820	~~$1,588,820~~ *$2,538,820*
	Financial Assistance for Economic Development (53410).....	$2,838,820	~~$1,588,820~~ *$2,538,820*		
	Fund Sources: General.....	$2,838,820	~~$1,588,820~~ *$2,538,820*		

Authority: Title 3.2, Chapter 3.1, Code of Virginia.

A. Out of the amounts in this Item, $1,500,000 the first year and $1,250,000 the second year from the general fund shall be deposited to the Governor's Agriculture and Forestry Industries Development Fund for the payment of grants or loans in accordance § 3.2-303 et seq., Code of Virginia. Notwithstanding any other provision of law, at the discretion of the Governor, the cap on the amount of funding that may be awarded to an individual project as provided in § 3.2-305, Code of Virginia, may be waived for qualifying projects of regional or statewide interest.

B. Out of the amounts in this Item, $330,905 the first year and $330,905 the second year may be used by the department to pay administrative costs.

C. Out of the amounts in this Item, $1,000,000 the first year *and $700,000 the second year* from the general fund is provided for the Dairy Producer Margin Coverage Premium Assistance Program, consistent with § 3.2-3305, Code of Virginia. *In the second year, the amount provided shall be deposited in the Dairy Producer Margin Coverage Premium Assistance Fund established pursuant to § 3.2-3305.1, Code of Virginia.*

D. Out of the amounts in this Item, $250,000 the second year from the general fund is provided for the Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program established pursuant to § 3.2-312, Code of Virginia.

100.	Plant Pest and Disease Control (53500).....			$4,857,158	$4,832,158

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	Plant Pest and Disease Prevention and Control Services (53504)	$4,857,158	$4,832,158		
	Fund Sources: General	$2,792,345	$2,767,345		
	Special	$643,009	$643,009		
	Federal Trust	$1,421,804	$1,421,804		

Authority: Title 3.2, Chapters 7, 8, 9, 10, 28, 38, 41.1 and 44; Title 15.2, Chapter 18, Code of Virginia.

A. The Commissioner may enter into agreements with local and state agencies, or other persons, for the control of black vultures, coyotes, and other wildlife that pose danger to agricultural animals. The Commissioner shall enter into an agreement with the federal government to establish and maintain the Virginia Cooperative Wildlife Damage Management Program.

B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund shall be deposited to the Beehive Grant Fund established pursuant to § 3.2-4415, Code of Virginia. Notwithstanding the provisions of § 3.2-4416, Code of Virginia, the department shall not accept applications for grants from the Beehive Grant Program if funds are not appropriated for such purposes nor shall the department be required to continue to accept applications for the program if funds appropriated have been fully allocated to grantees for a given fiscal year.

C. Notwithstanding the provisions of §§ 3.2-4114.2 and 3.2-4115, Code of Virginia, the Commissioner shall charge an annual nonrefundable fee of $150 on each application for registration, or renewal of registration, as an industrial hemp grower, an annual nonrefundable fee of $200 on each application for registration as an industrial hemp processor, and an annual nonrefundable fee of $250 for registration as an industrial hemp dealer pursuant to Chapter 41 of Title 3.2, Code of Virginia.

101.	Agriculture and Food Homeland Security (54100)			$185,342	$185,342
	Agricultural and Food Emergencies Prevention and Response (54101)	$185,342	$185,342		
	Fund Sources: General	$182,021	$182,021		
	Special	$3,321	$3,321		

Authority: Title 3.2, Chapters 7, 51, 59, 60, and 65, Code of Virginia.

102.	Consumer Affairs Services (55000)			$1,808,672	$1,808,672
	Consumer Affairs - Regulation and Consumer Education (55001)	$1,808,672	$1,808,672		
	Fund Sources: General	$33,726	$33,726		
	Special	$1,774,946	$1,774,946		

Authority: Title 3.2, Chapter 1; Title 57, Chapter 5; Title 59.1, Chapters 24, 25, 33.1, 34, 34.1 and 36, Code of Virginia.

103.	Regulation of Business Practices (55200)			$3,881,933	$3,641,933
	Regulation of Grain Commodity Sales (55207)	$112,856	$112,856		
	Regulation of Weights and Measures and Motor Fuels (55212)	$3,769,077	$3,529,077		
	Fund Sources: General	$3,664,730	$3,424,730		
	Special	$217,203	$217,203		

Authority: Title 3.2, Chapters 43, 47, 55.1, 56, 57, and 58; and Title 59.1, Chapter 12, Code of Virginia.

A. In lieu of periodic inspections by the Commissioner, Department of Agriculture and Consumer Services, any person whose weights and measures devices, as defined in § 3.2-5600, et seq., Code of Virginia, which are used for a commercial purpose may select to provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner shall have all such

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weights and measures devices tested at least annually by a service agency that is registered pursuant to § 3.2-5703, Code of Virginia. Weights and measures that have been rejected by a service agency shall not be used again commercially until they have been officially reexamined by the rejecting authority or an inspector employed by the Commissioner, and found to be in compliance with Title 3.2, Chapter 56, Code of Virginia. The owner of such weights and measures devices, or third-party agencies on behalf of the owner, shall report to the Commissioner on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices.

B. The department shall provide a report by October 15, 2022, to the Governor, Chair of the House Appropriations Committee, and Chair of the Senate Finance and Appropriations to examine funding stability and alternatives for the commodity grain grading program. Alternatives shall include general and nongeneral fund resources. In developing the report, the agency shall consider ongoing support for licensed grading positions and fee revenue instability during periods of decreased service demands due to uncertainty in the global marketplace.

104.	Food Safety and Security (55400)		$13,127,094	~~$13,127,094~~ *$14,227,094*
	Regulation of Food Establishments and Processors (55401)	$6,791,242	~~$6,791,242~~ *$7,891,242*	
	Regulation of Meat Products (55402)	$4,917,661	$4,917,661	
	Regulation of Milk and Dairy Industry (55403)	$1,418,191	$1,418,191	
	Fund Sources: General	$7,840,596	~~$7,840,596~~ *$8,940,596*	
	Special	$669,289	$669,289	
	Federal Trust	$4,617,209	$4,617,209	

Authority: Title 3.2, Chapters 51, 51.1, 52, 53, 54, 55, and 60, Code of Virginia.

A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.

B. The Commissioner, Department of Agriculture and Consumer Services, is authorized to collect an annual inspection fee, not to exceed $40, from all establishments that are subject to inspection pursuant to Title 3.2, Chapter 51, Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally-imposed fee, when combined, do not exceed $40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee. Also, a producer of fruits and herbs that are dried, without the addition of any other ingredients, and sold only at a local farmers' market shall be exempt from the fee.

C. Out of the amounts in this item, $700,000 in the first year and $700,000 in the second year from the general fund and 7 positions are provided for investigation, and enforcement activities related to hemp product violations at food product establishments regulated by the department.

D. Out of the amounts in this item, $150,000 the first year and $150,000 the second year from the general fund, $150,000 the first year and $150,000 the second year in federal funds, and three positions are provided for meat and poultry inspection activities.

E. Out of the amounts in this item, $1,100,000 the second year from the general fund and 15 positions are provided for the registration and inspection of facilities selling certain hemp

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	products, pursuant to Chapter 744, 2023 Acts of Assembly.				
105.	Regulation of Products (55700)			$6,635,248	$6,630,248
	Pesticide Regulation and Applicator Certification (55704)	$4,182,657	$4,177,657		
	Regulation of Feed, Seed, and Fertilizer Products (55706)	$2,452,591	$2,452,591		
	Fund Sources: General	$776,440	$776,440		
	Dedicated Special Revenue	$5,158,035	$5,153,035		
	Federal Trust	$700,773	$700,773		
	Authority: Title 3.2, Chapters 1, 36, 37, 39, 40, 43, 47, 48, and 49; Title 18.2, Chapter 6; and Title 59.1, Chapter 12, Code of Virginia.				
	The Office of Pesticide Services shall publish a report on the activities, educational programs, research, and grants administered through the Pesticide Control Act Fund to the Board of Agriculture and Consumer Services by October 15 of each year.				
106.	Regulation of Charitable Gaming Organizations (55900)			$2,128,268	$2,128,268
	Charitable Gaming Regulation and Enforcement (55907)	$2,128,268	$2,128,268		
	Fund Sources: General	$2,023,409	$2,023,409		
	Dedicated Special Revenue	$104,859	$104,859		
	Authority: Title 2.2, Chapter 24; Title 18.2, Chapter 8; and Title 59.1, Chapter 51, Code of Virginia.				
	A. Notwithstanding § 18.2-340.31, Code of Virginia, any and all fees paid by any organization conducting charitable gaming under a permit issued by the department, including audit and administrative fees and permit fees, shall be deposited to the general fund.				
	B. The department shall deposit into the Investigation Fund any assets it receives as a result of a law enforcement seizure and subsequent forfeiture by either a state or federal court. The fund shall be used to defray the expenses of investigation and enforcement actions and to purchase equipment for enforcement purposes.				
	C. Included in these amounts is $100,000 the first year and $100,000 the second year in nongeneral funds from annual registration fees paid by operators of fantasy contests to support both direct and indirect expenses of the department in the regulation of fantasy contests in Virginia.				
107.	Administrative and Support Services (59900)			$12,694,756	$12,694,756
	General Management and Direction (59901)	$12,694,756	$12,694,756		
	Fund Sources: General	$10,092,234	$10,092,234		
	Special	$2,296,566	$2,296,566		
	Trust and Agency	$168,794	$168,794		
	Federal Trust	$137,162	$137,162		
	Authority: Title 3.2, Chapters 1, 4, 5, 6 and 29; Title 10.1, Chapter 5, Code of Virginia.				
	Total for Department of Agriculture and Consumer Services			**$88,495,929**	**~~$85,898,554~~** ***$88,407,054***
	General Fund Positions	359.49	~~359.49~~ *376.49*		
	Nongeneral Fund Positions	222.51	~~222.51~~ *232.51*		
	Position Level	582.00	~~582.00~~ *609.00*		

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	Fund Sources: General	$49,249,000	~~$46,656,625~~ *$49,165,125*		
	Special	$7,518,148	$7,518,148		
	Trust and Agency	$7,453,864	$7,453,864		
	Dedicated Special Revenue	$10,842,027	$10,837,027		
	Federal Trust	$13,432,890	$13,432,890		

§ 1-36. DEPARTMENT OF FORESTRY (411)

108.	Forest Management (50100)			$44,618,537	$39,041,707
	Reforestation Incentives to Private Forest Land Owners (50102)	$4,345,039	$4,345,039		
	Forest Conservation, Wildfire & Watershed Services (50103)	$29,810,876	$28,169,476		
	Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104)	$8,562,622	$5,627,192		
	Financial Assistance for Forest Land Management (50105)	$1,900,000	$900,000		
	Fund Sources: General	$28,624,159	$23,047,329		
	Special	$11,507,463	$11,507,463		
	Trust and Agency	$21,000	$21,000		
	Dedicated Special Revenue	$175,762	$175,762		
	Federal Trust	$4,290,153	$4,290,153		

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 485 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.

D. The Department of Forestry, in cooperation with the Department of Corrections, shall continue the use of inmate labor for routine and special work projects in state forests.

E. The appropriation in Reforestation Incentives to Private Forest Land Owners includes $1,945,239 the first year and $1,945,239 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.

F. Out of this appropriation, $2,126,126 the first year and $2,126,126 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

G. The department is authorized to enter into agreements with private entities for the active operational life of the tower located at 900 Natural Resources Drive in Albemarle County, Virginia. Notwithstanding any other provision of law, any revenues received from such agreements shall be retained by the department and used for forest land management.

H.1. The State Comptroller shall continue the Virginia State Forest Mitigation and Acquisition Fund and the Long Term Mitigation Fund as established in Item 102, Chapter 806, 2013 Acts of Assembly. All moneys in these funds shall be used as provided for in this Item and in Item 102, Chapter 806, 2013 Acts of Assembly, and Item 98, Chapter 665, 2015 Acts of Assembly.

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2.a. With the exception of the amounts prescribed in paragraph H.2.b. of this item, the Virginia State Forest Mitigation and Acquisition Fund shall be used solely for forest land or conservation easement acquisition.

b. The Long Term Mitigation Fund shall be used solely for long term management of the Cumberland State Forest Stream Buffer Preservation Stewardship Plan.

3. For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.

I. The department is authorized to sell properties and timber located at the following: 16520 Five Forks Road, Amelia, Virginia, 23002; 26401 Blue Star Highway, Emporia, Virginia, 23847; 11260 Jessie Dupont Memorial Highway, Kilmarnock, Virginia, 22482; 152 Maury River Road, Lexington, Virginia, 24450; and 2080 Sowers Road NE, Floyd, Virginia, 24091. Notwithstanding any other provision of law, the net proceeds of these transactions shall be deposited into the general fund.

J. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Virginia Natural Resources Leadership Institute.

K. Out of this appropriation, $450,000 the first year and $450,000 the second year from the general fund is provided to increase bandwidth capacity at the agency's offices.

L. Out of the amounts in this item, $487,842 the first year and $487,482 the second year from the general fund is provided for a Hardwood Forest Habitat initiative.

M. Out of the amounts of this item, $1,000,000 the first year from the general fund shall be provided for the Forest Sustainability Fund established pursuant to § 58.1-3242.1, Code of Virginia.

N. The Department of Forestry, with assistance from the Department of Environmental Quality and the Virginia Economic Development Partnership, shall prepare an assessment of the environmental benefits of Virginia's forests and its forest economy. This assessment shall include, but not be limited to, (i) the air quality benefits, including the sequestration of greenhouse gases, provided by Virginia's forests and timberlands; (ii) the economic activities that promote the growth and health of Virginia's forests and timberlands, including the use of active forest management and the production and use of products derived from forest resources; and, (iii) other such environmentally beneficial aspects of Virginia's forests, timberlands, and forest economy as the Department may identify. The Department shall present its findings to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation, and Natural Resources no later than December 1, 2022.

Total for Department of Forestry			**$44,618,537**	**$39,041,707**
General Fund Positions	165.59	165.59		
Nongeneral Fund Positions	113.41	113.41		
Position Level	279.00	279.00		
Fund Sources: General	$28,624,159	$23,047,329		
Special	$11,507,463	$11,507,463		
Trust and Agency	$21,000	$21,000		
Dedicated Special Revenue	$175,762	$175,762		
Federal Trust	$4,290,153	$4,290,153		

§ 1-37. AGRICULTURAL COUNCIL (307)

109.	Agricultural and Seafood Product Promotion and Development Services (53000)		$490,509	$490,509

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	Grants for Agriculture, Research, Education and Services (53001)	$490,509	$490,509		
	Fund Sources: Dedicated Special Revenue	$490,509	$490,509		
	Authority: Title 3.2, Chapter 29, Code of Virginia.				
	Total for Agricultural Council			**$490,509**	**$490,509**
	Fund Sources: Dedicated Special Revenue	$490,509	$490,509		
	§ 1-38. VIRGINIA RACING COMMISSION (405)				
110.	Economic Development Services (53400)			$1,500,000	$1,500,000
	Financial Assistance to the Horse Breeding Industry (53411)	$1,500,000	$1,500,000		
	Fund Sources: Special	$1,500,000	$1,500,000		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				
111.	Regulation of Horse Racing and Pari-Mutuel Betting (55800)			$4,573,891	$4,573,891
	License and Regulate Horse Racing and Pari-mutuel Wagering (55801)	$4,573,891	$4,573,891		
	Fund Sources: Special	$4,573,891	$4,573,891		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				

A. Out of this appropriation, the members of the Virginia Racing Commission shall receive compensation and reimbursement for their reasonable expenses in the performance of their duties, as provided in § 2.2-2104, Code of Virginia.

B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to $255,000 the first year and $255,000 the second year shall be transferred to Virginia Polytechnic Institute and State University to support the Virginia-Maryland Regional College of Veterinary Medicine.

C. Any revenues received during the biennium and which are due to the commission pursuant to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the commission as appropriated in this Item. A year-end fund balance of $900,000 shall be maintained for payment of authorized commission obligations for operating expenses as appropriated under the provisions of this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in paragraphs B and D of this Item prior to the reversion of nongeneral fund balances. Any fund balances in this Item at the end of fiscal years 2023 and 2024 in excess of $900,000 shall revert to the general fund.

D. Out of these amounts, the obligations set out in § 59.1-392 D. 5., D.6., G.5., G.6., K.3., K.4., K.5., N.3., N.4., and N.5., Code of Virginia, shall be fully funded.

E. In the event revenues exceed the appropriated amounts in this Item, the Virginia Racing Commission is authorized to seek an administrative appropriation, up to $700,000, from the Director, Department of Planning and Budget, to develop programs or award grants for the promotion and marketing, sustenance and growth of the Virginia horse industry, including horse breeding.

F.1. The Virginia Racing Commission shall report monthly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the gross gaming revenues generated from traditional horse racing wagering and from historical horse racing (HHR) wagering from any significant infrastructure limited licensee facility and each satellite facility licensee authorized for operation in the Commonwealth. This monthly reporting shall include the actual dollar amount of the (i) total prize payout; (ii) total contributions to purses for thoroughbred and harness racing; (iii) amount of state and local taxes collected and remitted by jurisdiction; (iv) amount retained by the Virginia Racing Commission; and (v) amount retained by any licensee or operator.

2. Included within the monthly report required in F.1., from the amounts included in clause

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(v) of F.1., the Commission shall specifically identify the actual dollar amounts allocated pursuant to a Revenue Sharing Agreement dated April 13, 2018, or any amendments thereto, or for an Amended Memorandum of Understanding dated December 4, 2017, or any amendments thereto, for (i) contributions to the Virginia Equine Alliance and other parties collectively referred to in the Revenue Sharing Agreement as the Horsemen; (ii) all HHR gross commission; (iii) any amounts or rebates from Advanced Deposit Wagering to service providers; (iv) deposits to the Virginia Breeders Fund; (v) deposits to the Virginia-Certified Residency Program; and (vi) any allocation of funds for problem gaming.

3. In addition to the reporting requirements in F.1. and F.2., the Commission shall report quarterly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the actual number of days of live racing conducted across the Commonwealth for the preceding quarter, including all reporting requirements identified in F.1 and F.2 resulting from each day of live racing pursuant to 11 VAC 10-47-190.

G. Notwithstanding any other provision of law, the percentage of the pool to be retained by the licensee for distribution as provided in subsection U of § 59.1-392 and subsection 9 of 11VACl0-47-180 shall be distributed as follows: (1) the amount to be distributed to any locality shall remain as provided in subdivision 2 of subsection U of § 59.1-392 and subdivision (b) of subsection 9 of ll VAC l0-47-180; (2) the Virginia Breeders Fund, the Virginia-Maryland Regional College of Veterinary Medicine for equine programs, the Virginia Horse Center Foundation and the Virginia Horse Industry Board shall each receive twenty-five one-thousandths percent; and (3) the Commonwealth shall receive the remainder as a license tax.

Total for Virginia Racing Commission			**$6,073,891**	**$6,073,891**
Nongeneral Fund Positions	10.00	10.00		
Position Level	10.00	10.00		
Fund Sources: Special	$6,073,891	$6,073,891		
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY			**$140,225,694**	**~~$132,051,489~~** ***$134,559,989***
General Fund Positions	528.08	~~528.08~~ *545.08*		
Nongeneral Fund Positions	345.92	~~345.92~~ *355.92*		
Position Level	874.00	~~874.00~~ *901.00*		
Fund Sources: General	$78,419,987	~~$70,250,782~~ *$72,759,282*		
Special	$25,099,502	$25,099,502		
Trust and Agency	$7,474,864	$7,474,864		
Dedicated Special Revenue	$11,508,298	$11,503,298		
Federal Trust	$17,723,043	$17,723,043		

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OFFICE OF COMMERCE AND TRADE				
§ 1-39. SECRETARY OF COMMERCE AND TRADE (192)				
112. Administrative and Support Services (79900)			$1,156,756	$1,156,756
General Management and Direction (79901)	$1,156,756	$1,156,756		
Fund Sources: General	$1,156,756	$1,156,756		
Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.				
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 Chairs of the Senate Finance and Appropriations and House Appropriations Committees in writing of the justification to override this policy for any exception.				
Total for Secretary of Commerce and Trade			**$1,156,756**	**$1,156,756**
General Fund Positions	9.00	9.00		
Position Level	9.00	9.00		
Fund Sources: General	$1,156,756	$1,156,756		
Economic Development Incentive Payments (312)				
113. Economic Development Services (53400)			$155,583,083	~~$152,697,290~~ *$414,366,290*
Financial Assistance for Economic Development (53410)	$155,583,083	~~$152,697,290~~ *$414,366,290*		
Fund Sources: General	$155,433,083	~~$152,547,290~~ *$414,216,290*		
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 and Appropriations 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.

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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 buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Commonwealth's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Commonwealth's Development Opportunity Fund.

B.1. Out of the appropriation for this Item, $2,910,000 the first year and $2,786,350 the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

C. Out of the appropriation for this Item, $4,000,000 the first year and $5,000,000 the second year from the general fund and an amount estimated at $150,000 the first year and $150,000 the second year from nongeneral funds shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund revenues shall be deposited to the fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

D.1. Out of the appropriation for this Item, $1,200,000 the first year and ~~$1,200,000~~ *$2,869,000* the second year from the general fund shall be deposited to the Virginia Economic Development Incentive Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102.1, Code of Virginia. *Notwithstanding any other provision of law, any excess funds remaining in the subfund from prior fiscal years for projects previously approved shall be appropriated for expenditure in subsequent fiscal years.*

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

E. Out of the appropriation for this Item, $4,669,833 the first year and $4,669,833 the second year from the general fund shall be available for eligible businesses under the Virginia Jobs Investment Program. Pursuant to § 2.2-1611, Code of Virginia, the appropriation provided for the Virginia Jobs Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment Program Fund.

F. 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.

G. 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

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Facility Grant Fund for grants to be paid in accordance with § 59.1-284.29, Code of Virginia.

H. Out of the appropriation in this Item, $300,000 the first year and $1,742,857 the second year from the general fund shall be deposited to the Truck Manufacturing Grant Fund for grants to be paid in accordance with § 59.1-284.33, Code of Virginia.

I.1.Out of the appropriation in this Item, $2,993,750 the first year and $2,993,750 the second year from the general fund shall be deposited to the Pharmaceutical Manufacturing Grant Fund for grants to be paid in accordance with § 59.1-284.36, Code of Virginia.

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.

3. Of the amounts deposited to the fund, $493,750 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.

J. Out of the appropriation in this Item, $1,300,000 the first year and $1,300,000 the second year from the general fund shall be deposited to the Advanced Production Grant Fund for grants to be paid in accordance with § 59.1-284.34, Code of Virginia.

K.1. Out of the amounts in this Item, $825,000 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.

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.

L. Out of the appropriation in this Item, $5,625,000 the first year and $5,625,000 the second year from the general fund shall be deposited to the Technology Development Grant Fund for grants to be paid in accordance with § 59.1-284.38, Code of Virginia.

M. Out of the appropriation in this Item, $1,359,500 the first year and $1,154,500 the second year from the general fund shall be deposited to the Shipping and Logistics Headquarters Grant Fund for grants to be paid in accordance with § 59.1-284.39, Code of Virginia.

~~N. Notwithstanding any provisions of § 30-310, Code of Virginia, the MEI Commission shall only be required to review economic development incentive packages in which a business relocates or expands its operations in one or more Virginia localities and simultaneously closes its operations or substantially reduces the number of its employees in another Virginia locality that exceed $250,000 in aggregate incentive investments.~~

O.*1.* Out of the appropriation in this Item, $42,500,000 the first year and ~~$42,500,000~~ *$78,000,000* the second year from the general fund shall be deposited to the Major Headquarters Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.31, Code of Virginia.

2. Of the amounts included in the second year, $35,500,000 represents the appropriation of excess fiscal year 2022 general fund revenues reserved by the Comptroller in the Committed Fund balance pursuant to Item 485 L. of this act.

P.1. Out of the appropriation in this item, $54,500,000 the first year, and ~~$54,500,000~~ *$179,500,000* the second year from the general fund shall be provided for the Virginia Business Ready Sites Program Fund, and shall be used in accordance with the provisions of Chapter 83 of the 2022 Acts of Assembly. As a condition of the grants awarded from these funds, the Virginia Economic Development Partnership Authority shall require grant

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recipients to provide matching funds.

2. It is the intent of the General Assembly that the Virginia Economic Development Partnership Authority consider investing these funds in economic development sites over 1,000 acres ("mega-sites"), and smaller sites of at least 50 acres concentrated in GO Virginia Regions 1 and 2.

3. Notwithstanding the provisions of Chapter 83 of the 2022 Acts of Assembly, the Virginia Economic Development Partnership Authority may reimburse localities, without a local match requirement, for fees associated with rezoning land for the purpose of building a portfolio of strategic economic development sites in Virginia from the funds provided in this paragraph.

4. The Virginia Economic Development Partnership Authority may use up to $19,000,000 of the funds provided in this paragraph for an economic development project approved by the MEI Project Approval Commission on May 17, 2022.

5. Of the amounts included in the second year, $50,000,000 represents the appropriation of excess fiscal year 2022 general fund revenues reserved by the Comptroller in the Committed Fund balance pursuant to Item 485 L. of this act.

Q. Included in the amounts in this item, $5,000,000 the first year from the general fund is provided to the Frederick County Economic Development Authority for regional economic development initiatives and construction or improvements to facilities that support the growth of small aerospace, avionics, and unmanned systems companies in Planning District 7. Prior to the release of any funds to the Authority, documentation shall be provided, to the satisfaction of the Secretary of Commerce and Trade and the Secretary of Finance, that matching funding, exclusive of in-kind contributions or currently pledged amounts, from local or other non-state sources are available to be pledged to the project. Funding shall be released only upon the written approval of the Governor and any funding not awarded by June 30, 2023 shall revert to the general fund.

R. The State Comptroller shall continue the Property Analytics Firm Infrastructure Fund as established in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I. All moneys in this Fund shall be used as provided for in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I.

S. Notwithstanding any other provision of law to the contrary, a data center operator that was approved by the MEI Project Approval Commission for a grant from the Cloud Computing Cluster Infrastructure Grant Fund on December 13, 2022, shall be eligible to receive grants beginning with the Commonwealth's fiscal year starting on July 1, 2025, and ending no later than the Commonwealth's fiscal year starting on July 1, 2044, and not to exceed $140.0 million, subject to the terms of a memorandum of understanding (MOU) entered into between such data center operator and the Commonwealth. The amount of the fiscal year grant payment for each fiscal year shall be calculated based upon an award of $8,642 for each new full-time job created by the qualified company in the prior calendar year, and an award of $3,364 for each $1.0 million of capital investment by the qualified company in the prior calendar year. Prior calendar year performance for calendar year 2024 shall include capital investments made and jobs created by the company in 2023.

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

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2. The Director of the Department of Planning and Budget is authorized to transfer moneys from this paragraph on a quarterly basis to the Virginia Port Authority. The Virginia Port Authority shall verify to the Secretary of Finance and the Director of the Department of Planning and Budget estimated quarterly expenses prior to the release of these funds. Any funding remaining at the end of the fiscal year 2024 shall be carried forward into the next fiscal year for the purposes described in this paragraph.

3. The Virginia Port Authority may collaborate with the Virginia Department of Rail and Public Transportation, Virginia Department of Transportation, the Virginia Economic Development Partnership Authority, and any federal, state, or local agency as may be necessary to support the development and utilization of an inland port. The Virginia Port Authority shall engage in negotiations with necessary parties, including railroads and beneficial cargo owners, for development of the inland port.

4. The Virginia Port Authority shall report quarterly to the Governor, the Secretary of Transportation, the Secretary of Commerce and Trade, and the Virginia Economic Development Partnership Authority, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the timeline, progress to date, and overall cost for the construction of the inland port. The first of these reports shall be due December 1, 2023.

U.1. Out of the appropriation in this Item, $8,500,000 the second year from the general fund shall be provided to the Economic Development Authority of York County for support of a cruise ship port-of-call location and related visitor support and tourism on the York River at Yorktown, Virginia. Prior to the award of any funds included in this item, the Secretary of Commerce and Trade and the Secretary of Transportation shall ensure that: (i) there is an agreement with at least one cruise ship company for calls at the pier location beginning in 2023; (ii) a working group is convened among state and local agencies related to the permitting of the pier location to facilitate its development; (iii) there is outreach to tourism and other stakeholders in the region to maximize the economic impact of the pier location; (iv) the agreement will result in a positive return to the state for its investment; and (v) there is a plan to maximize philanthropic support, federal matching funds, and other funding necessary to construct and maintain the pier location. Following the completion of these items and the final approval from the Secretary of Commerce and Trade and Secretary of Transportation, the funds shall be awarded. The Secretaries shall enter into a memorandum of understanding with the Economic Development Authority of York County to outline the framework for the funding, design, procurement, and construction of the pier location, a plan for its ongoing maintenance, and to maximize the economic and tourism benefits of this facility to the Commonwealth.

2. The funding appropriated in this paragraph includes $1,000,000 the second year for development and implementation of transit system improvements in conjunction with the Colonial Williamsburg Foundation to provide ground transportation from the tender pier facility to sites within the historic triangle.

3. Should the Secretary of Commerce and Trade and the Secretary of Transportation fail to recommend proceeding with the development of the pier location, the funds in paragraph U.1. shall revert to the general fund.

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

W. Out of the appropriation in this Item, $75,000,000 the second year from the general fund shall be deposited to the Virginia Business Ready Sites Acquisition Fund and used in

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accordance with provisions of Chapter 779, 2023 Acts of Assembly, establishing the Virginia Business Ready Sites Acquisition Program and Fund to expand Virginia's portfolio of industrial properties for large-scale economic development projects.				
Total for Economic Development Incentive Payments			**$155,583,083**	**~~$152,697,290~~** ***$414,366,290***
Fund Sources: General	$155,433,083	~~$152,547,290~~ *$414,216,290*		
Dedicated Special Revenue	$150,000	$150,000		
Grand Total for Secretary of Commerce and Trade			**$156,739,839**	**~~$153,854,046~~** ***$415,523,046***
General Fund Positions	9.00	9.00		
Position Level	9.00	9.00		
Fund Sources: General	$156,589,839	~~$153,704,046~~ *$415,373,046*		
Dedicated Special Revenue	$150,000	$150,000		

§ 1-40. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)

114. Housing Assistance Services (45800)			$297,060,495	~~$297,060,495~~ *$297,260,495*
Housing Assistance (45801)	$229,507,172	$229,507,172		
Homeless Assistance (45804)	$17,041,905	$17,041,905		
Financial Assistance for Housing Services (45805)	$50,511,418	~~$50,511,418~~ *$50,711,418*		
Fund Sources: General	$94,598,482	~~$94,598,482~~ *$94,798,482*		
Special	$95,349,976	$95,349,976		
Dedicated Special Revenue	$100,000	$100,000		
Federal Trust	$107,012,037	$107,012,037		

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 $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, 2023, and June 30, 2024, shall not revert to the general fund but shall be carried forward and reappropriated.

B. The department shall report to the Chairs of the Senate Finance and Appropriations, 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. 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.

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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.

D. The department shall continue to collaborate with the Department of Veteran Services to ensure coordinated efforts towards reducing homelessness among veterans.

E.1. Out of the amounts in this Item, $75,000,000 the first year and $75,000,000 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.

2. 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 permanent supportive housing options.

3. As a part of its plan for 2022 required by § 36-150, Code of Virginia, the department shall include an assessment on the feasibility of using Virginia Housing Trust Fund resources to acquire, stabilize and improve manufactured home parks as a source of affordable housing for Virginians.

4. In any year where claims for the Virginia Housing Opportunity Tax credit exceed revenue loss assumptions in "The Economic Outlook and Revenue Forecast" report (GACRE Report) prepared by the Secretary of Finance and submitted to the General Assembly annually in December (net lost revenues), the Governor is authorized to direct the State Comptroller to transfer an amount equal to these net lost revenues from the Virginia Housing Trust Fund to the general fund.

F. Out of the amounts in this Item, $15,800,000 the first year and $15,800,000 the second year from federal trust funds shall be provided to support Virginia affordable housing programs and the Indoor Plumbing Program.

G. Out of the amounts in this Item, $50,000 the first year and $50,000 the second year from the general fund and one position shall be provided to support the administrative costs associated with administering the tax credits authorized pursuant to § 58.1-439.12:04, Code of Virginia.

H. The department shall develop and implement strategies, that may include potential Medicaid financing, for housing individuals with serious mental illness. The department shall include other agencies in the development of such strategies including the Virginia Housing Development Authority, Department of Behavioral Health and Developmental Services, Department of Aging and Rehabilitative Services, Department of Medical Assistance Services, and Department of Social Services. The department shall also include stakeholders whose constituents have an interest in expanding supportive housing for people with serious mental illness, including the National Alliance on Mental Illness Virginia, the Virginia Housing Alliance and the Virginia Sheriff's Association. An annual report on such strategies and the progress on implementation shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by the first day of each General Assembly Regular Session.

I. The Department of Housing and Community Development shall work with the Virginia Housing Commission to identify the impact of legislation that passed the 2019 session of the General Assembly that is designed to mitigate eviction rates and recommend if any further action is necessary to complement these efforts. The Department shall consider current

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federal, state and local resources, including but not limited to the following: (a) current counseling and social services provided by state agencies and authorities; (b) the potential needs of the cities of Richmond, Newport News, Hampton, Norfolk, and Chesapeake, as well as eviction prevention and diversion programs established in the cities of Arlington and Richmond; (c) data collected pursuant to Chapter 356, 2019 Acts of Assembly; and, (d) eviction prevention and diversion programs in other states. The Department shall analyze and recommend how to better coordinate current public and private resources and programs to reduce eviction rates in Virginia, as well as how current prevention efforts can coordinate with existing and newly created eviction diversion laws and programs.

J.1. Out of the amounts appropriated in this Item, $3,300,000 the first year and $3,300,000 the second year from the general fund shall be used to establish a competitive Eviction Prevention and Diversion Pilot Program that will support local or regional eviction prevention and diversion programs that utilize a systems approach with linkages to local departments of social services and legal aid resources. This program shall prioritize grant applications that provide a local match at an amount deemed appropriate by the Department.

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.1. The authorization provided under Item 113, Paragraph L. of House Bill 29 of the 2022 General Assembly, Special Session I that directs the department to use up to $11,400,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for flood relief is hereby continued. Using these funds, the department shall continue to establish and administer a program for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.

2. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief provided to an eligible applicant shall be equal to 175 percent of the property value for the realty that sustained major damage or represents a total loss, as defined by 7. and 8. below. The department shall award funds for estimated repairs up to the maximums contained in this paragraph for a realty that does not meet the definition of total loss or major damage, as defined by 7. and 8. below. Any payment made to an eligible applicant from this paragraph shall not exceed $500,000 for a residential realty and $1,000,000 for a commercial realty. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph K.1. of this item, the eligible applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph K.1. of this item.

3. Payments under paragraph K. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.

4. The Department shall not provide relief under this section for a realty that was abandoned or uninhabited at the time of the disaster described in paragraph K.1 of this item.

5. No recourse may be had by any person, organization, or entity against a recipient of payment under this paragraph, absent any evidence of misuse of funds. Misuse of funds shall be established by a showing that a recipient knowingly misapplied the proceeds of a payment received under this paragraph. If a showing of misuse of funds has been made, then a person may seek recourse against the recipient for an amount no greater than the extent of the payment.

6. Relief awarded pursuant to this paragraph is excluded from gross income and is not

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subject to taxation.

7. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.

8. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.

9."Eligible applicant" means any individual property owner or business owner that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.

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

L. The department shall develop a model lot lease for use in manufactured home parks by residents renting lots from the park owner on which to place their homes. In creating this model lease, the department shall convene a stakeholder group including, but not limited to: manufactured home park nonprofit and for profit owners, manufactured home park residents, legal aid attorneys representing residents of manufactured home parks, and associations representing the interests of manufactured home park owners. The final model lease shall be made available on the department's website in at least two languages, English and Spanish.

M. Out of this appropriation, $564,000 the first year and $564,000 the second year from the general fund is provided for the department to effectuate the provisions of House Bill 349 of the 2022 General Assembly in collaboration with the Department of Social Services.

N. The Department of Housing and Community Development shall convene a stakeholder workgroup to develop model guidelines for the creation of a program to provide long-term rental assistance to low-income, very low-income, and extremely low-income renters to enable them to afford housing costing 30 percent of their income. In developing guidelines for the program, the department shall ensure, at a minimum, that the program pays the difference between full rent and 30 percent of household income. The stakeholder workgroup shall consist of housing developers, homeless services providers, housing providers, landlords, tenants, tenant advocates, and others to develop recommendations for the program. The stakeholder group shall complete its work and issue a report with recommendations to the House Appropriations and Senate Finance and Appropriations Committees no later than November 30, 2022.

O.1. Notwithstanding the provisions of § 10.1-1330, Code of Virginia, the department shall utilize up to $18,000,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after July 1, 2022, but before August 31, 2022, and subject to a Major Disaster Declaration (FEMA-4674-DR) issued by President Biden on September 30, 2022.

2. The department shall establish a program to provide flood relief to eligible applicants, which shall include individual property owners and business owners affected by a flood disaster, mudslide, or landslide. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief provided to an eligible applicant shall be equal to 175 percent of the property value for the realty that sustained major damage or represents a total loss, as defined by 7. and 8. below. The department shall award funds for estimated repairs up to the maximums contained in this paragraph for a realty that does not meet the definition of total loss or major damage, as defined by 7. and 8. below. Any payment made to an eligible applicant from this paragraph shall not exceed $500,000 for a residential realty and $1,000,000 for a commercial realty. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph O.1. of this item, the eligible

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applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph O.1. of this item.

3. Payments under paragraph O. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.

4. The department shall not provide relief under this section for realty that was abandoned or uninhabited at the time of the disaster described in paragraph O.1. of this item.

5. No recourse may be had by any person, organization, or entity against a recipient of payment under this paragraph, absent any evidence of misuse of funds. Misuse of funds shall be established by a showing that a recipient knowingly misapplied the proceeds of a payment received under this paragraph. If a showing of misuse of funds has been made, then a person may seek recourse against the recipient for an amount no greater than the extent of the payment.

6. Relief awarded pursuant to this paragraph is excluded from gross income and is not subject to taxation.

7. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.

8. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.

9. "Eligible applicant" means any individual property owner or business owner that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after July 1, 2022, but before August 31, 2022, and subject to a Major Disaster Declaration (FEMA-4674-DR) issued by President Biden on September 30, 2022.

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

P. Out of this appropriation, $200,000 the second year from the general fund is provided for the department to support the comprehensive statewide housing assessment, pursuant to Chapters 715 and 716, 2023 Acts of Assembly.

115.	Community Development Services (53300).....			$176,626,786	~~$149,660,442~~ *$151,560,442*
	Community Development and Revitalization (53301).....	$74,125,874	~~$73,895,874~~ *$75,395,874*		
	Financial Assistance for Regional Cooperation (53303).....	$35,408,251	$35,388,251		
	Financial Assistance for Community Development (53305).....	$67,092,661	~~$40,376,317~~ *$40,776,317*		
	Fund Sources: General.....	$147,096,483	~~$120,130,139~~ *$122,030,139*		
	Special.....	$5,221,893	$5,221,893		
	Trust and Agency.....	$150,000	$150,000		
	Federal Trust.....	$24,158,410	$24,158,410		

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and

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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.

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 $89,971 the second year.

8. To the Northern Virginia Regional Commission, $165,943 the first year and $165,943 the second year.

9. To the Rappahannock-Rapidan Regional Commission, $89,971 the first year and $89,971 the second year.

10. To the Thomas Jefferson Planning District Commission, $89,971 the first year and $89,971 the second year.

11. To the Region 2000 Local Government Council, $89,971 the first year and $89,971 the second year.

12. To the West Piedmont Planning District Commission, $89,971 the first year and $89,971 the second year.

13. To the Southside Planning District Commission, $89,971 the first year and $89,971 the second year.

14. To the Commonwealth Regional Council, $89,971 the first year and $89,971 the second year.

15. To the Richmond Regional Planning District Commission, $127,957 the first year and $127,957 the second year.

16. To the George Washington Regional Commission, $89,971 the first year and $89,971 the second year.

17. To the Northern Neck Planning District Commission, $89,971 the first year and $89,971 the second year.

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18. To the Middle Peninsula Planning District Commission, $89,971 the first year and $89,971 the second year.

19. To the Crater Planning District Commission, $89,971 the first year and $89,971 the second year.

20. To the Accomack-Northampton Planning District Commission, $89,971 the first year and $89,971 the second year.

21. To the Hampton Roads Planning District Commission $165,943 the first year, and $165,943 the second year.

D. Out of the amounts in this Item, $1,568,442 the first year and $1,568,442 the second year from the general fund shall be provided for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The department shall disburse the total payment each year in twelve equal monthly installments.

E. The department shall leverage any appropriation provided for the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.

F. Out of the amounts in this Item, $95,000 the first year and $95,000 the second year from the general fund shall be provided for the Center for Rural Virginia. The department shall report periodically to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the status, needs and accomplishments of the center.

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, $1,500,000 the first year and $1,500,000 the second 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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, $49,725,000 the first year and $49,725,000 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, 2023, and June 30, 2024, shall not revert to the general fund but shall be carried forward and reappropriated.

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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.

5. Notwithstanding the foregoing, the department shall allow public broadband authorities to apply directly for Virginia Telecommunications Initiative funds without investment from the private sector. The cumulative total of any grants awarded to public broadband authorities shall not exceed 10 percent of total available funding in any fiscal year.

6. For grants awarded from the amounts appropriated in paragraphs B.2.b.2) and C.1. of Chapter 1 of the 2021 Acts of Assembly, Special Session II, Item 114, Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I, and this paragraph, for the construction of broadband infrastructure through the Virginia Telecommunications Initiative (VATI), the Department of Housing and Community Development shall deliver an annual performance report to the Governor, Secretary of Commerce and Trade, Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and Broadband Advisory Council, on or before November 1st of each year, starting in Calendar Year 2022. To the extent possible, the annual performance report shall contain information by grant recipient and year on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract performance period, and on-time progress towards project delivery; (4) Maximum advertised project speeds available; and, (5) Achievement of key project milestones. The annual performance report shall include an evaluation of any projects under risk of incompletion or underperformance. The Department of Housing and Community Development shall develop a public facing dashboard to be updated quarterly that contains key performance information by grant recipient and year, and includes the key performance indicators outlined above. Information in this public facing tool shall contain data beginning with grants awarded in the fiscal year 2022 Virginia Telecommunications Initiative grant cycle, and any future VATI grant cycles.

M. Out of the amounts in this Item, $1,408,647 the first year and $1,408,647 the second year from the general fund is provided for administrative support for the Virginia Telecommunications Initiative.

N.1. Out of the amounts in this Item, $30,000,000 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.

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

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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) $10,850,000 the first year and $10,850,000 the second year from the general fund shall be awarded to regional councils on a competitive basis.

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 on 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.

4. 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 recommended by the working group, established in Chapter 2, 2018 Special Session I, Acts of Assembly 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.

5. The Virginia Growth and Opportunity Board may rescind funds allocated to regional councils on a per capita basis, if the unobligated balances of a regional council exceeds its average annual per capita distribution award. Any funds rescinded pursuant to this paragraph shall be retained in the Virginia Growth and Opportunity Fund (09272) and may be used by the Virginia Growth and Opportunity Board for grant awards to competitive projects. The Department shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 10 days of the decision by the Virginia Growth and Opportunity Board to rescind regional per capital allocations. The regional council, the amount, and reason for unused funds shall be included in such notice.

6.a. 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, total per capita allocations rescinded and repurposed to competitive awards, 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 by fiscal year. The report shall include details on the cash balances available in the Virginia Growth and Opportunity Fund including the unobligated balances by the per capita allocation and competitive allocation of paragraph N.2., which shall be further disaggregated by fiscal year and regional council, as appropriate.

b. The department shall report at the close of each fiscal year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the outcomes associated with closed projects that received a grant from the Virginia Growth and Opportunity Fund. This report shall include itemized information that details the project name, the Regional Council, GO Virginia investment type (regional per capita, competitive, or Economic Resilience and Recovery), GO Virginia strategy, program year, date of award, committed match, anticipated project outcomes, and actual project outcomes.

O. Of the amounts in this Item, $20,000 the first year from the general fund shall be provided to the Middle Peninsula Planning District Commission for the purpose of designing and constructing a pilot elevated septic system suitable for areas susceptible to recurrent flooding in rural coastal Virginia. The Department of Health will monitor its ability to protect public health and as a potential strategy for resiliency of recurrent tidal flooding.

P.1. Out of the amounts in this Item, $424,000 the first year and $424,000 the second year

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from the general fund is provided to support the creation of a statewide broadband map. The department shall, in coordination with the Office of the Chief Broadband Advisor, develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in the Commonwealth. The department and Chief Advisor shall provide the initial map by July 1, 2022, or as soon as practicable, and shall update the map at least annually.

2. Broadband service providers shall be required to submit updated service territory data to the department annually. The department shall establish a process, timeline, and specific data requirements for broadband providers to submit their data. All public bodies shall cooperate with the department, or any agent thereof, to furnish data requested by the Department for the initial improvement and maintenance of the map.

3. In no instance may the department require broadband providers to submit any data, in either substantive content or form, beyond that which the provider is required to submit to the Federal Communications Commission pursuant to the federal Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. § 641 et. seq., provided, however, that satellite-based broadband providers that have been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth shall be required to submit comparable data as other broadband providers. Public bodies and broadband providers shall not be required to submit any customer information, such as names, addresses, or account numbers.

4. The department may publish only anonymized versions of the map, showing locations served and unserved by broadband without reference to any specific provider. The map shall not include information regarding ownership or control over the network or networks providing service. The department shall establish a process for broadband providers to petition the Department to correct inaccuracies in the map. Any determination made by the department pursuant to any specific petition with respect to any specific map to correct inaccuracies shall be final and not subject to further review.

5. Maps published by the department pursuant to this section may be considered, but shall not be considered conclusive, for purposes of determining eligibility for funding for Commonwealth broadband expansion grant or loan programs, including the Virginia Telecommunication Initiative, or challenges thereto.

6. The department: (i) may contract with private parties to make the necessary improvements to the existing map and to maintain the map. Such private parties may include any entities and individuals selected by the department to assist the department in improving and maintaining such a map; (ii) shall consult existing broadband maps, particularly those published by the Federal Communications Commission; and (iii) may acquire existing, privately held data or mapping information that may contribute to the accuracy of the map.

7. Information submitted by a broadband provider in connection with this section shall be excluded from the requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). Information submitted by a broadband provider pursuant to this section shall be used solely for the purposes stated under this section and shall not be released by the department, or any other public records custodian, without the express written permission of the submitting broadband provider.

8. The department shall annually evaluate federal mapping data and shall waive the requirement for broadband providers to submit territory data if a map of near identical or greater quality is made publicly available by the Federal Communications Commission as part of the federal Digital Opportunity Data Collection program or its successor. This waiver shall not be unreasonably withheld.

9. For the purposes of the initiative outlined in paragraph P. of this item, "Broadband" means Internet access at speeds equal to or greater than the broadband Internet speed benchmark set by the Federal Communications Commission. "Broadband provider" means a provider of fixed or mobile broadband Internet access service and includes any entity required to provide the federal government with information on Federal Communications Commission Form 477 or as part of the federal Digital Opportunity Data Collection program or a provider of satellite-based broadband Internet access service that has been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the

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Commonwealth. "Chief Advisor" means the Commonwealth Broadband Chief Advisor as established in § 2.2-205.2, Code of Virginia. "Map" means the statewide broadband availability map developed and maintained pursuant to paragraph P. of this item.

~~Q.1. The State Comptroller shall continue the Virginia Community Development Financial Institutions Fund as established in Item 114, paragraphs Q.1., 2., and 3., Chapter 552, 2021 Acts of Assembly, Special Session I. All moneys in this Fund shall be used as provided for in this Item and in Item 114, paragraphs Q.1., 2., and 3., Chapter 552, 2021 Acts of Assembly, Special Session I.~~

Q. *Out of this appropriation, $1,500,000 the second year from the general fund is provided for the Community Development Financial Institutions Fund, as established by § 36-140.01, Code of Virginia. Of these amounts, the department is authorized to use up to $150,000 to administer these funds.*

~~2. On or before December 1 of each year, the department shall report to the Secretary of Commerce and Trade, the Governor, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on such other matters regarding the Fund as the Department may deem appropriate, including the amount of funding committed to projects from the Fund, or other items as may be requested by any of the foregoing persons to whom such report is to be submitted.~~

R. Out of the amounts in this Item, $500,000 the first year and $500,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and Cumberland Plateau Planning District Commission designated for initiatives intended to expand education and telehealth access. Such funds for grants shall be managed by the Virginia Coalfield Economic Development Authority.

S. Out of the amounts in this Item, $4,000,000 the second year from the general fund shall be provided to Halifax County to support the construction of a water line from the City of Danville to an infrastructure project at the Virginia International Raceway. The project will leverage both state and local, or private funds, with a one-third match by local, or private sources as certified by the department.

T.1. The Department of Housing and Community Development, in collaboration with the State Council of Higher Education for Virginia shall convene a taskforce to review and recommend investments in regional initiatives to strengthen Virginia's Biotechnology, Life Sciences, and Pharmaceutical Manufacturing industry cluster (the taskforce). This taskforce shall be comprised of representatives of the Virginia Innovation Partnership Authority, Virginia Economic Development Partnership Authority, Virginia Initiative for Growth and Opportunity Board, State Council of Higher Education for Virginia, and the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees. The taskforce shall use non-biased industry experts to help evaluate the investments below, but shall not receive guidance or advice from representatives of any company, institution, or organization with a vested interest in the projects outlined below.

2. Out of the appropriation in this item, $48,716,344 the first year and $18,000,000 the second year from the general fund shall be provided to the Department of Housing and Community Development for investments in identified regional innovation clusters. Prior to the award of any funds included in this item, the taskforce, Secretary of Commerce and Trade, and Secretary of Education shall ensure the regional innovation cluster proposals: (i) align with state or regional economic development strategies; (ii) facilitate the opportunity for job creation, wage growth, business creation, and positive economic outcomes for the Commonwealth; (iii) offer a positive return to the state for its investment; and, (iv) maximize philanthropic and federal matching funds. Upon recommendation of the taskforce and final approval from the Secretary of Commerce and Trade and Secretary of Education, the following amounts shall be awarded as follows:

a. Up to $15,000,000 the first year to the Virginia Biotechnology Research Partnership Authority to support the scale-up of a Virginia pharmaceutical research, development, and manufacturing cluster in the Richmond Regional Planning District or the Crater Planning District (central Virginia). The Virginia Biotechnology Research Partnership Authority shall award the funds as follows:

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1) Of the amounts provided in paragraph T.2.a., up to $10,000,000 the first year may be used to help fund the construction of a life sciences lab building located at the Virginia Biotech Park in the City of Richmond.

2) Of the amounts provided in paragraph T.2.a., up to $5,000,000 the first year may be used to administer a one-time grant program designed to fund a key starting materials pilot project located in the central Virginia. At a minimum, criteria to award the grant shall include: (i) the company is headquartered in Virginia; and (ii) the company has a chemical industrial site to stand up the program in either the Richmond Regional Planning District or the Crater Planning District. Any funding awards shall be used for the direct costs of key starting materials reactors, a centrifuge, and a dryer.

3) As a condition of the award of any funding identified in paragraph T.2.a., the Virginia Biotechnology Research Partnership Authority shall provide evidence, to the satisfaction of the taskforce, Secretary of Commerce and Trade, and Secretary of Education of a commitment of funding from private or other non-state sources of not less than a like amount of any funding awarded.

b. Up to $18,000,000 the first year and $18,000,000 the second year to the University of Virginia's Institute for Biotechnology to accelerate biotechnology commercialization, genomics and gene therapies, drug delivery technologies and biomanufacturing facilities in the Commonwealth over the next five fiscal years through incentives designed to attract 150 research scientists. Upon recommendation of the taskforce and final approval from the Secretary of Commerce and Trade and Secretary of Education, the following amounts shall be awarded as follows:

1) Up to $18,000,000 the first year and $18,000,000 the second year may be awarded to incentivize the recruitment of high performing biomedical and bioengineering research scientists to the Institute.

2) Upon approval of the Secretary of Commerce and Trade and Secretary of Education, the University of Virginia shall develop, in consultation with the Secretary of Finance, the Secretary of Education, the Director of the Department of Planning and Budget, the President of the Virginia Economic Development Partnership Authority, and the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees, a Memorandum of Understanding which will set forth the conditions for continued allocations beginning July 1, 2024.

3) Prior to the release of any funding provided in paragraph T.2.b, and upon the affirmative recommendation of the taskforce, Secretary of Commerce and Trade, and Secretary of Education, the University of Virginia shall demonstrate, to the satisfaction of the taskforce, Secretary of Commerce and Trade, and Secretary of Education, a commitment from private or other non-state sources of not less than a like amount of any funding awarded.

c. Up to $15,716,344 the first year as a grant to the City of Roanoke for the renovation of an existing facility to create advanced laboratory, business incubation and an accelerator space for the development of new biotechnology companies across southwestern Virginia. Prior to the release of any funding in this item, and upon the recommendation of the taskforce, the City of Roanoke shall cause or cause to made a matching amount of not less than $1,955,000 for the project.

3. Should the taskforce, Secretary of Commerce and Trade, and/or Secretary of Education fail to recommend investments for any of the identified regional projects prior to June 15, 2023, any unawarded first year funds remaining in paragraph T.2. shall revert to the general fund.

U. The department shall continue the talent pathways planning grant program established in Item 114, Paragraph S. in House Bill 29 of the 2022 General Assembly, Special Session I.

V.1. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and the Cumberland Plateau Planning District Commission (PDC), in equal amounts, to identify, plan, and support economic development efforts within each PDC that align with federal funding opportunities, including Assistance to Coal Communities funding. In fulfilling the purposes of this paragraph, the PDCs may hire an additional position to help coordinate efforts and

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activities designed to maximize the receipt of federal funding by the region. These economic development initiatives may be coordinated Virginia Economic Development Partnership Authority and other regional economic development organizations as applicable. The PDCs shall provide quarterly reports to the department on the activities supported and federal investment secured as a result of the funding provided in this paragraph.

2. The department shall establish an Inter-Agency Task Force chaired by the Secretary of Commerce and Trade, or their designee, and comprised of designees from the Virginia Economic Development Partnership Authority, Virginia Energy, the Virginia Tourism Corporation, the Department of Housing and Community Development, the Virginia Department of Agriculture and Consumer Services, the Virginia Department of Environmental Quality, the Secretary of Labor, the Virginia Coalfield Economic Development Authority, the Tobacco Region Revitalization Commission, and the Virginia Community College System. The purpose of the Inter-Agency Task Force is to review and make recommendations to support economic development in Southwest Virginia. The Inter-Agency Task Force shall initially review and make recommendations on its findings to the General Assembly by June 1, 2023 regarding (i) the establishment of a downtown revitalization matching fund for communities of less than 2,000 people; (ii) expansion of the Tobacco Commission's Talent Attraction Program; (iii) support for the Southwest Virginia Energy Park, known as the “Energy Lab" project; and, (iv) support for the innovative Energy Storage and Electrification Manufacturing project. The Inter-Agency Task Force may include additional recommendations that will support economic development and job creation in the region in its June 2023 report to the General Assembly. In conducting its review, the department's Division of Economic Development and Community Vitality shall conduct regular stakeholder outreach with impacted communities and regional stakeholders to identify the necessary programs, resources, and policy changes required to support transitioning workers and communities. The Inter-Agency Task Force shall consult with impacted stakeholders including residents of the coalfield counties, employers in the coalfield counties, local government representatives, and representatives of regional nonprofit entities.

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

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

116.	Economic Development Services (53400).....		$16,754,431	$16,754,431
	Financial Assistance for Economic Development (53410).....	$16,754,431	$16,754,431	
	Fund Sources: General.....	$16,754,431	$16,754,431	

Authority: Title 59.1, Chapters 22 and 49, Code of Virginia.

A. Out of the amounts in this Item, $16,250,000 the first year and $16,250,000 the second year from the general fund shall be provided to carry out the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, related to the Enterprise Zone Grant Act. Notwithstanding the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, the department is authorized to prorate, with no payment of the unpaid portion of the grant necessary in the next fiscal year, the amount of awards each business receives to match the appropriation for this Item. Should actual grants awarded in each fiscal year be less than the amounts provided in this Item, the excess shall not revert to the general fund but shall be reappropriated to support the provisions of this Item. Consistent with the provisions of § 59.1-548, Code of Virginia, beginning on January 1, 2019, the installation of solar panels shall be considered eligible investments for the purposes of the real property improvement grants, provided that such solar installation investment is in an amount of at least $50,000

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	and the grant shall be calculated at a rate of 20 percent of the amount of qualified real property investments in excess of $450,000 in the case of the construction of a new building or facility. Grants shall be calculated at a rate of 20 percent of the amount of qualified real property investment in excess of $50,000 in the case of the rehabilitation or expansion of an existing building or facility. In the case where a grant is awarded based solely on a solar investment, the grant shall be calculated at a rate of 20 percent of the amount of total qualified real property investments made in solar installation. For such properties eligible for real property improvement grants made solely on the basis of solar installation investments of at least $50,000 but not more than $100,000, awards shall not exceed $1,000,000 in aggregate in any fiscal year.				
	B. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $1,064,681 from the surplus balances of this program.				
117.	Regulation of Structure Safety (56200)			$3,230,133	$3,230,133
	State Building Code Administration (56202)	$3,230,133	$3,230,133		
	Fund Sources: General	$735,155	$735,155		
	Special	$2,194,978	$2,194,978		
	Dedicated Special Revenue	$300,000	$300,000		
	Authority: Title 15.2, Chapter 9; Title 27, Chapters 1, 6, and 9; Title 36, Chapters 4, 4.1, 4.2, 6, and 8; Title 58.1, Chapter 36, Article 5; and Title 63.2, Chapter 17, Code of Virginia.				
118.	Governmental Affairs Services (70100)			$377,482	$377,482
	Intergovernmental Relations (70101)	$377,482	$377,482		
	Fund Sources: General	$377,482	$377,482		
	Authority: Title 15.2, Subtitle III, Code of Virginia.				
119.	Administrative and Support Services (59900)			$5,021,757	$5,021,757
	General Management and Direction (59901)	$5,021,757	$5,021,757		
	Fund Sources: General	$4,483,533	$4,483,533		
	Special	$538,224	$538,224		
	Authority: Title 36, Chapter 8, Code of Virginia.				
	Total for Department of Housing and Community Development			**$499,071,084**	**~~$472,104,740~~** ***$474,204,740***
	General Fund Positions	105.25	~~108.25~~ *111.25*		
	Nongeneral Fund Positions	132.75	~~132.75~~ *133.75*		
	Position Level	238.00	~~241.00~~ *245.00*		
	Fund Sources: General	$264,045,566	~~$237,079,222~~ *$239,179,222*		
	Special	$103,305,071	$103,305,071		
	Trust and Agency	$150,000	$150,000		
	Dedicated Special Revenue	$400,000	$400,000		
	Federal Trust	$131,170,447	$131,170,447		
	§ 1-41. DEPARTMENT OF ENERGY (409)				
120.	Minerals Management (50600)			$30,537,252	$30,287,252
	Geologic and Mineral Resource Investigations, Mapping, and Utilization (50601)	$1,448,334	$1,448,334		
	Mineral Mining Environmental Protection, Worker Safety and Land Reclamation (50602)	$3,167,273	$2,917,273		

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Gas and Oil Environmental Protection, Worker Safety and Land Reclamation (50603)	$1,597,754	$1,597,754		
Coal Environmental Protection and Land Reclamation (50604)	$19,006,417	$19,006,417		
Coal Worker Safety (50605)	$5,317,474	$5,317,474		
Fund Sources: General	$10,280,703	$10,030,703		
Special	$6,109,835	$6,109,835		
Trust and Agency	$525,000	$525,000		
Dedicated Special Revenue	$173,000	$173,000		
Federal Trust	$13,448,714	$13,448,714		

Authority: Title 45.1, Code of Virginia.

A. Out of this appropriation, $31,224 the first year and $31,224 the second year from special funds shall be provided for annual membership dues to the Interstate Mining Compact Commission.

B. Out of this appropriation shall be provided reimbursement for expenses associated with administrative and judicial review when so ordered by a court of competent jurisdiction.

C. Out of this appropriation, $6,119 the first year and $6,119 the second year from the general fund shall be provided for annual membership dues to the Interstate Oil and Gas Compact Commission.

D. The application fee for a coal mine license or a renewal or transfer of a license pursuant to § 45.1-161.58, Code of Virginia, shall be in the amount of $350.

E. The application fee for a mineral mine license or a renewal or transfer of a license pursuant to § 45.1-161.292:31, Code of Virginia, shall be in the amount of $400, except applications submitted electronically, which shall be accompanied by a fee of $330. However, the fee for any person engaged in mining sand or gravel on an area of five acres or less shall be required to pay a fee of $100, except applications submitted electronically, which shall be accompanied by a fee of $80.

F. The application fee for a new oil or gas well permit pursuant to § 45.1-361.29, Code of Virginia, shall be in the amount of $600 and the application fee for permit modifications shall be $300.

G. Out of this appropriation, $250,000 the first year from the general fund is provided to complete the study of the health and environmental impacts of the mining of gold pursuant to Chapter 423, 2021 Acts of Assembly, Special Session I.

121. Resource Management Research, Planning, and Coordination (50700)			$4,565,826	$4,315,826
Energy Conservation and Alternative Energy Supply Programs (50705)	$4,565,826	$4,315,826		
Fund Sources: General	$2,367,485	$2,117,485		
Special	$107,932	$107,932		
Federal Trust	$2,090,409	$2,090,409		

Authority: Title 45.1, Chapter 26, Code of Virginia.

A. Out of this appropriation, $38,362 the first year and $38,362 the second year from the general fund shall be provided for dues and expenses for the Southern States Energy Board.

B. To defray the costs of implementing the Virginia Energy Management Program, the Department of Energy is authorized to have included in state fuel oil, natural gas, electricity, and similar energy contracts a provision for suppliers to collect from using agencies and remit to the department an administrative surcharge. The surcharge shall reflect the department's actual costs to administer the program. Additionally, the department is authorized, consistent with federal funding rules, to distribute energy-related federal funds as grants or as loans to other state or nonstate agencies for use in financing

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energy-related projects, and to recover from the recipient an administrative service charge to recover the department's costs of administering such grant or loan programs.

C. Out of this appropriation, $137,000 the first year and $137,000 the second year from the general fund is provided to support one position within the Division of Energy to assist localities with siting, procurement, land use concerns, and other solar energy-related issues.

D. Out of this appropriation, $387,500 the first year and $387,500 the second year from the general fund is provided to support the Office of Offshore Wind to coordinate state agency activities to develop and execute strategies that reduce barriers for deployment of offshore wind and attract offshore wind supply chain businesses for Virginia's benefit, promote Virginia's infrastructure and workforce development assets, work with public and private sector partners to make Virginia a regional hub for offshore wind, and to provide staff support for the Virginia Offshore Wind Development Authority.

E. Out of this appropriation, $250,000 the first year from the general fund is authorized for geotechnical and related consulting support that may be required to identify the approximate volume and number of waste coal piles present in the coalfield region of the Commonwealth and for the evaluation of opportunities to use coal combustion residuals for construction purposes in public infrastructure projects in the Commonwealth.

122. Administrative and Support Services (59900)			$4,847,529	~~$4,847,529~~ *$8,847,529*
General Management and Direction (59901)	$4,847,529	~~$4,847,529~~ *$8,847,529*		
Fund Sources: General	$2,475,202	~~$2,475,202~~ *$6,475,202*		
Special	$1,456,044	$1,456,044		
Dedicated Special Revenue	$916,283	$916,283		

Authority: Title 45.1, Chapter 14.1, Code of Virginia.

Of the amounts in this Item, $4,000,000 the second year from the general fund shall be deposited to the Virginia Power Innovation Fund as established in § 45.2-1734, Code of Virginia.

Total for Department of Energy			**$39,950,607**	~~**$39,450,607**~~ ***$43,450,607***
General Fund Positions	162.43	162.43		
Nongeneral Fund Positions	74.57	74.57		
Position Level	237.00	237.00		
Fund Sources: General	$15,123,390	~~$14,623,390~~ *$18,623,390*		
Special	$7,673,811	$7,673,811		
Trust and Agency	$525,000	$525,000		
Dedicated Special Revenue	$1,089,283	$1,089,283		
Federal Trust	$15,539,123	$15,539,123		

§ 1-42. DEPARTMENT OF SMALL BUSINESS AND SUPPLIER DIVERSITY (350)

123. Economic Development Services (53400)			$8,631,721	$8,631,721
Minority Business Enterprise Certification (53414)	$1,956,424	$1,956,424		
Business Information Services (53418)	$2,337,041	$2,337,041		
Administrative Services (53422)	$2,038,845	$2,038,845		
Financial Services for Economic Development (53423)	$2,299,411	$2,299,411		
Fund Sources: General	$5,892,398	$5,892,398		
Special	$891,694	$891,694		
Commonwealth Transportation	$1,682,629	$1,682,629		
Trust and Agency	$100,000	$100,000		
Dedicated Special Revenue	$65,000	$65,000		

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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. Out of the amounts in this Item, $819,753 the first year and $819,753 the second year from the general fund shall be deposited to the Small Business Investment Grant Fund pursuant to § 2.2-1616, Code of Virginia. Notwithstanding the provisions of § 2.2-1616, Code of Virginia, an eligible investor that makes a qualified investment in a small business on or after July 1, 2020, but prior to January 1, 2023, that has been certified by the Authority pursuant to subsection D of § 2.2-1616, Code of Virginia shall be eligible for a grant in an amount equal to the lesser of 25 percent of the qualified investment or $50,000. 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.

C. 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.

D.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. 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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.

3. 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.

E. 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.

F. 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

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business ceases operation, or (iii) the business no longer qualifies as a small, women- or minority-owned business.

G. 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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.

H. Notwithstanding § 2.2-1604, Code of Virginia, any cooperative association organized pursuant to Chapter 3 (§ 13.1-301 et seq.) of Title 13.1 of the Code of Virginia as a nonstock corporation that was certified as a small business by the Department of Small Business and Supplier Diversity prior to July 1, 2017, may be recertified as a small business by the Department, provided that such cooperative association otherwise meets the requirements for certification as a small business pursuant to Article 1 (§ 2.2-1603 et seq.) of Chapter 16.1 of Title 2.2 of the Code of Virginia and any other applicable provision of the Code of Virginia.

I. The Department of Small Business and Supplier Diversity shall work in conjunction with the Department of General Services and other stakeholders to develop recommendations on a new performance goal for Small, Women, and Minority (SWaM) business participation on state contracts. The workgroup established in this paragraph shall consider the unique needs of state agencies, including their procurement cycles in developing a new metric for the SWaM program. Additionally, the goals and measures recommended by the department should strive to be specific, measurable, and achievable, and reevaluated over time. The department shall submit its recommendations to the Chairs of the Committees on House General Laws and Senate General Laws and Technology on or before November 1, 2022.

Total for Department of Small Business and Supplier Diversity			**$8,631,721**	**$8,631,721**
General Fund Positions	45.00	45.00		
Nongeneral Fund Positions	24.00	24.00		
Position Level	69.00	69.00		
Fund Sources: General	$5,892,398	$5,892,398		
Special	$891,694	$891,694		
Commonwealth Transportation	$1,682,629	$1,682,629		
Trust and Agency	$100,000	$100,000		
Dedicated Special Revenue	$65,000	$65,000		

§ 1-43. FORT MONROE AUTHORITY (360)

124.	Economic Development Services (53400)			$6,840,947	$6,597,351
	Administrative Services (53422)	$6,840,947	$6,597,351		
	Fund Sources: General	$6,840,947	$6,597,351		

Authority: Title 2.2, Chapter 22, Code of Virginia.

A.1. Out of the amounts in this Item, $6,840,947 the first year and $6,597,351 the second year from the general fund shall be provided for the Commonwealth's share of the estimated operating expenses of the Fort Monroe Authority (FMA). This appropriation represents the Commonwealth's share of the FMA's estimated operating expenses. These expenses may not be reimbursed by the federal government and shall be reduced by any federal funding the authority may receive for expenditures funded through the Commonwealth's contribution that

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ultimately qualify for federal reimbursement. Any such reimbursements shall be repaid to the general fund. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments.

2. All moneys of the FMA, from whatever source derived, shall be paid to the treasurer of the FMA. The Auditor of Public Accounts or his legally authorized representatives shall annually examine the accounts of the books of the FMA.

3. Employees of the FMA shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.

4. Pursuant to § 2.2-2338, Code of Virginia, the Board of Trustees of the FMA shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708, Code of Virginia. Electronic communication shall mean the same as that term is defined in § 2.2-3701, Code of Virginia.

5. Notwithstanding any other provision of law or agreement, the amount paid from all sources of funds by the FMA to the City of Hampton pursuant to § 2.2-2342, Code of Virginia, shall not exceed $983,960 the first year and $983,960 the second year.

B. Out of this appropriation, $545,349 the first year and $301,753 the second year from the general fund is provided to create a facilities maintenance department.

Total for Fort Monroe Authority			**$6,840,947**	**$6,597,351**
Fund Sources: General	$6,840,947	$6,597,351		

§ 1-44. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)

125.	Economic Development Services (53400)			$48,504,192	~~$50,579,192~~ *$50,812,792*
	Economic Development Services (53412)	$48,504,192	~~$50,579,192~~ *$50,812,792*		
	Fund Sources: General	$48,504,192	~~$50,579,192~~ *$50,812,792*		

Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of Virginia.

A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.

B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a report of its operational plan. Prior to November 1 of each fiscal year, the Partnership shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

C. In developing the criteria for any pay for performance plan, the board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically located in more than one contiguous

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locality, the highest Fiscal Stress Index of the participating localities will be used.

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. 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.

E. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2024, or until the authority is able to provide such services.

F. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the Commonwealth's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, cash balances, and balances available for future commitments.

G. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.

H.1. Out of the amounts in this Item, $2,250,000 in the first year and $2,250,000 in the second year from the general fund shall be deposited in the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund established pursuant to § 10.1-1237, Code of Virginia.

2. Guidelines developed by the Virginia Economic Development Partnership, in consultation with the Department of Environmental Quality, governing the use of the Fund shall provide for grants of up to $500,000 for site remediation and include a requirement that sites with potential for redevelopment and economic benefits to the surrounding community be prioritized for consideration of such grants.

I. Any requests for administrative or staff support for the Committee on Business Development and Marketing or the Committee on International Trade established to advise the Virginia Economic Development Partnership shall be directed to, and are subject to the approval of, the Chair or the Chief Executive Officer of the Virginia Economic Development Partnership.

J.1. Out of the amounts in this Item, $9,000,000 the first year and $9,000,000 the second year from the general fund is provided to support the development of a workforce program to provide training and recruitment services to select companies locating or expanding in the Commonwealth.

2. Out of this appropriation, $560,000 the first year and $735,000 the second year from the general fund is provided to effectuate the provisions of Chapters 731 and 746 of the 2022 Acts of Assembly. This funding is supplemental to the funds provided in Paragraph J.1. and shall not be included in any base budget for the Virginia Talent Accelerator Program.

K. Out of the amounts in this item, $1,062,500 the first year and $1,062,500 the second year from the general fund is provided for the Virginia Economic Development Partnership Authority to administer a comprehensive Virginia Business Ready Sites program. The funds in this paragraph may be used to administer the program established by Chapter 83 of the 2022 Acts of Assembly, *Chapter 779 of the 2023 Acts of Assembly*, and characterize, inventory, develop, market and deploy economic sites in the Commonwealth, which includes business investment activities.

L.1. Out of the amounts in this Item, $500,000 the first year and ~~$500,000~~ *$733,600* the second year from the general fund is provided to support the Office of Education and Labor Market Alignment in accordance with § 2.2-2238, Code of Virginia.

~~2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in current and future~~

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~~education and workforce training programs with a particular focus on those programs supported with state general fund dollars. The Office shall communicate relevant information in a clear and concise manner to better enable policy makers and decision makers to navigate the complex, often confusing connections between education and the labor market.~~

2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in current and future education and workforce training programs with a particular focus on those programs supported with state general fund dollars.

~~3. The Virginia Economic Development Partnership shall include in its annual report, due on November 1st of each year, an update on the activities of the Office of Labor Market and Alignment.~~

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

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

M.1. Out of the amounts in this Item, $4,600,000 the first year and $4,600,000 the second year from the general fund is provided to fully implement Virginia's International Trade Plan. The authority shall include an update to the International Trade Plan in its annual operating plan due November 1, 2022, as required by § 2.2-2237.1, Code of Virginia.

2. By January 31, 2023, the initiatives funded through the proposed increase for the authority's International Trade programs will support an additional 55 small to mid-size existing Virginia businesses. No later than January 31, 2023, the authority will report to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee the number of additional small to mid-size existing Virginia businesses supported by VEDP's International Trade programs and services.

N. Out of this appropriation, $1,158,969 the first year and $1,158,969 the second year from the general fund is provided to establish the Division of Incentives consistent with the provisions of § 2.2-2237.3, Code of Virginia.

O. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided to establish an internal audit function for the authority, consistent with the provisions of § 2.2-2236.1, Code of Virginia.

P. Out of this appropriation, $200,000 the first year from the general fund is provided for the authority to complete an economic impact study of expanding a natural gas pipeline to Accomac in Accomack County, Virginia. This analysis shall include a return on investment analysis on the materials used to construct the pipeline (metal or plastic) and its capacity to support business development in terms of capital investment and job creation along the eastern shore. Any-investor owned public service company engaged in the business of furnishing natural gas shall provide information as needed to the authority, at their request, to aid in the completion of this study. The authority shall submit the results of this economic impact study to the Governor and General Assembly on or before December 1, 2022.

Q. Out of the amounts in this item, $200,000 the first year from the general fund is

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provided for an inland port feasibility assessment. The Virginia Economic Development Partnership Authority and the Virginia Port Authority, in consultation with the Virginia Tobacco Region Revitalization Commission, the Central Virginia Planning District Commission, and the Mount Rogers Planning District Commission, shall assess the feasibility of establishing an inland port in Region 2000, the Mount Rogers Planning District Commission, or the City of Bristol and submit its findings to the General Assembly no later than November 1, 2022. In conducting this assessment, the Secretary of Transportation, the Department of Rail and Public Transportation, and the Office of Intermodal Planning and Investment shall provide any technical assistance that may be required.

R. Out of the amounts in this item, $200,000 the first year from the general fund is provided for the authority to undertake a workforce study for the offshore wind and maritime industries. The authority shall evaluate strategies to attract skilled out-of-state talent to fill maritime jobs in Hampton Roads in support of the shipbuilding, ship repair, and offshore wind industries. In conducting the study, the authority shall assess talent attraction programs operated in other states and review their recruiting strategies, incentives offered for relocation, and the overall programmatic effectiveness. The report shall contain both legislative and funding recommendations with respect to implementation strategies focused on specifically targeted out-of-state populations, including transitioning military personnel, trade-school graduates, and other wind-industry related skillsets, specific incentives that would attract such talent, and potential costs to effectively administer such a program. The report shall be submitted to the General Assembly, Virginia Community College System, and the officials listed in Paragraph A. of Item 487.5 of this act no later than November 1, 2022.

S. Out of the amounts in this item, $2,500,000 the second year from the general fund is provided to create a supply chain for the offshore wind industry in Virginia through direct business investment in equipment. In developing this new investment program, the authority shall focus on smaller companies and how investment from the state for equipment can incentivize their participation in this new industry. Individual investments from this program may range from $20,000 to $250,000 per company. The authority in collaboration with the Office of Offshore Wind, and other relevant stakeholders shall develop criteria and guidelines for this offshore wind supply chain development program in Virginia on or before June 1, 2023.

T. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund is provided to support the administration of new and expanding programs. This funding shall remain unallotted until authorized for allotment by the Secretary of Finance.

Total for Virginia Economic Development Partnership			**$48,504,192**	**~~$50,579,192~~** ***$50,812,792***
Fund Sources: General	$48,504,192	~~$50,579,192~~ *$50,812,792*		

§ 1-45. VIRGINIA TOURISM AUTHORITY (320)

126.	Tourist Promotion (53600)			$27,039,872	~~$23,914,872~~ *$24,511,872*
	Tourist Promotion Services (53607)	$27,039,872	~~$23,914,872~~ *$24,511,872*		
	Fund Sources: General	$27,039,872	~~$23,914,872~~ *$24,511,872*		

Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.

A.1. The Department of Transportation shall pay to the Virginia Tourism Authority $1,325,000 the first year and $1,425,000 the second year for continued operation of the Welcome Centers, of which $125,000 the first year and $225,000 the second year is for maintenance of the Danville Welcome Center. The Department of Transportation shall fund maintenance at each state Welcome Center based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation.

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2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the Welcome Centers.

B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation.

C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. 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.

E.1. Out of the amounts in this Item, $3,225,000 the first year and $3,100,000 the second year from the general fund is provided for grants to regional and local tourism authorities and other tourism entities to support their efforts. From the grants provided from the amounts included in this paragraph, priority consideration shall be given to funding for the Daniel Boone Visitor Center, as well as $300,000 the first year and $300,000 the second year to the Heart of Appalachia Tourism Authority, and $50,000 the first year and $50,000 the second year for events sponsored by Special Olympics Virginia, $1,100,000 the first year and $1,100,000 the second year to the Southwest Virginia Regional Recreation Authority for the Spearhead Trails initiative, and $125,000 the first year for the Virginia Sports Hall of Fame.

2. Out of the amounts in this paragraph provided for the Southwest Virginia Regional Recreation Authority, up to $25,000 the first year and up to $25,000 the second year from the general fund, shall be provided to support a peer-support program for Virginia veterans in partnership with the Spearhead Trails initiative. The Virginia Department of Behavioral Health and Developmental Services and the Virginia Department of Veterans Services shall provide assistance in establishing such program upon the request of the board of the Southwest Regional Recreation Authority.

3. It is the intent of the General Assembly that the amounts in this paragraph provided for the Southwest Virginia Regional Recreation Authority in the second year to support the Spearhead Trails initiative shall be provided in its entirety in the first quarter of the fiscal year. The Southwest Virginia Regional Recreation Authority shall submit annual financial statements to the Virginia Tourism Authority on or before August 1, 2024.

F. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.

G. Out of the amounts in this Item, $3,100,000 in the first year and $3,100,000 in the second year from the general fund is provided to supplement appropriations to promote Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at least $1,000,000 the first year and $1,000,000 the second year shall be used to support a cooperative advertising program to partner with private sector tourism businesses and regional tourism entities to advertise Virginia as a tourism destination. The state dollars shall be used to incentivize private and regional tourism marketing funds on a $1.00 for $1.00 basis whereby the Virginia Tourism Corporation shall enter into agreements to undertake joint advertising purchases to promote Virginia and specific facilities with private sector and regional partners.

H. Out of the amounts in this Item, $330,012 the first year and $330,012 the second year from the general fund is provided to promote and advertise tourism in Virginia. These amounts include $130,012 in the first year and $130,012 in the second year for a

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partnership operated by the Virginia Association of Broadcasters to advertise Virginia Tourism, provided the Association contributes a total of at least $390,036 in television and radio advertising value to promote tourism in Virginia in the first year and $390,036 in the second year. Also included in these amounts is $100,000 the first year and $100,000 the second year to promote Virginia Parks, and $100,000 the first year and $100,000 the second year to promote Virginia's wineries.

I. Out of the amounts in this Item, $497,544 the first year and $497,544 the second year from the general fund is provided to purchase media in the Washington, D.C., Virginia, and Baltimore, Maryland markets through a partnership operated by the Virginia Association of Broadcasters, in association with its affiliates in other states in the region, provided that the Association can obtain contributions of at least $1,492,632 the first year and $1,492,632 the second year in television, radio and station-related internet advertising value to promote tourism in Virginia.

J. Out of the amounts in this Item, $150,000 the first year and $150,000 the second year from the general fund is provided to support a tourism development initiative in the County of Henrico.

K. Out of the amounts in this Item, $25,000 the first year and $25,000 the second year from the general fund is provided to support the Carver Price Legacy Museum.

L. With such funds as are available, the Virginia Tourism Authority shall collaborate with "Opening Doors for Virginians with Disabilities" to maintain and update the Opening Doors for Virginians with Disabilities travel guide and establish a more user-friendly link to this information on the Virginia Tourism Corporation website home page.

M. Out of the amounts in this Item, $2,140,000 the first year and $2,140,000 the second year from the general fund is provided for grants to promote tourism in accordance with the provisions of § 2.2-2320.2, Code of Virginia.

N. Out of the amounts in this Item, $3,000,000 the first year from the general fund shall be provided to the City of Norfolk to support Sail250 Virginia, a national maritime and military project to commemorate the 250th anniversary of America's independence.

O.*1*. The Virginia Tourism Authority shall develop and maintain an educational website on sites in Virginia featured in the Green Book by Victor Hugo Green. This online tool shall include a comprehensive list of hotels, guest houses, service stations, drug stores, taverns, barber shops, and restaurants known to be safe for traveling Black Americans during the Jim Crow era; historical context on the importance of Green Book sites; and information for residents and visitors to the Commonwealth on how to access these places of historic significance. The Department of Historic Resources shall provide support and technical assistance to the authority in developing and maintaining this resource. This educational website shall be made publicly available on or before June 30, 2023.

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

P. The Virginia Tourism Authority shall provide technical assistance to the City of Danville on how best to plan for increased tourism in the Southside region due to infrastructure improvements at the Virginia International Raceway and the opening of a casino in the City.

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

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	Total for Virginia Tourism Authority.....			**$27,039,872**	**~~$23,914,872~~ *$24,511,872***
	Fund Sources: General.....	$27,039,872	~~$23,914,872~~ *$24,511,872*		

§ 1-46. VIRGINIA INNOVATION PARTNERSHIP AUTHORITY (309)

127.	Economic Development Services (53400).....			$47,786,623	$42,395,623
	Economic Development Services (53412).....	$47,786,623	$42,395,623		
	Fund Sources: General.....	$47,786,623	$42,395,623		

Authority: Discretionary Inclusion.

A. 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.

B. 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.

C.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 and a listing of the salaries and bonuses for all authority employees 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 O. 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.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

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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.

2. To the extent possible, the annual performance report shall contain information on the metrics outlined below.

a. For activities associated with the Virginia Venture Partners (VVP): (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 VVP 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.

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.

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.

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.

E.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 Virginia Venture Partners fund and other indirect investment mechanisms to foster the development of Virginia-based technology companies.

2. Funds returned, including proceeds received due to the sale of a company that previously received a VVP 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.

F. A total of $3,000,000 the first year and $3,000,000 the second year from the general fund shall be allocated to the Entrepreneurial Ecosystems Division to support and promote technology-based entrepreneurial activities in the Commonwealth as specified in § 2.2-2357, Code of Virginia. Out of these amounts, $2,000,000 the first year and $2,000,000 the second year shall establish the Regional Innovation Fund which may be used to provide follow-on sustaining funding to promising entrepreneurial ecosystem projects identified by the Virginia Initiative for Growth and Opportunity in Each Region (GO Virginia) Board.

G. A total of $5,000,000 the first year and $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.

H. 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

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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.

I. 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.

J.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 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 J.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.

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

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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.

K.1. Out of the appropriation in this Item, $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 to CCAM for seedling research project costs that enable CCAM to market new research programs to prospective and existing industry members. These funds shall not revert back to the general fund at the end of the fiscal year.

3. Out of the appropriation in this Item, VIPA shall provide $600,000 the first year and $600,000 the second year from the general fund to CCAM for (i) 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 and (ii) follow-on efforts, including road mapping activities, marketing and proposal development, to leverage project activities for the pursuit of CCAM/University jointly funded federal programs. 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. These funds shall not revert back to the general fund at the end of the fiscal year.

4. Out of the appropriation in this Item, VIPA shall provide $1,000,000 the first year and $1,000,000 the second year from the general fund to CCAM for the purposes of: (i) attracting federal funds for research projects to be conducted at CCAM, including marketing, travel, grant proposal writing, and business development costs; (ii) matching funds for federal research programs; and (iii) federal research program costs not reimbursable on federal research awards. These funds shall not revert back to the general fund at the end of the fiscal year.

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; (iv) all efforts and costs associated with obtaining federal research grants; and (v) any additional information requested by the Secretary of Finance, or the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

6. Out of this appropriation, $5,391,000 the first year from the general fund is provided to the Commonwealth Center for Advanced Manufacturing to pay outstanding obligations.

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L.1. Out of the appropriation in this Item, $10,000,000 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 amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.

2. Out of the appropriation in this Item, $7,500,000 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.

3. Nothing shall prevent the Hub and certified Node sites from seeking matching funds for faculty recruitment and support for renovations and equipment from previous bond authorizations for higher education equipment or grant programs managed by the Authority, including but not limited to the Commonwealth Commercialization Fund. Certified institutions shall submit their funding request application to the Authority for review and authorization under the application procedures relevant for the program or bond authorization. After completing its review, VIPA shall approve or deny the request for an allocation of funds.

4. 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.

M.1. Out of the appropriation in this Item, $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.

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.

N. Out of the appropriation in this Item, $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.

O. 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. Out of the appropriation in this Item, $750,000 the first year and $750,000 the second year from the general fund is provided for the annual lease and operating costs for the Authority's Richmond headquarters and other locations throughout the Commonwealth.

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Total for Virginia Innovation Partnership Authority			**$47,786,623**	**$42,395,623**
Fund Sources: General	$47,786,623	$42,395,623		
TOTAL FOR OFFICE OF COMMERCE AND TRADE			**$834,564,885**	**~~$797,528,152~~** ***$1,066,127,752***
General Fund Positions	321.68	~~324.68~~ *327.68*		
Nongeneral Fund Positions	231.32	~~231.32~~ *232.32*		
Position Level	553.00	~~556.00~~ *560.00*		
Fund Sources: General	$571,822,827	~~$534,786,094~~ *$803,385,694*		
Special	$111,870,576	$111,870,576		
Commonwealth Transportation	$1,682,629	$1,682,629		
Trust and Agency	$775,000	$775,000		
Dedicated Special Revenue	$1,704,283	$1,704,283		
Federal Trust	$146,709,570	$146,709,570		

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OFFICE OF EDUCATION

§ 1-47. SECRETARY OF EDUCATION (185)

128.	Administrative and Support Services (79900).....			$774,902	$774,902
	General Management and Direction (79901).....	$774,902	$774,902		
	Fund Sources: General.....	$774,902	$774,902		

Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.

A. The Secretary of Education is hereby authorized to make allocations of the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 (PL 107-16)(Section 142(k)(5) of the Internal Revenue Code of 1986, as amended) for the development of education facilities using public-private partnerships, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary is directed to give priority to public-private partnership proposals that will serve as demonstration projects concerning the leveraging of private sector contributions and resources, the achievement of economies or efficiencies associated with private sector innovation, and other benefits that are or may be derived from public-private partnerships in contrast to more traditional approaches to public school construction and renovation. The Secretary is directed to report annually not later than August 31 to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees regarding any guidelines implemented and any allocations made pursuant to this paragraph.

B. For the funds identified for reallocation in each of the higher education institutions' educational and general programs, each respective institution shall report the amounts and the specific purposes for which they were used in its six-year academic plans finalized in the fall of 2022 and the fall of 2023.

C. The Secretary of Education, in collaboration with the Office of Attorney General, Debt Collection Division, and with the cooperation and assistance of the State Council of Higher Education for Virginia and public institutions of higher education and their affiliated entities, shall evaluate and submit to the General Assembly no later than December 1, 2022, a report on student debt collection practices and policies at public institutions of higher education in the Commonwealth. Such report shall include, but not be limited to: (i) the age of the debt; (ii) the institutional practices or policies governing student debt and the ability of the student to receive a transcript; (iii) demographic factors of the student such as race, age, domicile, income, and whether or not the student is a first generation college student; (iv) the unique circumstances that led to the student's debt in the first place; (v) similar practices and policies in neighboring states;(vi) financial counseling students receive upon entering the institution; and (vii) financial counseling students receive when preparing to leave the institution.

Total for Secretary of Education.....			**$774,902**	**$774,902**
General Fund Positions.....	5.00	5.00		
Position Level.....	5.00	5.00		
Fund Sources: General.....	$774,902	$774,902		

§ 1-48. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)

129.	Instructional Services (18100).....			$292,085,986	$297,240,386
	Public Education Instructional Services (18101).....	$18,793,661	$23,396,661		
	Program Administration and Assistance for Instructional Services (18102).....	$271,680,209	$272,231,609		
	Adult Education and Literacy (18104).....	$1,612,116	$1,612,116		
	Fund Sources: General.....	$17,732,804	$22,887,204		
	Special.....	$775,000	$775,000		

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Commonwealth Transportation.....	$283,854	$283,854		
Trust and Agency.....	$5,000	$5,000		
Federal Trust.....	$273,289,328	$273,289,328		

Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ 2.2-2472, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code.

Early Childhood Care and Education: Title 22.1, Chapter 14, Code of Virginia; P.L. 113-186, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. 1. Out of the appropriations in this item, $1,300,000 the first year and $1,300,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications. The funding shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in information technology leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement information technology curricula leading to increased statewide implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in information technology and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of information technology curricula in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.

F. Out of the appropriation in this Item, $413,000 the first year and $413,000 the second year from the general fund is provided for the Department of Education to continue a professional development program intended to increase the capacity of principals as school leaders in under-performing schools.

G. Out of the appropriation in this Item, $366,000 the first year and $366,000 the second year

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from the general fund is provided to the Department of Education to assist local school divisions, as needed, to establish criteria for the professional development of teachers and principals on the subject of issues related to high-needs students.

H. Out of this appropriation, $3,427,000 the first year and $3,652,000 the second year from the general fund is provided for the Virginia Kindergarten Readiness Program.

a. Of this amount, $1,377,000 the first year and $1,377,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to continue statewide implementation of the Virginia Kindergarten Readiness Program conducted in the fall, and to continue to support a post-assessment upon the conclusion of the kindergarten year.

b. The Department of Education shall coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that all school divisions shall be required to have their kindergarten students assessed annually during the school year using the multi-dimensional kindergarten readiness assessment model. All school divisions shall be required to have their kindergarten students assessed with such model.

c. Of this amount, $1,050,000 the first year and $1,050,000 the second year shall be allocated to the University of Virginia to support implementation of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for four-year-old children enrolled in publicly-funded pre-kindergarten programs, and for piloting the use and development of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for three-year-old children enrolled in publicly-funded pre-kindergarten programs.

d. Of this amount, $350,000 the first year and $350,000 the second year from the general fund shall be allocated to University of Virginia's Center for Advanced Study of Teaching and Learning to provide training to school divisions annually on how to effectively use Virginia Kindergarten Readiness Program data to improve instructional practices and student learning. Such teacher focused professional development and training shall be prioritized for the school divisions that would most benefit from state assistance in order to provide more time for classroom instruction and student learning for kindergarten and pre-kindergarten students, including both three- and four-year-old pre-kindergarten classrooms.

e. The Department and the University of Virginia's Center for Advanced Study of Teaching and Learning shall use the results of the multi-dimensional Virginia Kindergarten Readiness Program assessments to determine how well the Virginia Preschool Initiative promotes readiness in all key developmental domains assessed. The Department shall submit such findings using data from the prior year's fall assessment to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than October 1 each year.

f. Of this amount, $650,000 the first year and $875,000 the second year from the general fund is provided through the Department of Education to the University of Virginia in partnership with the Department and school divisions to develop an assessment in literacy, math, social skills and self-regulation in grades one, two and three to help teachers, parents and divisions identify students' strengths, deficiencies and support student growth longitudinally. A pilot of the assessment shall be implemented in the 2023-2024 school year, and the Department shall report on the status of the pilot to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2023.

I. Out of this appropriation, $700,000 the first year and $700,000 the second year from the general fund is provided through the Department of Education to the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that teachers in select publicly-funded early childhood programs, including Virginia Preschool Initiative classrooms, receive appropriate individualized professional development training from professional development specialists to support quality teacher-child interactions and effective implementation of high-quality curriculum. Funding and professional development assistance shall be prioritized for classrooms that have demonstrated need based on the Unified Measurement and Improvement System, known as VQB5,

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established pursuant to § 22.1-289.05, Code of Virginia, which is based on observing teachers with the Classroom Assessment Scoring System (CLASS) observation tool and use of standards-aligned curriculum. The University of Virginia's Center for Advanced Study of Teaching and Learning, assisted on an as needed basis by the Department of Education, Virginia Early Childhood Foundation, and Elevate Early Education shall hire and train specialists to provide such individualized professional development. The University of Virginia's Center for Advanced Study of Teaching and Learning and the Training and Technical Assistance Centers funded by the Individuals with Disabilities Act (IDEA) through the Department of Education shall coordinate to ensure alignment of professional development and supports for teachers of children with special needs.

J. Out of this appropriation, $805,600 the first year and $1,047,000 the second year from the general fund is provided to ensure that select publicly-funded early childhood programs, including Virginia Preschool Initiative programs, have the quality of their teacher-child interactions assessed through a rigorous and research-based classroom observational instrument using the CLASS observational instrument for such assessment. These observations shall be used to verify accuracy and maintain reliability of the measurements required within Virginia's Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia.

K. 1. The Department of Education and the Department of Social Services shall determine the amount of nongeneral funds to be transferred to the Department of Social Services to address costs associated with administration of the Child Care and Development Fund each year.

2. The Department of Social Services and the Department of Education shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement between the agencies shall be transferred from the Department of Education to the Department of Social Services within the first thirty days of the fiscal year. The Department of Social Services shall notify the Department of Education of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

L. The Department of Education, in collaboration with the Department of Social Services, shall prepare an annual Child Care and Development Fund (CCDF) report that reflects all CCDF expenditures from the previous fiscal year, current grant balances and obligation and liquidation deadlines, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated and discretionary), administrative costs, and quality efforts. The plan also shall include a certification from the Department that the maximum amount of federal funds were drawn down in the preceding fiscal year. Should the Department be unable to certify that maximum federal funds were drawn down, the Department shall identify strategies for Virginia to obtain the maximum amount of federal funds in the following fiscal year(s) as part of this plan. In addition, this plan should report, by locality, the number of subsidies (mandated and discretionary) provided, number of providers receiving CCDF dollars, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years. The plan shall also include an appendix with the most recently completed CCDF annual report as required by the federal Office of Child Care. The department shall submit the report by October 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In addition, the department shall post this report on its website along with any reports from previous fiscal years.

M. Notwithstanding any other provision of law, the Department of Education shall have temporary authority to make any changes to the Child Care and Development Fund (CCDF) State Plan, request waivers from the federal Office of Child Care, change eligibility criteria for benefits and services, and payment levels for the Child Care Subsidy Program 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, the Department of Education must receive written approval from the Governor. Within 15 days of

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implementing changes in response to COVID-19, the Department of Education shall send a list of such actions to the Director of the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

N. The Department of Education shall convene a work group of early childhood care and education advocates and appropriate subject matter experts to develop recommendations for the use of marijuana tax revenues, collected pursuant to § 4.1-614, Code of Virginia, in combination with other state and federal resources, to maximize access to pre-kindergarten programs for three- and four-year old children. The work group shall explore: 1) the current early childhood care and education funding landscape in Virginia; 2) the available literature and data to assess the impact of incorporating pre-kindergarten into Virginia's public school funding formula; 3) best practices in other states and localities that could be replicated in Virginia; 4) and the potential impact of different pre-kindergarten funding mechanisms on the cost and availability of child care for infants and toddlers. The work group shall identify: 1) any changes to laws, regulations, and policies required to implement the recommendations; 2) features of existing local, regional, and state governance structures that may need to be updated, changed or strengthened to support the equitable allocation and dissemination of mixed-delivery pre-kindergarten funds; and 3) potential needs for policy changes or redistribution of federal funds to offset or mitigate potential impacts to the cost and availability of child care for infants and toddlers. The Department of Education shall submit a report of the work group's findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2023.

O. The Department of Education shall develop a methodology to estimate the actual cost of providing high-quality early childhood care and education services in community-based settings. Such methodology shall meet the requirements set forth by the Administration for Children and Families, U.S. Department of Health and Human Services, for alternative methodologies to market rate surveys. The Department shall summarize the methodology in a report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 31, 2022.

P. Notwithstanding 8VAC-20-790, the Department of Education shall not set a limit on the duration of time that families may participate in the Child Care Subsidy Program, subject to available funds.

Q. Notwithstanding 8VAC-20-790, the Department of Education shall increase participation in the Child Care Subsidy Program among families and providers using non-general funds by: 1) making child care assistance available to parents or guardians who are searching for work; 2) piloting the use of categorical eligibility for families with young children participating in Medicaid and WIC; 3) issuing payments to Child Care Subsidy Program vendors for authorized enrollment, subject to the attendance threshold established by the Department of Education; 4) issuing payments to providers for up to 15 days of planned closure for all vendors in the Child Care Subsidy Program for holidays, vacations, and professional development or planning time; 5) issuing payments to family day homes in the Child Care Subsidy program for up to three sick days to care for themselves or a family member; 6) increasing provider payment rates based on the cost methodology developed by the Department in its Child Care Cost Estimation Report; 7) ensuring that Child Care Subsidy Program vendor payment rates for infants and toddlers fully reflect the cost of care; 8) eliminating copayments for families at or below 100 percent of the federal poverty guidelines and reducing copayments for families above 100 percent of the federal poverty guidelines; 9) maximizing federal Child Care Development Funds to eliminate the waitlist for child care subsidy assistance; and 10) making all families eligible for assistance through the Child Care Subsidy Program for each child in the family who is under the age of 13 for as long as (i) the family's income does not exceed 85% of the state median income; (ii) the family includes at least one child who is five years of age or younger and has not started kindergarten; and (iii) the family meets all other eligibility requirements of the Child Care Subsidy Program. These expanded allowances for families and providers under the Child Care Subsidy Program are effective only in state FY 2023 and state FY 2024. In the Department of Education's October 1 annual Child Care Development Fund report, required by paragraph L. of this Item, the Department shall include detail about the impact of these expanded allowances on the number of families and children served, the number of participating child care vendors, and the Child Care

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Development Fund balance, as well as the Department's plan for phasing out these expanded allowances at the end of state FY 2024.

R. The Department of Education shall collaborate with the Virginia Foundation for Healthy Youth in the implementation of the eighteenth and nineteenth enactments of Chapter 550, 2021 Acts of Assembly, Special Session I.

S. For the purposes of obtaining data pertaining to learning loss due to the COVID-19 pandemic, the Department of Education may use funds from the Elementary and Secondary School Emergency Relief (ESSER) Fund, State Educational Agency reservation, for the establishment of a system to assess student growth with a focus on learning loss due to the COVID-19 pandemic. Each school division in the Commonwealth shall implement the system and make reports from the system available to educators to allow them to address learning for their students.

T. Out of this appropriation, $200,000 the first year from the general fund is provided to the Department of Education to study options to expand student access to Academic Year Governor's Schools. In such study, the Department shall consider the need and demand for additional Academic Year Governor's Schools slots and programs, regional access to slots and programs, whether virtual resources through the Department of Education could be better leveraged to expand access to Governor's School courses, and potential costs and timelines for implementation. The Department of Education shall report its findings to the Chairs of the House Committee on Education, the Senate Committee on Education and Health, the House Committee on Appropriations, and the Senate Committee on Finance and Appropriations no later than August 1, 2023.

U. 1. Out of this appropriation, $4,890,000 the first year and $4,640,000 the second year from the general fund ~~is~~ *and $6,700,000 the second year from remaining available federal Elementary and Secondary School Emergency Relief funds are* provided to prepare for the implementation of literacy instruction aligned with science-based reading research beginning in the 2024-2025 school year, as required by the Virginia Literacy Act, Chapters 549 and 550, 2022 Acts of Assembly *and as amended by Chapters 645 and 646, 2023 Acts of Assembly*. These funds shall be used to support the development of microcredentials, parent resources, professional development resources, deployment of a train the trainer model to disseminate the professional development to teachers, ~~and~~ the provision of technical assistance and professional development to school divisions, *and development of a literacy screener for administration in grades 4-7*.

2. Of this amount, $600,000 the first year and ~~$1,200,000~~ *$2,400,000* the second year shall be allocated to the University of Virginia's ~~Center for Advanced Study of Teaching and Learning~~*Virginia Literacy Partnership* through the Department of Education, for the establishment and provision of literacy coaching, technical assistance and professional development as required by the act.

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

V. Notwithstanding 8VAC-20-780, or any other requirement in state law or regulation, the Superintendent of Public Instruction shall have the authority to alter staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate in the Child Care Subsidy Program by increasing the number of children per staff by (1) one child for groups of children from birth to the age of eligibility to attend public school, and (2) two children for groups of children from the age of eligibility to attend public school through 12 years. Child day centers that take advantage of this flexibility must notify families in writing of the temporary increase in ratios and group size. This authority and any resultant waiver of state law or regulation shall expire June 30, 2024. The Superintendent of Public Instruction shall ensure that any action taken under this provision is permissible under federal requirements.

130.	Special Education and Student Services (18200).....			$17,810,446	$17,688,686
	Special Education Instructional Services (18201).....	$10,562,088	$10,440,328		

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Special Education Administration and Assistance Services (18202)	$1,046,703	$1,046,703		
Special Education Compliance and Monitoring Services (18203)	$3,671,256	$3,671,256		
Student Assistance and Guidance Services (18204)	$2,530,399	$2,530,399		
Fund Sources: General	$2,738,673	$2,616,913		
Special	$120,000	$120,000		
Federal Trust	$14,951,773	$14,951,773		

Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2, 22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.2, Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.

A. The Department of Education, 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 special education 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 school divisions. In addition, the Department of Education 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. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

D. Out of this appropriation, $447,416 the first year and $447,416 the second year from the general fund is provided to the Department of Education to provide training, technical assistance, and on-site coaching to public school teachers and administrators on implementation of a positive behavioral interventions and supports program with the goal of improving school climate and reducing disruptive behavior in the classroom. Such training and other assistance may be provided as part of the Department's ongoing efforts to assist schools with implementation of a tiered system of supports that addresses both academic and behavioral needs.

E. Out of this appropriation, $290,000 the first year and $290,000 the second year from the general fund and $290,000 the first year and $290,000 the second year from federal funds shall be used for Multisensory Structured Literacy teacher training.

F. Out of this appropriation, $592,755 the first year and $592,755 the second year from the general fund is provided to support statewide training and assistance for local school divisions to implement the Board of Education's Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia.

G.1. The Department of Education shall serve as the lead agency to collect and report data that succinctly measures the progress and outcomes of students that are placed in private provider settings by such student's public school of residence in Virginia or have been

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placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. In keeping with the November 1, 2018, Private Day Special Education Outcomes report's findings and recommendations, the data shall include at least student attendance rates, graduation rates, individual student progress improvement rates relative to student individual education plans, standardized test scores, return to public school setting percentages, suspension and expulsion rates, transition to enrolling in post-secondary education percentages, and parental and student perspectives.

2. The Department of Education, in collaboration with the Office of Children's Services, shall establish an implementation advisory group to assist in refining the outcome measures contained in paragraph G.1 of this item and the collection of any additional information that is beneficial in determining and measuring outcomes of such students in private day school settings that ensure a consistent set of comparable and compatible data relative to such data of students enrolled in the public schools in Virginia and who have an individualized education plan. The advisory workgroup shall include a representative number of various stakeholders that includes, but is not limited to, private day schools, local school divisions, associations that represent private providers, and others as necessary. The advisory group shall assist in the development of data collection protocols, requirements, and outcome reporting mechanisms. The relevant data shall be provided to the department annually by each private provider that receives state funding for the purpose of providing services as prescribed in such student's individualized education plan.

3. The department shall collect outcome data for private day special education schools and, if warranted, other state agencies shall provide appropriate support to facilitate the collection of such data. All public school divisions that have students enrolled in such a private provider facility shall include in their contract for services with the private provider a requirement for the department to receive the data necessary to satisfy the data collections and subsequent reporting requirements. The department shall report annually on the outcome data for students enrolled in special education private day schools to Chairs of the House Appropriations, House Education, Senate Finance and Appropriations, and Senate Education and Health Committees by the first day of the regular General Assembly Session.

4. The Department of Education shall enter into a data sharing Memorandum of Understanding with the Office of Children's Services to allow linkage of specific student data to specific private day schools.

5. The Department of Education and the Office of Children's Services shall have authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such changes.

6. The Department of Education shall collect and publish data annually from each private special education day school on: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

H. The Board of Education shall develop and promulgate regulations for private special education day schools on restraint and seclusion that establish the same requirements for restraint and seclusion as those for public schools.

I. The Department of Education shall revise the state's special education complaint procedures and practices to ensure the Department requires and enforces corrective actions that (i) achieve full and appropriate remedies for school divisions' non-compliance with special education laws and regulations, including, at a minimum, requiring school divisions to provide compensatory services to students with disabilities when the Department determines divisions did not provide legally obligated services; and (ii) ensure that relevant personnel understand how to avoid similar non-compliance in the future.

131.	Pupil Assessment Services (18400).....			$39,821,793	$39,821,793
	Test Development and Administration (18401).....	$39,821,793	$39,821,793		

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Fund Sources: General	$28,720,779	$28,720,779		
Special	$284,012	$284,012		
Federal Trust	$10,817,002	$10,817,002		

Authority: § 22.1-253.13:3, sections C and E, Code of Virginia; P.L. 107-110, Federal Code.

A. Out of this appropriation, $25,380,678 the first year and $25,380,678 the second year from the general fund is provided to support the costs of contracts for test development, administration, scoring, and reporting as well as other program-related costs of the Standards of Learning testing program.

B. Out of this appropriation, $1,551,416 the first year and $1,551,416 the second year from the general fund is provided for continued computer adaptive test transition and revision.

C. Notwithstanding any contrary provisions of law, the Department of Education shall not be required to administer the Stanford 9 norm-referenced test.

D. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is provided for assessment related materials for a verified credit in high school history and social science. In establishing graduation requirements, the State Board of Education shall require students to earn one verified credit in history and social science. Such verified credit shall be earned by (i) the successful completion of a state-developed end-of-course Standards of Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test administered on a statewide, multistate, or international basis that measures content that incorporates or exceeds the Standards of Learning content in the course for which the verified credit is given; (iii) achievement of criteria for the receipt of a locally awarded verified credit from the local school board in accordance with criteria established in Board guidelines when the student has not passed a corresponding Standards of Learning assessment; or (iv) successful completion of assessments that include state-developed performance tasks scored locally in accordance with Board guidelines using state-developed rubrics.

132. School and Division Assistance (18500)			$7,872,387	$9,550,128
School Improvement (18501)	$2,820,403	$4,498,144		
School Nutrition (18502)	$4,573,844	$4,573,844		
Pupil Transportation (18503)	$478,140	$478,140		
Fund Sources: General	$3,356,313	$5,034,054		
Special	$31,010	$31,010		
Federal Trust	$4,485,064	$4,485,064		

Authority: School Improvement: § 22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.

School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 95-627, as amended, P.L. 108-265, Federal Code.

Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.

A. This appropriation includes $1,100,183 the first year and $1,100,183 the second year from the general fund for contractual services related to assisting schools that do not meet the Standards of Accreditation as prescribed by the Board of Education.

B. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia.

C. Out of this appropriation, $744,720 the first year and $2,422,461 the second year from the general fund is provided to expand the Office of School Quality to establish a regional

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	continuous improvement model of support for school divisions not meeting state accreditation standards and federal accountability standards.				
133.	Technology Assistance Services (18600)			$34,164,095	$35,548,272
	Instructional Technology (18601)	$660,461	$660,461		
	Distance Learning and Electronic Classroom (18602)	$33,503,634	$34,887,811		
	Fund Sources: General	$6,021,594	$883,594		
	Special	$105,000	$105,000		
	Trust and Agency	$27,982,225	$34,504,402		
	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.

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 maintain a plan to support the 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 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.

134.	Teacher Licensure and Education (56600)			$3,074,105	$3,074,105
	Teacher Licensure and Certification (56601)	$2,303,614	$2,303,614		
	Teacher Education and Assistance (56602)	$770,491	$770,491		
	Fund Sources: General	$991,754	$991,754		
	Special	$2,082,351	$2,082,351		

Authority: Teacher Licensure and Certification: §§ 22.1-16, 22.1-298.1, 22.1-299, 22.1-299.2, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code.

Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, Code of Virginia; P. L. 108-446 and P. L. 107-110, Federal Code.

A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.

B. The Board of Education is authorized to approve changes in the licensure fee amounts charged to school personnel pursuant to 8VAC20-22-40 A.2.

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C. In furtherance of the General Assembly's interest in understanding trends in Virginia's teaching work force, teacher turnover rates, and the market for teachers, as evidenced by such metrics as the number of applicants per position, the Department shall develop and provide a model exit questionnaire that Virginia school divisions may administer to their exiting teachers.

D. Out of this appropriation, $93,084 the first year and $93,084 the second year from the general fund is provided to support local school division access to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse to research educator misconduct.

E. Out of this appropriation, $169,000 the first year and $169,000 the second year from the general fund is provided to automate the teacher licensure application and intake process.

F. Out of this appropriation, $395,991 the first year and $395,991 the second year from the general fund is provided to strengthen the Department of Education's role in helping school divisions with the most substantial teacher recruitment and retention challenges and to implement a statewide strategic plan for recruiting and retaining teachers in the most critical shortage areas.

G. Statewide non-profit organizations that are affiliated with established national professional associations shall be permitted to apply for state funds to support teacher training for educators.

135.	Administrative and Support Services (19900).....			$23,128,204	$23,008,204
	General Management and Direction (19901).....	$6,082,063	$6,082,063		
	Information Technology Services (19902).....	$10,686,016	$10,686,016		
	Accounting and Budgeting Services (19903).....	$3,459,944	$3,459,944		
	Policy, Planning, and Evaluation Services (19929)..	$2,900,181	$2,780,181		
	Fund Sources: General.....	$20,621,458	$20,501,458		
	Special.....	$2,409,362	$2,409,362		
	Federal Trust.....	$97,384	$97,384		

Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10, 12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters 4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9, Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.

A. Out of this appropriation, $9,000 the first year and $9,000 the second year from the general fund is designated to support annual membership dues to the Southern Regional Education Board. In addition, $5,000 the first year and $5,000 the second year from the general fund is designated to pay registration and travel expenses of citizens appointed as Virginia commissioners for the Southern Regional Education Board.

B. Out of this appropriation $79,000 the first year and $79,000 the second year from the general fund is provided for the fees and travel expenses associated with the Interstate Compact on Educational Opportunity for Military Children, established pursuant to Chapter 187, of the 2009 Acts of Assembly.

C. The Department of Education is authorized to collect proceeds from the sale of educational resources it has developed, such as technology applications, on-line course content, assessments, and other educational content, to out-of-state individuals or entities and to in-state, for-profit entities. The Department of Education is further authorized to deposit such proceeds in a non-reverting special fund account established in its financial records for this purpose. Net proceeds from such sales shall be expended by the Department of Education to further develop existing educational resources or to create new educational resources for the benefit of the commonwealth's public schools and which may also be sold under the provisions of this paragraph. The Secretary of Administration shall authorize any licensing agreements executed by the Department of Education pursuant to this paragraph.

D. Out of this appropriation, $34,625 the first year and $34,625 the second year from the

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general fund shall be used to provide performance evaluation training to teachers, principals, division superintendents, and other affected school division personnel in support of the transition from continuing employment contracts to annual employment contracts for teachers and principals.

E. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Board of Education, in consultation with the Standards of Learning Innovation Committee, to continue redesigning the School Performance Report Card so that it is more effective in communicating to parents and the public regarding information about the status and achievements of the schools and school divisions.

F. Out of this appropriation, $300,000 the first year and $300,000 the second year is provided from the general fund for the Department of Education to develop a growth scale for the existing Standards of Learning mathematics and reading assessments. This growth scale should facilitate data-driven school improvement efforts and support the state's accountability and accreditation systems.

G. Out of the amounts in this item, the Department of Education shall develop and administer biennially to individuals holding a license from the Department in each public elementary and secondary school in the Commonwealth a voluntary and anonymous school personnel survey to evaluate school-level teaching conditions and the impact such conditions have on teacher retention and student achievement. Such survey may include questions regarding school leadership, teacher leadership, teacher autonomy, demands on teachers' time, student conduct management, professional development, instructional practices and support, new teacher support, community engagement and support, and facilities and other resources. The Superintendent of Public Instruction shall report the results of any school personnel survey to the Chairs of the House Committees on Appropriations and Education and to the Senate Committees on Finance and Appropriations and Education and Health annually before the first day of each General Assembly Regular Session.

H. Out of this appropriation, $120,000 the first year from the general fund is provided for the Department of Education to continue implementation of the 2021-2022 school year pilot program to more comprehensively supervise school division compliance with a subset of key standards by requiring (i) the submission of more comprehensive compliance information, (ii) selective independent verification of compliance, (iii) monitoring of corrective action implementation, and (iv) analysis of compliance trends and issues. The Department shall submit a report on the results of this pilot program to the Board of Education and House Education and Appropriations Committees and Senate Education and Health and Finance and Appropriations Committees no later than November 30, 2022.

I. Out of this appropriation, $132,932 the first year from the general fund and $132,932 the second year from the general fund is provided for the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The Department of Education shall transfer these funds or a portion of these funds to the Department of General Services if the Department of Education determines that the Department of General Services shall develop and collect maintenance reserve data from each local school division. The Department of Education shall report the data on an annual basis as part of the Superintendent's Annual Report.

J. For purposes of determining the date of triennial review for schools that were previously "Accredited" for three consecutive years and for counting consecutive years towards earning triennial accreditation review pursuant to § 22.1-253.13:3 of the Code of Virginia, the years for which schools received an "Accreditation Waived" status due to the COVID-19 pandemic shall not be included in the three year count. Any student outcome data collected that would have informed accreditation for the two years in which accreditation was waived shall continue to be publicly reported by the Virginia Department of Education.

Total for Department of Education, Central Office Operations			**$417,957,016**	**$425,931,574**
General Fund Positions	167.17	181.17		
Nongeneral Fund Positions	335.83	335.83		

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Position Level	503.00	517.00		
Fund Sources: General	$80,183,375	$81,635,756		
Special	$5,806,735	$5,806,735		
Commonwealth Transportation	$283,854	$283,854		
Trust and Agency	$27,987,225	$34,509,402		
Federal Trust	$303,695,827	$303,695,827		

Direct Aid to Public Education (197)

136.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$75,865,982	$60,916,982
	Financial Assistance for Supplemental Education (14304)	$75,865,982	$60,916,982		
	Fund Sources: General	$75,865,982	$60,916,982		

Authority: Discretionary Inclusion.

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

Supplemental Education Assistance Programs (14304)	FY 2023	FY 2024
Achievable Dream - Newport News	$500,000	$500,000
Achievable Dream - Virginia Beach	$500,000	$500,000
Active Learning Grants	$250,000	$250,000
Advancing Computer Science Education	$2,700,000	$1,350,000
American Civil War Museum	$500,000	$0
Blue Ridge PBS	$850,000	$350,000
Career and Technical Education Regional Centers	$660,000	$660,000
Career and Technical Education Resource Center	$298,021	$298,021
Career and Technical Education Student Organizations	$718,957	$718,957
Career Council at Northern Neck Career & Technical Center	$60,300	$60,300
Chesterfield Recovery High School	$864,000	$500,000
Communities in Schools (CIS)	$2,004,400	$2,004,400
Community Schools Fund	$10,000,000	$0
Computer Science Teacher Training	$550,000	$550,000
Denbigh Aviation Academy	$275,000	$0
Dolly Parton's Imagination Library For Kids	$481,180	$1,157,065
Early Childhood Educator Incentive	$10,000,000	$10,000,000
EduTutorVA	$100,000	$100,000
eMediaVA	$1,500,000	$1,000,000
Get Schooled - Center in the Square Roanoke	$150,000	$0
Great Aspirations Scholarship Program (GRASP)	$500,000	$500,000
Jobs for Virginia Graduates (JVG)	$2,243,776	$2,243,776
Literacy Lab - VPI Minority Educator Fellowship	$300,000	$300,000
Milk and Cookies (MAC) Children's Program	$250,000	$250,000
National Board Certification Program	$5,035,000	$5,035,000

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PBS Appalachia	$500,000			$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	$987,500			$987,500
RISE Foundation of Waynesboro	$250,000			$0
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)	$1,181,975			$1,181,975
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 Recruitment & Retention Grant Programs	$2,181,000			$2,181,000
Teacher Residency Program	$2,250,000			$2,250,000
Teacher Workforce Initiatives	$1,500,000			$0
Van Gogh Outreach Program	$71,849			$71,849
Virginia Boys State	$50,000			$0
Virginia Early Childhood Foundation (VECF)	$8,221,900			$10,986,015
Virginia Girls State	$50,000			$0
Virginia Holocaust Museum	$50,000			$0
Virginia Museum of History and Culture	$250,000			$0
Virginia Reading Corps	$600,000			$600,000
Virginia Student Training and Refurbishment (VA STAR) Program	$300,000			$300,000
Vision Screening Grants	$741,000			$391,000
VPM Media Corporation	$500,000			$0
Western Virginia Public Education Consortium	$50,000			$0
Wolf Trap Model STEM Program	$1,000,000			$1,300,000
Youth Entrepreneurship Pilot Program-Hampton Roads	$1,500,000			$0
Total	**$75,865,982**			**$60,916,982**

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

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Schools and expand the program to the twelve school divisions in Southwest Virginia.

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 $5,035,000 the first year and $5,035,000 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 or program 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.

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c. 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.

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 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 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 annually to the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations and Education and Health.

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

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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. 1. Out of this appropriation, the Department of Education shall provide $987,500 the first year and $987,500 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, Wythe, and Madison/Orange 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 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

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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.

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.

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.

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.

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.

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.

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 Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than November 1 each year.

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.

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

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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.

O. Out of this appropriation, $1,000,000 the first year and $1,300,000 the second year from the general fund is provided to the Wolf Trap Foundation for the Performing Arts to administer STEM Arts and early literacy programs for preschool, kindergarten, and first grade students in Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support the phase in of services into currently unserved divisions in an equitable manner, with a special focus on capacity building and establishing new services in Regions 3, 6, or 8. The Wolf Trap Foundation shall work with the Department of Education and currently served divisions to determine need and phase programs into unserved divisions. The Wolf Trap Foundation shall report annually to the Chairs of the House Committee on Education and the Senate Committee on Education and Health and the Superintendent of Public Instruction on its activities, including number of divisions served, number of students served, number of educators, and number of families impacted.

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.

Q. Out of this appropriation, $2,250,000 the first year and $2,250,000 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.

1. Of this amount, $500,000 the first year and $500,000 the second year is provided for Virginia Commonwealth University to establish a pilot program to support 20 special education residents and 20 elementary school residents in partnership with the Richmond Teacher Residency program. Virginia Commonwealth University shall include this pilot program in its annual report to the Department of Education, pursuant to paragraph Q.2. of this Item.

2. 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1 each year.

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.

S. Out of this appropriation, $8,221,900 the first year and $10,986,015 the second year from the general fund is provided to the Virginia Early Childhood Foundation.

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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.

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.

3. Of this amount, $6,971,900 the first year and $9,736,015 the second year from the general fund is provided for an initiative to support public-private delivery of pre-kindergarten services for at-risk three- and four-year-old children each year and to support a pilot of 200 infant and toddler slots each year. Programs must provide full-day or half-day and, at least, school-year services. The Department of Education is authorized to prorate payment for this program so as not to exceed available appropriation.

a) 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 provider and grantees must certify that the Virginia Preschool Initiative standards are followed 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.

b) The Department of Education shall require and ensure that all participating classrooms have the quality of their teacher-child interactions assessed through a rigorous and research-based observation instrument at least once every two years.

c) Any locality that desires to participate in this grant program must submit a proposal each year to the Virginia Early Childhood Foundation. For the first year, the application must be submitted by August 15. For subsequent years, the application must be submitted by May 15 to align with the Virginia Preschool Initiative timeline. Each application 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 three- and four-year-old children in private settings that demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk children.

d) The proposal must demonstrate: (i) coordination with all parties necessary for the successful delivery of comprehensive services, including schools, child care providers, local social services agencies, Head Start, local health departments, and other groups identified by the lead agency, (ii) a plan for supporting inclusive practices for children with identified special needs, and (iii) a plan to transition the pilot into a sustainable program that is supported with a similar level of state support as Virginia Preschool Initiative slots.

e) Local plans must indicate the number of at-risk 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 current program 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) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. Up to 15 percent of slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. 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.

f) Notwithstanding any provisions of § 22.1-299, Code of Virginia, and in order to achieve the priorities of the Joint Subcommittee on Early Childhood Care and Education for exploring the feasibility of and barriers to mixed delivery preschool systems in Virginia, recipients of a Mixed-Delivery Preschool grant shall be provided maximum flexibility within their respective pilot initiative in order to fully implement the associated goals and objectives of the pilot.

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Recipients of a Mixed-Delivery Preschool grant and divisions participating in such grant pilot activities shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Mixed-Delivery Preschool pilot initiative.

g) Children served by the pilots shall be assigned student identification numbers as provided in § 22.1-287.03 B of the Code of Virginia to evaluate pilot program outcomes and to permit comparison with Virginia Preschool Initiative outcomes.

h) Pilot providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.

T. This appropriation includes $500,000 the first year and $500,000 the second year from the general fund to support ten competitive grants, not to exceed $50,000 each, for planning the implementation of systemic Elementary, Middle, and/or High School Program Innovation by either individual school divisions or consortia of school divisions or implementing a plan for public pre-kindergarten through Grade 12 School Program Innovation previously approved by 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, $200,000 the first year and $200,000 the second year from the general fund is provided for STEM Competition Team Grants. Grants may not exceed $5,000 each.

V. Out of this appropriation, $1,181,975 the first year and $1,181,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study and other educational programs at the Virginia Air & Space Center.

W. 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 Chairs of the Senate Finance and Appropriations and House Appropriations Committees.

X. Out of this amount, $600,000 the first year and $600,000 the second year from the

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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.

Y. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for praxis assistance and Virginia Communication and Literacy Assessment assistance for provisionally licensed minority teachers seeking full licensure in Virginia. Grants of up to $10,000 shall be awarded to school divisions, teacher preparation programs, or nonprofit organizations in all regions of the state to subsidize test fees and the cost of tutoring for provisionally licensed minority teachers seeking full licensure in Virginia.

Z. Out of this appropriation, $741,000 the first year and $391,000 the second year from the general fund is provided to school divisions to pay for a portion of the vision screening of students in kindergarten, grade two or three and grades seven and ten, pursuant to Chapter 312, 2017 Session Acts of Assembly. Eligible school divisions may receive the state's share of $7.00 for each student reported in average daily membership and enrolled in kindergarten, grades three, seven and ten and who has received such vision screening test. The Department of Education shall administrator and distribute reimbursements to school divisions and the funding shall be prorated if needed, such that the appropriation is not exceeded. Prioritization shall be given the schools that would most benefit from state assistance in order to provide such vision screening service to students that are eligible for free lunch.

AA. Out of this appropriation, $660,000 the first year and $660,000 the second year from the general fund is provided for annual grants of $60,000 to each of the nine regional career and technical centers, Winchester Public Schools' Innovation Center and Norfolk Public Schools' Norfolk Technical Center, to expand workforce readiness education and industry based skills.

BB. 1. Out of this appropriation, $550,000 the first year and $550,000 the second year from the general fund is provided to CodeVA for the development, marketing, and implementation of high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth using the Computer Science Standards of Learning For Virginia Public Schools, which were reviewed and endorsed by the Virginia Board of Education in November 2017. The provided funds may be utilized for planning, preparing and materials needed for teacher training sessions provided during the biennium.

2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House Education and Senate Education & Health Committees, Secretary of Education and the Superintendent of Public Instruction on its activities in the previous year to support computer science teacher training and curriculum development, including on collaboration with other stakeholders to avoid duplication of efforts.

CC. To strengthen quality, attract new educators, and reduce turnover in hard-to-serve preschool classrooms, $10,000,000 the first year and $10,000,000 the second year from the general fund shall be used to supplement the Early Childhood Educator Incentive created through the Preschool Development Grant Birth to Five and in support of the implementation of the Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia. The Virginia Department of Education shall set the specific guidelines for the program and funds.

DD. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided for grants to school divisions for encouraging active-in class, remote and hybrid learning for students in pre-kindergarten through the second grade. School divisions seeking to apply for this grant shall submit a proposal to the Department of Education outlining the intended use of funds and a projected number of students to be served. The Department shall establish criteria for awarding these funds. The funds may be used to purchase a platform featuring on-demand activities that integrate math and English Standards of Learning content into movement-rich activities that can be used at school, home and on all devices (i.e. computers, tablets, and phones).

EE. Out of this appropriation, $850,000 the first year and $350,000 the second year from the general fund is provided to Blue Ridge PBS for educational outreach programming.

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FF. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is provided for a fellowship program administered by the Literacy Lab to place recent high-school graduates of a minority background new to the field of education in VPI or Head Start classrooms of participating local school divisions or community-based early childhood centers to provide evidence based literacy support to at-risk pre-kindergarten students. Such a program must provide training, coaching, and professional development to the fellowship participants, place fellowship participants for at least 800 paid hours within a pre-kindergarten classroom during a school year, work to diversify the educator pipeline, and assist fellowship participants in understanding the teacher education and licensure process in Virginia. Literacy Lab shall partner with school divisions or community-based early childhood centers in Richmond and Portsmouth. Literacy Lab shall report by August 1, 2022 to the Chairs of the House Education and Senate Education and Health Committees, Secretary of Education, and the Superintendent of Public Instruction on its activities to provide training, coaching, and professional development to the fellowship participants, including collaboration with school division partners and community-based early childhood centers, and provide metrics on the success of participants entering the educator pipeline either through employment or a teacher preparation program.

GG. 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-private partnerships between local school divisions and the Virginia Alliance of YMCAs to expand student participation opportunities in existing summer Power Scholars Academies in such partnered school divisions.

HH. Out of this appropriation, $718,957 the first year and $718,957 the second year from the general fund is provided to support Career and Technical Education Student Organizations. These Student Organizations extend Career and Technical Education in Virginia through networks of programs, business and community partnerships, and leadership experiences at the school, state, and national levels and provide Virginia students with opportunities to apply academic, technical, and employability knowledge and skills necessary in today's workforce.

II. Out of this appropriation, $1,500,000 the first year and $1,000,000 the second year from the general fund is provided for the Hampton Roads Education Telecommunications Association's eMediaVA program for statewide digital content development, online learning, and related support services. 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. The eMedia VA program shall incorporate consultation 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. The Hampton Roads Educational Telecommunications Association, in partnership with Blue Ridge PBS, VPM Media Corporation, and PBS Appalachia, shall report by June 30, 2023 to the Secretary of Education, the Department of Education, and the General Assembly on a plan to share educational resources and content among these organizations in an effort to reduce duplication of efforts in content and curriculum development.

JJ. Out of this appropriation, $2,700,000 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 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. The Department of Education shall develop a process to award these funds in accordance with the provisions of this language.

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KK. Out of this appropriation, $1,500,000 the first year from the general fund is provided to increase educator recruitment and retention and the supply of qualified educators and support positions. These funds shall be used to support: (i) provisionally-licensed educators and other school staff to earn or renew full state teaching licensure; (ii) teacher mentoring for early career teachers; (iii) recruitment and retention efforts for critical vacancies and shortages; and (iv) professional development opportunities to educators. The Department of Education shall develop a process to award these funds to divisions and shall focus efforts on divisions with high vacancies and critical shortages. The Department may also use these funds to supplement any program in this item related to educator preparation, retention, or recruitment; however, funds shall not be committed to any program with a multi-year commitment. Any balances remaining shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support these efforts in the second year.

LL. Out of this appropriation, $500,000 the first year from the general fund is provided to VPM Media Corporation to support curriculum development and the development of learning assets.

MM. Out of this appropriation, $10,000,000 the first year from the general fund is provided for grants to school divisions and Communities in Schools and its affiliates to support the development and implementation of community schools initiatives that provide a framework for integrated student supports, expanded and enriched learning time and opportunities, active family and community engagement, and collaborative leadership and practices. The Department of Education shall award these grants in consultation with a stakeholder workgroup convened to focus on community schools. The workgroup shall include representatives from local school divisions, existing Virginia providers of community schools models, and other relevant stakeholders. Grant awards shall prioritize eligible programs serving schools that demonstrate significant need, including Title I-eligible schools. Eligible programs shall reflect the recommendations outlined in the Virginia Community School Framework (2019) and shall include identification of a lead partner agency, including a public or private agency or community-based organization, to help coordinate programs and services; use of research- and evidence-based strategies and best practices to incorporate integrated student supports that address non-academic and out-of-school barriers to learning as a means to enhance student success; a dedicated community school coordinator for each school included in the proposal; and use of rigorous and equitable evaluation systems to assess student and school outcomes and overall effectiveness of the community school initiative. Grants may be awarded for the purposes of planning, including conducting a needs-assessment, and for the purposes of implementation. Any unobligated balance for this program on June 30, 2023, shall be reappropriated for expenditure in the second year for the same purpose.

NN. Out of this appropriation, $1,500,000 the first year from the general fund is provided to Portsmouth Public Schools to establish a Youth Entrepreneurship Pilot Program in partnership with institutions of higher education and community partners in Hampton Roads.

OO. Out of this appropriation, $500,000 the first year from the general fund is provided to the American Civil War Museum to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the American Civil War.

PP. Out of this appropriation, $150,000 the first year from the general fund is provided to Get Schooled Center in the Square program in Roanoke for science, math, and agriculture programming for public school students.

QQ. 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 Virginia Beach School Division.

RR. Out of this appropriation, $481,180 the first year and $1,157,065 the second year from the general fund is provided to support Dolly Parton's Imagination Library for Kids program.

SS. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided to EduTutorVA to support targeted tutoring to help K-12 students recover from COVID-19 learning gaps.

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TT. Out of the appropriation, $50,000 the first year from the general fund is provided to Virginia Boys State of The American Legion to support civic education programming.

UU. Out of this appropriation, $50,000 the first year from the general fund is provided to the Western Virginia Public Education Consortium for collaborative work with Radford University, Virginia Tech, and New River Community College to address teacher vacancies in the consortium.

VV. Out of this appropriation, $250,000 the first year from the general fund is provided to the Virginia Museum of History and Culture and partner institutions of public higher education to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences and traveling exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of free Blacks in Virginia prior to the Civil War.

WW. Out of this appropriation, $250,000 the first year and $250,000 the second year is provided to the Milk and Cookies (MAC) Children's Program to support expansion of the support program for children of parents who are incarcerated.

XX. Out of this appropriation, $500,000 the first year from the general fund is provided to PBS Appalachia to support curriculum development and the development of learning assets.

YY. Out of this appropriation, $50,000 the first year from the general fund is provided to the Virginia Holocaust Museum, in support of the Alexander Lebenstein Teacher Education Institute, to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences, educational content, and exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of the Holocaust and other genocides.

ZZ. Out of the appropriation, $50,000 the first year from the general fund is provided to Virginia Girls State of The American Legion Auxiliary to support civic education programming.

AAA. Out of this appropriation, $864,000 the first year and $500,000 the second year from the general fund is provided to Chesterfield County Public Schools to assist with establishing a recovery high school as a year-round high school with enrollment open to any high school student residing in Superintendent's Region 1 who is in the early stages of recovery from substance use disorder or dependency. Students in the high school shall be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. Chesterfield County Public Schools shall submit a report regarding the planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by December 1 each year.

BBB. Out of this appropriation, $250,000 the first year from the general fund is provided to the RISE Foundation of Waynesboro for preventive services for at-risk youth.

CCC. Out of this appropriation, $275,000 the first year from the general fund is provided to the Denbigh Aviation Academy.

137.	State Education Assistance Programs (17800).....			$9,772,313,087	$9,236,167,746
	Standards of Quality for Public Education (SOQ) (17801).....	$7,105,647,051	$7,049,123,331		
	Financial Incentive Programs for Public Education (17802).....	$1,826,488,727	$1,366,432,177		
	Financial Assistance for Categorical Programs (17803).....	$55,505,594	$55,940,523		
	Distribution of Lottery Funds (17805).....	$784,671,715	$764,671,715		

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Fund Sources: General	$8,935,387,072	$8,469,105,801		
Special	$895,000	$895,000		
Commonwealth Transportation	$1,359,300	$1,495,230		
Trust and Agency	$834,671,715	$764,671,715		

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 2023**	**FY 2024**
Basic Aid	$3,733,489,214	$3,762,257,759
Sales Tax	$1,739,000,000	$1,640,900,000
Textbooks	$89,797,176	$90,101,186
Vocational Education	$71,320,877	$71,249,810
Gifted Education	$38,513,933	$38,695,346
Special Education	$427,816,140	$429,073,747
Prevention, Intervention, and Remediation	$125,697,172	$125,949,775
English as a Second Language	$98,474,887	$106,864,471
VRS Retirement (includes RHCC)	$520,016,134	$521,728,628
Social Security	$223,067,461	$223,798,638
Group Life	$15,728,679	$15,778,593
Remedial Summer School	$22,725,378	$22,725,378
Total	**$7,105,647,051**	**$7,049,123,331**

Incentive Programs (17802)		
Compensation Supplement	$231,754,237	$525,462,688
Governor's Schools	$21,285,278	$22,849,583
At-Risk Add-On (split funded)	$178,977,243	$209,141,908
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	$1,834,538	$1,834,538

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Initiative				
Early Reading Specialists Initiative	$3,476,790		$3,476,790	
Breakfast After the Bell Incentive	$1,074,000		$1,074,000	
School Meals Expansion	$4,100,000		$4,100,000	
Virginia Preschool Initiative - Per Pupil Amount	$115,987,950		$116,283,670	
Early Childhood Expansion	$34,368,036		$45,116,920	
Virginia Preschool Initiative - Provisional Teacher Licensure	$306,100		$306,100	
Alleghany County - Covington City School Division Consolidation Incentive	$600,000		$600,000	
Hold Harmless for Rebenchmarking Data Affected by COVID-19	$177,079,892		$177,441,317	
Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene Products	$104,100,000		$257,200,000	
School Construction Grants	$400,000,000		$0	
School Construction Assistance Program	$450,000,000		$0	
College Partnership Lab Schools	$100,000,000		$0	
Total	**$1,826,488,727**		**$1,366,432,177**	
Categorical Programs (17803)				
Adult Education	$1,051,800		$1,051,800	
Adult Literacy	$2,480,000		$2,480,000	
American Indian Treaty Commitment	$46,841		$50,211	
School Lunch Program	$5,801,932		$5,801,932	
Special Education - Homebound	$3,113,592		$3,144,724	
Special Education - Jails	$4,094,025		$4,250,522	
Special Education - State Operated Programs	$38,917,404		$39,161,334	
Total	**$55,505,594**		**$55,940,523**	
Lottery Funded Programs (17805)				
At-Risk Add-On (split funded)	$158,134,094		$131,056,691	
Foster Care	$12,661,313		$12,878,410	
Special Education - Regional Tuition	$85,831,709		$90,831,709	
Early Reading Intervention	$51,193,084		$51,352,970	
Mentor Teacher	$1,000,000		$1,000,000	
K-3 Primary Class Size Reduction	$141,268,750		$141,778,274	
School Breakfast Program	$9,637,895		$11,898,741	
SOL Algebra Readiness	$15,775,313		$15,781,896	
Infrastructure and Operations Per Pupil Funds	$276,361,274		$276,361,272	
Regional Alternative Education	$10,453,748		$11,097,555	
Individualized Student Alternative Education Program (ISAEP)	$2,247,581		$2,247,581	
Career and Technical Education – Categorical	$11,681,872		$11,681,872	
Project Graduation	$1,387,240		$1,387,240	
Race to GED (NCLB/EFAL)	$2,410,988		$2,410,988	
Path to Industry Certification	$1,831,464		$1,831,464	

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(NCLB/EFAL)				
Supplemental Basic Aid	$1,045,390			$1,075,052
Supplemental Support for Accomack and Northampton	$1,750,000			$0
Total	**$784,671,715**			**$764,671,715**
Technology – VPSA	$56,348,000			$56,672,000
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 1,211,947.40 the first year and 1,216,691.50 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.

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), 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.

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 2019-2020 school year and 1/3 of the index of wealth per capita (population estimates for 2019 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

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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 2019 - 50 percent; (2) adjusted gross income for the calendar year 2019 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2019 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, 2021.

b. For any locality whose total calendar year 2019 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 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. 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.

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, those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 and appropriated in this Item, 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

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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. Amounts distributed as the Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene Products, in Item 137.C.5.b.2, require no local match.

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 and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 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 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

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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 2022-2023 school year and the 2023-2024 school year.

B. General Conditions

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for 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	$53,996	$53,996
Elementary Assistant Principals	$75,435	$75,435
Elementary Principals	$93,869	$93,869
Secondary Teachers	$56,977	$56,977
Secondary Assistant Principals	$81,093	$81,093
Secondary Principals	$102,844	$102,844
Instructional Aides	$21,304	$21,304

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

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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 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 1 of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ, at a minimum, one full-time principal in each elementary school.

h. Notwithstanding the provisions of subsection G of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ a reading specialist for each 550 students in kindergarten through grade three. To provide flexibility, school boards may employ other staff such as reading coaches or other instructional staff who are working towards obtaining

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the training and licensure requirements necessary to fulfill the staffing standards that become effective at the start of the 2024-2025 school year. School divisions are encouraged to deploy these positions to assist in reading instruction and intervention to students in kindergarten through sixth grade.

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 pertain to the calculations associated with actual required local expenditures after the close of the school year.

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 Appropriations 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:

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.

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.

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.

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

f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.

g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.

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.

9.a. Any required local matching funds which a locality, as of the end of a school year, has

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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.

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:

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;

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;

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 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 Chairs of the Senate Finance and Appropriations 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.

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14. By November 1 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 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, 2020, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2021, 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, 2020, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2021, 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 Region 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 $784,671,715 the first year and $764,671,715 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

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accounts for FY 2023 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2023 may carry over into FY 2024 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2024 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 2024.

b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2024 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2024 may carry over into FY 2025 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2025 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 2025.

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.

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.

30. Multidivision online providers, as defined in § 22.1-212.23, Code of Virginia, shall provide certain data as prescribed by the Department of Education related to students enrolled through a contract between such a provider and a school division, including such students who do not reside in the school division that is party to the contract. Such data shall include, but is not limited to, enrollment, which shall be disaggregated by serving school, demographics, attendance, achievement, and achievement gaps, and be transmitted in a format prescribed by the Department. The Department shall report such data annually through the School Quality Profiles in a manner that clearly disaggregates and communicates school quality information related to (i) the students that do not reside in the school division and are served through the contract, and (ii) all other students.

31. Each school division shall report to the Department of Education information about pass-through federal Elementary and Secondary School Emergency Relief funds provided through the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136), the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (P.L. 116-260) and the American Rescue Plan Act (P.L. 117-2). The Department shall prescribe the format and

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timeline required for the reporting of such information, which shall include obligated and unobligated amounts, planned uses and planned timing for the use of the remaining obligated and unobligated amounts. The Department shall compile and submit this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than September 1, 2023 and September 1, 2024.

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

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.

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 18.0 percent.

b. 1) 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 and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 (returned on the basis of the latest yearly estimate of school age population provided by the Weldon

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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.

2) $104,100,000 the first year and $257,200,000 the second year from the general fund shall be 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. These funds represent the reduction to divisions from the exemption of the state sales and use tax on food for human consumption and essential personal hygiene products.

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 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 $89,797,176 the first year and $90,101,186 the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of $132.38 the first year and $132.38 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, 2023, or June 30, 2024, 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 expensed for a qualifying purpose.

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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 $507,300,000 the first year and $522,000,000 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 $338,200,000 the first year and $348,000,000 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.

j. From the total amounts in paragraph h. above, an amount estimated at $169,100,000 the first year and $174,000,000 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 20 support positions per 1,000 ADM to funded SOQ instructional positions in the first year and 21 support positions per 1,000 ADM to funded SOQ instructional positions in the second year. Such methodology shall not apply to the following SOQ support positions: division superintendent, school board members, pupil transportation positions, or specialized student support positions established in Chapter 454, 2021 Acts of Assembly, Special Session I.

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 $131,951,563 the first year and $132,238,627 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

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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 $125,697,172 the first year and $125,949,775 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 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 $178,977,243 the first year and $209,141,908 the second year from the general fund and $158,134,094 the first year and $131,056,691 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 36.0 percent 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

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Discovery, 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.

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 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.

f. Regional Alternative Education Programs

1) An additional state payment of $10,453,748 the first year and $11,097,555 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.

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.

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.

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.

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.

2. However, no requesting school division shall receive more tuition funding from the

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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.

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.

4) Out of the appropriation included in paragraph C.37. of this item, $750,443 the first year and $1,648,377 the second year from the Lottery Proceeds Fund is provided for a compensation supplement payment equal to 5.0 percent of base pay on August 1, 2022, and an additional 5.0 percent of base pay on July 1, 2023, for Regional Alternative Education Program instructional and support positions, as referenced in paragraph C.37. of this item.

5) In the second year, the Department of Education shall conduct a biennial application process to determine the slot allocation of the regional alternative education program for the subsequent biennium. Each school division, or the fiscal agent for each regional program, shall apply for the desired number of student slots from the statewide total number of slots funded in the state formula. The approved number of slots shall be set for both years of the biennium. The Department of Education shall utilize the existing reallocation process as prescribed in this item to allocate initial application requests if the initial application demand for slots exceeds the number of slots available. In each fiscal year, the Department of Education shall reallocate any unused student slots as prescribed in this item.

g. Remedial Summer School

1) This appropriation includes $22,725,378 the first year and $22,725,378 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 $141,268,750 the first year and $141,778,274 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

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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 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. Notwithstanding 8VAC-20-100, 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 submitted by localities during the annual open enrollment process, or other critical projects that may receive priority as identified by the Board 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. Notwithstanding §§ 22.1-146.1 through 22.1-153, Code of Virginia, and 8VAC-20-100, the Board of Education shall: 1) issue loans from the designated and uncommitted balances of the Literary Fund to the school boards of local school divisions that apply for such loans, authorized by the governing body and the school board, for the purposes of a) erecting, altering, or enlarging school buildings in local school divisions, or b) refinancing or redemption of negotiable notes, bonds, and other evidences of indebtedness or obligations incurred by a locality on behalf of a school division which has an application for a Literary Fund loan for an approved school project pending before the Board of Education; 2) establish a maximum Literary Fund loan amount per project of $25.0 million; 3) in consultation with the Department of the Treasury, establish loan interest rates that are benchmarked to a market index on an annual basis, not to exceed 2.0 percent for the tier of localities with a school division local composite index of ability-to-pay between 0.0 and 0.2999; 4) replace the existing First Priority and Second Priority waiting lists with an annual open enrollment process for loans, with priority based on the local composite index of ability-to-pay; and 5) offer a loan add-on not to exceed $5.0 million per loan for projects that will result in school consolidation and the net reduction of at least one existing school. The Department of Education, in cooperation with the Department of the Treasury, shall provide an update on Literary Fund loan issuance to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2023, and each year thereafter. This report shall include detail of: 1) loan applications received in the prior fiscal year by locality, project, and amount; 2) loans issued in the prior fiscal year by locality, project, and amount; 3) the schedule of loan interest rates and the basis for those rates; 4) loans issued for school consolidation projects and the projected impact of those school consolidations; and 5) the impact of loans issued to date on the Literary Fund cash balance, outstanding loan balance, and projected asset base.

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c. The Board of Education may offer up to $200,000,000 the first year and up to $200,000,000 the second year from the Literary Fund in school construction loans, subject to the availability of funds. Amounts designated for school construction loans that are not obligated in the first year may be obligated in the second year. In addition, 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.

d. 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.

e. 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 2023	FY 2024
2018	$12,474,000	
2019	$11,973,250	$11,975,250
2020	$11,391,000	$11,389,000
2021	$11,353,100	$11,351,600
2022	$12,466,548	$12,466,548
2023		$12,466,548

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 2024-2026, 2026-2028, and 2028-2030 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 2025, 2026, 2027, 2028, and 2029.

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 $56,348,000 in fiscal year 2023 and $56,672,000 in fiscal year 2024. 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

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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 $56,348,000 in fiscal year 2023 and $56,672,000 in fiscal year 2024 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, 2022, for the fiscal year 2023 issuance, and September 30, 2023, for the fiscal year 2024 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 2022 and that are not fully accredited for the second consecutive year, based on school accreditation ratings in effect for fiscal year 2022 and fiscal year 2023 will qualify to participate in the Virginia e-Learning Backpack Initiative in fiscal year 2023 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 2023 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 2023 and that are not fully accredited for the second consecutive year based on school accreditation ratings in effect for fiscal year 2023 and fiscal year 2024 will qualify to participate in the initiative in fiscal year 2024. 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 2024 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 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.

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

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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 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

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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 2023 and $12,000,000 in fiscal year 2024 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 2023	FY 2024
2018	$1,275,750	
2019	$1,262,250	$1,260,000
2020	$2,430,750	$2,425,750
2021	$2,431,400	$2,430,400
2022	$2,667,345	$2,667,345
2023		$2,667,345

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 2024-2026, 2026-2028, and 2028-2030 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 2025, 2026, 2027, 2028, and 2029.

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

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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 2023 and $12,000,000 in fiscal year 2024 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, 2022, for the fiscal year 2023 issuance, and September 30, 2023, for the fiscal year 2024 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

a.1) It is the intent of the General Assembly that a payment estimated at $115,987,950 the first year and $116,283,670 the second year from the general fund 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, or who did not have access to a sufficient preschool experience and whose families request preschool as the most appropriate placement. Final Virginia Preschool Initiative placement decisions for eligible children shall be based on family and program leader input.

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

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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 $8,359 per pupil grant in the first year and a $8,359 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. Grants to half-day programs shall be funded based on the state share of $4,180 in the first year and $4,180 in the second year per unserved at-risk four-year-old in each locality.

For Planning District Eight localities, grants shall be distributed based on an allocation formula providing the state share of a $8,989 per pupil grant in the first year and a $8,989 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; grants to half-day programs for these localities shall be funded based on the state share of $4,495 in the first year and $4,495 in the second year per unserved at-risk four-year-old in each locality.

For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, grants shall be distributed based on an allocation formula providing the state share of a $8,516 per pupil grant in the first year and a $8,516 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; grants to half-day programs for these localities shall be funded based on the state share of $4,258 in the first year and $4,258 in the second year per unserved at-risk four-year-old in each locality.

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. The Department of Education shall biennially rebenchmark the Virginia Preschool Initiative per pupil amounts using a formula similar to the current formula supporting public K-12 education in Virginia.

For slots filled as of September 30 each year, grants shall be based on the state share of 100 percent of the per pupil amount for a full-day or half-day program. For slots filled between October 1 and December 31 each year, grants shall be based on the state share of the per pupil amount for a full-day or half-day program prorated for the portion of the school year each child is served. Following the Department of Education's fall student record collection each year, the Department shall project the number of additional slots that may be filled between October 1 and December 31 each year. The Department of Education is authorized to prorate state funding for slots filled between October 1 and December 31 each year if demand exceeds available appropriation.

b) Out of this appropriation, $12,729,291 the first year and $20,029,791 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 using criteria determined by the Department of Education and subject to available appropriation. Localities may apply to participate by May 15 each year and shall be selected on a competitive basis. Localities 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. Localities that meet the

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following characteristics shall be prioritized for participation: (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 the per pupil amounts in paragraph C.14.a.4)a).

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 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.

e) To ensure children with special needs have equitable opportunity to enter kindergarten ready, all Virginia Preschool Initiative programs are expected to be inclusive of children with disabilities. Specifically, programs shall meet or exceed a target inclusion rate, such that 10 percent of all children participating in the Virginia Preschool Initiative are children with disabilities, defined as those with an Individualized Education Plan, and are served in inclusive classrooms that include children who do not have an Individualized Education Plan. A program that is unable to meet this target shall provide reasons a 10 percent inclusion rate was not achieved in the given school year in its annual comprehensive report.

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 and, if applicable, to serve at-risk three-year-old children.

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

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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.

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 current program 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) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. 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. Out of this appropriation, $3,587,390 the first year and $3,587,390 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.

g.1) Out of this appropriation, $4,886,000 the first year and $8,334,384 the second year

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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) In the first year, the amount of these add-on grants for community-based or private providers shall vary by region and provide a grant of: (i) $3,500 per child for divisions in Planning District Eight, (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. In the second year, these add-on grants shall be informed by the Department of Education's methodology to estimate the actual cost of providing high-quality early childhood education services in community-based settings. In the Department's report on this methodology to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees, required by Item 129.O, the Department shall include recommendations for the amount of these add-on grants in the second year. This reporting requirement is not intended as a mandate to increase the individual amounts of these add-on grants or to increase the state appropriation supporting these add-on grants. The Department of Education is authorized to prorate payments for these add-on grants so as not to exceed the available appropriation.

3) The Department of Education shall develop a plan to determine the magnitude of the 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 2023. 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.

h. Out of this appropriation, $7,711,560 the first year and $7,711,560 the second year from the general fund is provided to support increased Virginia Preschool Initiative teacher to student ratios and class sizes, as follows:

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.

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.

i. 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 or other publicly-funded preschool programs operated by the school division 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 or other publicly-funded preschool programs operated by the school division. The Department of Education shall develop the application process to be provided to school divisions that have provisionally licensed preschool teachers employed and are teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division.

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j. 1.) The Department of Education shall collect information from local Virginia Preschool Initiative programs and from pilot providers participating in the Virginia Early Childhood Foundation's pilot Mixed-Delivery Preschool Initiative established in Item 136 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.

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.

3.) Such comprehensive report shall describe the Virginia Preschool Initiative programs' progress towards the target inclusion rate, such that 10 percent of all children enrolled in each program are children with disabilities, defined as those with an Individualized Education Plan. Virginia Preschool Initiative programs shall report the share of children with Individualized Education Plans in inclusive classrooms annually starting with the 2020-2021 school year. If the program's current inclusion rate falls below 10 percent, the program shall provide reasons a 10 percent inclusion rate was not achieved in the given school year and what actions the program could implement to increase its rate of inclusion in the next year.

4.) The Department shall submit such comprehensive report to the Chairs of the House 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 and subsequent reports shall consider the components included in this reporting requirement, and include all publicly-funded providers as defined in Chapter 860 and Chapter 861, 2020 Acts of Assembly. 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. The Department of Education shall submit an update on implementation of the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year. Once fully implemented, the Department of Education shall update and submit the report by December 1 of each year.

k. Out of this appropriation, $5,453,795 the first year and $5,453,795 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. Additionally, within the fiscal year, any funds appropriated for Virginia Preschool Initiative Payments that are not awarded may be used as flexible funding to supplement any of the other initiatives provided in paragraph C.14 of this Item. The Department of Education shall prioritize serving at-risk four-year-old children when executing the flexibility provisions in this paragraph.

15. Early Reading Intervention Payments

a. An additional payment of $51,193,084 the first year and $51,352,970 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 that 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 that 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.

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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 most recent year that data is available in that school division.

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; 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 $15,775,313 the first year and $15,781,896 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. English as a Second Language Payments

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A payment of $98,474,887 the first year and $106,864,471 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.

18. Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

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 $85,831,709 the first year and $90,831,709 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, $38,917,404 the first year and $39,161,334 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 2022 and the first three quarters of FY 2023. 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 2023 and the first three quarters of FY 2024.

19. 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

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Health Science Academies.

d. This appropriation includes $1,831,464 the first year and $1,831,464 the second year from the Lottery Proceeds Fund to support the Path to Industry Certification program. Of this amount, $500,000 the first year and $500,000 the second year shall 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.

20. 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 noncredit courses.

21. 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.

22. 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.

23. 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 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; (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home; or (d) who is a student that was formerly in foster care upon reaching 18 years of age but who has not yet reached 22 years of age. For pupils included in subsection (d), the school division shall keep an accurate record of the number of days in which such child was enrolled in its public schools and shall be included in the division's certification provided to the Board of Education by July 1 each school year per § 22.1-101.1 C, Code of Virginia.

b. This appropriation provides $12,661,313 the first year and $12,878,410 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.

24. 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.

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25. 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.

26. Governor's School Payments

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.

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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 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.37. of this item, $1,052,140 the first year and $2,402,751 the second year from the general fund is provided in the Academic Year Governor's School funding allocation to increase the per pupil amount as an add-on for a compensation supplement equal to 5.0 percent of base pay on August 1, 2022, and an additional 5.0 percent of base pay on July 1, 2023, 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, develop a plan to meet said goals in collaboration with community partners at public meetings, and such goals and plan shall be published on the school's website. Each school shall submit a report to the Governor by October 1 of each year on its goals and status of implementing its plan, and such report shall be published on the school's website. 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.

27. 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.

28. School Breakfast Payments

a. Out of this appropriation, $9,637,895 the first year and $11,898,741 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

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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 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1 following each school year.

29. 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;

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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 operating beginning teacher mentor programs shall receive equal consideration for funding.

30. 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.

31. 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.

32. Early Reading Specialists Initiative

a. An additional payment of $3,476,790 the first year and $3,476,790 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 2022-2024 biennium shall be based on the results of the Spring 2021 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 2021 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 certifies to the Department of Education that the division has hired a reading specialist or reading coach to provide direct services to children reading below grade level in the school to improve reading achievement for the purpose of creating additional instructional time for reading specialists or reading coaches to work with students reading below grade level to improve reading achievement. Additionally, school divisions shall certify that the reading specialists or reading coaches hired pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

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. Additionally, school divisions shall certify that the currently employed instructional school personnel whose tuition is supported pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

e. School divisions receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

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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.

33. 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 2022-2024 biennium shall be based on the results of the Spring 2021 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 2021 SOL math or reading assessment.

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. School divisions that elect to use funding to support tuition for collegiate programs and instruction for currently employed instructional school personnel pursuant to paragraph b. shall provide documentation of these costs to the Department of Education prior to receiving state funds. The Department of Education shall provide state funding for the lesser of the actual cost or the state share of a math or reading specialist position per eligible school for funds used in such a manner.

d. 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.

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

f. The Department of Education may award prorated state funds for specialist positions filled after the beginning of the school year.

34. 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.

35. Infrastructure and Operations Per Pupil Funds

a. Out of this appropriation, an amount estimated at $276,361,274 the first year and $276,361,272 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 $407.41 per pupil the first year and $406.04 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to

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change for the purpose of payment to school divisions based on the actual March 31 ADM collected each 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 2020-2022 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 2020-2022 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. 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.35.a.

c. Of the amounts listed above, no more than 60 percent shall be used for recurring costs and at least 40 percent 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 expenditures related to modernizing classroom equipment, and debt service payments on school projects completed or initiated during the last 10 years. The Department of Education shall consider such nonrecurring expenses by school divisions from local funds to be credited toward their required local match under this program.

d. Any funds provided to school divisions that are unexpended as of June 30, 2023, and June 30, 2024, shall not revert to the Commonwealth but shall be carried on the books of the locality in local escrow accounts pursuant to § 22.1-175.5, to be appropriated to the school division for use for the same purpose.

36. 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.

37. Compensation Supplement

a. Out of this appropriation, $231,754,237 the first year and $525,462,688 the second year from the general fund is provided for the state share of the following salary increases and related fringe benefit costs:

1) For the first year, a 5.0 percent salary increase effective August 1, 2022, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to a 5.0 percent salary increase effective August 1, 2022, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the first year. The state share of funding provided to a school division in support of this compensation supplement shall be

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prorated for school divisions that provide less than an average 5.0 percent salary increase the first year; however, to access these funds, a school division must provide at least an average 2.5 percent salary increase the first year.

2) For the second year, an additional 5.0 percent salary increase effective July 1, 2023, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to an additional 5.0 percent salary increase effective July 1, 2023, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the second year. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an additional average 5.0 percent salary increase the second year; however, to access these funds, a school division must provide at least an average 2.5 percent salary increase the first year and at least an additional average 2.5 percent salary increase the second year.

3) Payments in the second year to any school division shall be based on providing the funds needed to continue the first year increase actually provided by the division plus the increase provided by the division in the second year.

b. Out of this appropriation, $1,052,140 the first year and $2,402,751 the second year from the general fund is provided for the state share of the salary increases stated in paragraph a. above for Academic Year Governor's Schools, and $750,443 the first year and $1,648,377 the second year from the Lottery Proceeds fund is provided for the state share of these salary increases for Regional Alternative Education Programs.

c. It is the intent that the average instructional and support position salaries are increased in local school divisions throughout the state by at least 5.0 percent the first year, at least an additional 5.0 the second year, resulting in a combined increase of at least 10.25 percent during the biennium.

d. The state funds that the school division is eligible to receive shall be matched by the local government based on the composite index of local ability-to-pay. This local match shall be calculated for funded SOQ instructional and support positions using an effective date of August 1, 2022, the first year and July 1, 2023, the second year. Local school divisions shall certify to the Department of Education that funds used as the local match are derived solely from local revenue sources.

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

38. School Meals Expansion

Out of this appropriation, $4,100,000 the first year and $4,100,000 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.

39. Alleghany County - Covington City School Division Consolidation Incentive

Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund is provided as an incentive for the consolidation of the Alleghany County and Covington City school divisions. These incentive payments represent the third and fourth installments of five $600,000 payments as recommended for this consolidation incentive through the methodology contained in the Study on School Division Joint Contracting Incentives (Report Document 548, 2016). In fiscal year 2025, $600,000 shall be provided as the incentive payment, with no adjustments.

40. Hold Harmless for Rebenchmarking Data Affected by COVID-19

Out of this appropriation, $177,079,892 the first year and $177,441,317 the second year from the general fund is provided to support an additional payment based on the state's share of Standards of Quality Basic Aid and Special Education payments to school divisions in the 2022-2024 biennium in response to unanticipated reductions in the base

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year rebenchmarking data for special education, pupil transportation, and non-personal support costs. This additional payment is based on child count and local expenditure projections for the base year rebenchmarking data that was affected by the mandatory school closings and virtual school settings that resulted from the COVID-19 pandemic. The projected data supporting this additional payment shall remain constant for the 2022-2024 biennium, and no subsequent technical updates shall be made to the data during the biennium that affect the appropriated amounts. These funds are provided to local school divisions pursuant to the Standards of Quality and shall be matched by the local government based on the composite index of local ability-to-pay. The Department of Education shall account for these funds in its calculations for required local effort, pursuant to paragraph B.8. of this Item and § 22.1-97, Code of Virginia. Local school divisions shall use these funds to support expenses allowable under Standards of Quality Basic Aid and Special Education.

41. School Construction Grants Program

a. Out of this appropriation, $400,000,000 the first year from the general fund is provided for grants to school divisions for nonrecurring expenditures by the relevant school division. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology and other expenditures related to modernizing classroom equipment, school safety equipment or school safety renovations, and debt service payments on school projects completed or initiated during the last ten years. These funds shall not be used for the repair or replacement of parking lots or the replacement or modernization of school facilities that are predominantly used for extracurricular athletics activities.

b. For any school construction projects funded with these grant proceeds, school divisions are encouraged to utilize best practices for construction and renovation, which may include value engineering, Leadership in Energy and Environmental Design (LEED) standards, or other relevant standards that would improve the health, safety, and quality of educational facilities.

c. Any funds provided to school divisions for school construction that are unexpended as of June 30, 2023, and June 30, 2024, shall not revert to the Commonwealth but shall be carried on the books of the locality in local escrow accounts pursuant to § 22.1-175.5, to be appropriated to the school division for use for the same purposes listed in Item 137 C.41.a.

42. Supplemental Support for Accomack and Northampton

An additional state payment of $1,750,000 the first year from the Lottery Proceeds Fund shall be disbursed to provide one-time support to Accomack and Northampton school divisions for teacher recruitment and retention efforts, including adjustments to salary scales to minimize the misalignment to salary scales of adjacent counties.

43. School Construction Assistance Program.

a. Out of this appropriation, $400,000,000 the first year from the general fund and $50,000,000 the first year from the Literary Fund shall be transferred into the School Construction Fund for the Board of Education to award grants on a competitive basis from the Fund to local school boards that demonstrate poor building conditions, commitment, and need in order for such local school boards to fund the construction, expansion, or modernization of public school buildings. Any unobligated balance for this program on June 30, 2023, shall be reappropriated for expenditure in the second year for the same purpose.

b. The Board of Education shall develop guidelines for the administration of this program, which shall provide at a minimum that:

1. Grants shall be provided only for projects that conform to the Department of Education's “Guidelines for School Facilities in Virginia's Public Schools," as amended.

2. Grant awards shall be based on project costs, including planning, design, site acquisition and construction, the school division's local composite index, and the fiscal stress category as designated by the Virginia Commission on Local Government in its most recent "Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Counties and Cities" for the locality that contains the school division, as follows:

School Division	Grant Award Amount

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School divisions with a local composite index value below .3000, or contained in a locality designated with high fiscal stress	30 percent of project costs			
School divisions with a local composite index value at or above .3000 and below .4000, or contained in a locality designated with above average fiscal stress	20 percent of project costs			
All other school divisions	10 percent of project costs			

3. A minimum qualifying score shall be met for a project to qualify for a grant award based on Board-developed scoring criteria. The Board shall set such minimum score at a level to ensure funds are reserved for critical school construction projects. Such scoring criteria shall provide appropriate weight to the following categories for the award of grants:

a.) Commitment, which may be demonstrated by factors such as: (i) an agreement by the local governing body to maintain or increase the percentage of local revenues dedicated to public education throughout the duration of the financing proposed for the project and (ii) the extent of project design and site acquisition for such project that has been completed prior to application of anticipated grant funds.

b.) Need, which may consider factors such as: (i) the percentage of students in the local school division eligible to receive free price meals; (ii) the percentage of residents of the locality in which the local school division is located with incomes at or below the federal poverty guidelines established by the U.S. Department of Health and Human Services; (iii) the local composite index of local ability-to-pay for the local school division; (iv) debt capacity of the locality in which the school division is located; and (v) the most recent fiscal stress score of the locality that includes the local school division as designated by the Virginia Commission on Local Government.

c.) Poor school building conditions, which may consider factors such as: (i) the condition of the facilities proposed to be replaced or upgraded using these funds, including the current level of compliance of the existing facility with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and the facilities potential threat to the health or safety of building occupants; (ii) the school division maintenance reserve tool established pursuant to Chapter 650 of the 2022 General Assembly; and (iii) the overall condition of other facilities within the school division.

4. If qualifying grant award requests exceed the amount of funds available, grants shall be awarded based on ranked project scores, and shall not be prorated.

5. The release of funds to grant awardees shall be reasonably aligned with the timing of incurred expenses.

6. A specific project shall only receive one grant award. The total project cost eligible to receive a grant shall be up to $100,000,000. Grant awards shall not be amended for any additional reasonable project costs after the Board awards a grant to a division.

c. For the purpose of this program, "project costs" shall include reasonable project construction costs as defined by the Board, including planning, design, site acquisition and construction, and not to include financing costs, outdoor facilities predominantly used for extracurricular athletic activities, loose equipment, and furniture.

d. The Board of Education shall submit an executive summary of the program, including details on projects funded each year and any necessary legislative or budget recommendations to improve the program, no later than December 1 of each year to the Chairs of the House Education Committee, Senate Education and Health Committee, House Appropriations Committee, and Senate Finance and Appropriations Committee.

44. College Partnership Laboratory Schools Fund

a. Out of this appropriation, $100,000,000 the first year from the general fund shall be deposited to the College Partnership Laboratory Schools Fund established pursuant to §

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22.1-349.2, Code of Virginia.

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

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

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

e. Prior to the disbursement of funds from the College Partnership Laboratory Schools Fund, the Board of Education shall establish guidelines for the distribution and award of these funds and submit such guidelines to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022. Such guidelines shall consider and be consistent with the distribution of state funds for Standards of Quality, Categorical, Incentive and Lottery program per-pupil costs.

f. Notwithstanding the provisions of subsection A of § 22.1-349.1, Code of Virginia, for the purpose of this Item, a "college partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a baccalaureate public institution of higher education.

g. All funds that have not been obligated for approved college partnership laboratory schools as of June 30, 2024 shall revert to the general fund.

45. ARPA Pandemic Bonus Payment

a. Item 486 includes $130,122,981 the first year from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA), as a provision of government services, for a one-time pandemic bonus payment of $1,000 on December 1, 2022, per funded SOQ instructional position and support positions and per Academic Year Governor's School and Regional Alternative Education Program instructional and support positions. Funded SOQ instructional positions shall include all teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the first year.

b. Sufficient funding is provided for the entire cost of an average $1,000 bonus per funded SOQ instructional and support position in this act. Sufficient funding is provided for the entire cost of an average $1,000 bonus per Academic Year Governor's School and Regional Alternative Education Program instructional and support position based on fiscal year 2021 full-time equivalent position counts, as reported to the Department of Education. School divisions shall have discretion to determine the amount of bonuses per employee to maximize the use of these funds to promote retention among instructional and support positions in this act. The funds for which a division is eligible to receive shall require no match by the local government. Localities are encouraged to use additional available funds to provide pandemic bonuses to other eligible instructional and support positions.

138.	Federal Education Assistance Programs (17900).....			$1,123,329,873	$1,123,329,873
	Federal Assistance to Local Education Programs (17901).....	$1,123,329,873	$1,123,329,873		
	Fund Sources: Federal Trust.....	$1,123,329,873	$1,123,329,873		

Authority: PL 107-110, PL 108-446, PL 105-332, PL 105-220, PL 105-220, Federal Code.

a. The appropriation to support payments to school divisions from federal program grant funds is contained in this Item. Such federal program grant funds are based on the latest estimates available to the Department of Education and are provided here for informational purposes and are subject to change within each state fiscal year by the awarding federal agency. The Department of Education is directed to update the estimated federal program

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grant fund amounts contained in the table in this item on a periodic basis throughout the biennium.

b. The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures.

c. It is the intent of the General Assembly that in any fiscal year when revenues received or budgeted by the Commonwealth, applicable to any public education program, which were derived from a federally funded grant or program and subsequently realize a decrease in such funding levels, that the Commonwealth will not supplant any of the decreased federal funding received or budgeted with any general fund revenues from the Commonwealth.

Item Details of Federal Education Assistance Program Awards (17900)	**FY 2023**	**FY 2024**
School Nutrition - Breakfast, Lunch, Special Milk	$369,078,569	$369,078,569
School Nutrition - Summer Food Service Program and After School At-risk Program	$14,250,000	$14,250,000
Fresh Fruit and Vegetables	$5,274,822	$5,274,822
Child Nutrition Programs Team Nutrition	$276,840	$276,840
Special Education - IDEA - Part B Section 611	$299,665,859	$299,665,859
Special Education - IDEA - Part B Section 619 - Preschool	$9,086,006	$9,086,006
Migration Education - Basic Grant	$706,221	$706,221
Migrant Education - Consortium Incentive Grants	$81,457	$81,457
Title I - Neglected & Delinquent Children	$1,322,125	$1,322,125
Title I Part A - Improving Basic Programs	$283,711,358	$283,711,358
Title II Part A - Improving Teacher Quality	$38,829,605	$38,829,605
Title III Part A - Language Acquisition State Grant	$14,410,456	$14,410,456
Title IV Part A - Student Support and Academic Enrichment Grant	$19,221,969	$19,221,969
Title IV Part B - 21st Century Community Learning Centers	$19,328,073	$19,328,073
Title VI - Rural and Low-Income Schools	$2,334,440	$2,334,440
Adult Literacy	$14,171,358	$14,171,358
Vocational Education - Basic Grant	$26,483,927	$26,483,927
School Climate Transformation	$749,701	$749,701
Education for Homeless Children and Youth	$1,860,209	$1,860,209
Empowering Educators through a Systems Approach	$1,524,000	$1,524,000
Virginia School Mental Health Providers Recruitment and Retention	$962,878	$962,878
Total	**$1,123,329,873**	**$1,123,329,873**

138.10	State Education Programs (17700).....	$132,813,671	~~$130,279,159~~ *$775,607,219*

ITEM 138.10.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Distribution of State Education Assistance (17701).....	$132,813,671	~~$130,279,159~~ *$775,607,219*		
Fund Sources: General.....	$132,703,671	~~$125,816,329~~ *$684,973,681*		
Special.....	$110,000	$125,000		
Trust and Agency.....	$0	~~$4,337,830~~ *$90,508,538*		

A. The appropriations within this agency shall be adjusted as follows:

General Fund Appropriations	**First Year FY 2023**	**Second Year FY 2024**
Update Average Daily Membership projections based on Fall Membership	$28,389,627	$42,826,514
Update costs of Categorical programs	$1,233,501	$1,241,783
Update costs of Incentive programs	($16,271,483)	($6,450,403)
Update Fall Membership data in Direct Aid program formulas	$97,384	$214,336
Update Lottery proceeds for public education	$9,499,460	($4,337,838)
Update program participation for Remedial Summer School	$9,139,785	$9,139,785
Update sales tax distribution for school age population	$0	($93,912)
Update sales tax revenue for public education	$90,474,422	$77,507,889
Update Supplemental Education accounts	($335,000)	$0
Update the cost of Lottery-funded programs	($104,903)	$0
Update the state cost for English as a Second Language	$2,147,022	$4,647,991
Update Academic Year Governor's School per pupil amounts	$1,104,051	$1,120,184
Use Lottery fund balances to support existing appropriation	($9,499,465)	$0
General Fund Total:	**$115,874,401**	**$125,816,329**

Nongeneral Fund Appropriations	**First Year FY 2023**	**Second Year FY 2024**
Increase nongeneral fund appropriation for Summer Residential Governor's World Language Academies	$110,000	$125,000
Update Lottery proceeds for public education	($9,499,462)	$4,337,830
Use Lottery fund balances to support existing appropriation	$9,499,462	$0
Nongeneral Fund Total:	**$110,000**	**$4,462,830**

B. Out of this appropriation, $16,829,270 the first year from the general fund is provided to ensure that the sum of basic aid and sales tax payments a school division receives in fiscal year 2023 is at least the sum of basic aid and sales tax payments that was communicated to school divisions in Superintendents Memo #133-22.

C. The appropriations within this agency shall be further adjusted as follows:

General Fund Appropriations	***First Year FY 2023***	***Second Year FY 2024***
Fund additional support positions	*$0*	*$152,282,115*

ITEM 138.10.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Provide flexible funding supplement		*$0*		*$418,299,937*
Fund an additional two-percent salary increase in FY 2024 for SOQ-recognized positions		*$0*		*$54,596,009*
Establish school security equipment grant program		*$0*		*$12,000,000*
Support Chesapeake Regional Career and Technical Education Center		*$0*		*$3,000,000*
Support improvements at Oak Street Elementary School in Falls Church		*$0*		*$3,000,000*
Provide supplemental support for Accomack and Northampton in FY 2024		*$0*		*$1,749,999*
Increase support for Power Scholars Academy - YMCA BELL		*$0*		*$250,000*
Establish Critical Security Language Grant Program		*$0*		*$150,000*
Use FY 2023 residual Lottery profits to offset FY 2024 General Fund allocation		*$0*		*($86,170,708)*
General Fund Total:		***$0***		***$559,157,352***
Nongeneral Fund Appropriations	***First Year FY 2023***		***Second Year FY 2024***	
Transfer FY 2023 residual Lottery profits to Lottery Proceeds Fund		*$0*		*$86,170,708*
Nongeneral Fund Total:		***$0***		***$86,170,708***

D. Out of this appropriation, $152,282,115 the second year from the general fund is provided to fund additional support positions in Basic Aid. Notwithstanding Item 137.C.5.k, in the second year the funding ratio methodology for certain support positions shall be based upon 24 support positions per 1,000 ADM. The Department of Education shall use this ratio in the second year to rebenchmark costs for the 2024-2026 biennium.

E. 1. Out of this appropriation, an additional state payment estimated at $418,299,937 the second year from the general fund is provided to support flexible funding for the implementation of the Virginia Literacy Act, learning loss recovery, and additional operating and infrastructure support. Funding shall be disbursed to support the state share of $1,086.44 per pupil the second year based on the estimated number of federal Free Lunch participants and the state share of $203.63 per pupil the second year based on the unadjusted average daily membership. Each school division shall receive at least $150,000 from this appropriation.

2. Funds shall not require a local match. Any funds provided to school divisions from this appropriation that are unexpended as of June 30, 2024, shall be carried on the books of the locality to be appropriated to the school division in the following year if the division certifies to provide the local match for the At-Risk Add-On Program in Item 137 for the 2024-2026 biennium. School divisions are permitted to use any remaining fund balance until the funds are expensed for the qualifying purpose.

3. School divisions shall report on the use of these funds and the use of school division pass-through federal Elementary and Secondary School Education Relief funds used since 2020. Such reporting shall specify amounts obligated and expensed based on reporting categories as prescribed by the Department of Education. School divisions also shall report how funds address performance gains or losses related to reading and mathematics and support preparation and implementation of the Virginia Literacy Act. The Department of Education shall compile this information and submit it to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committee no later than October 1, 2024, 2025, and 2026.

4. 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

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expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2020-2022 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 2020-2022 biennial Standards of Quality expenditure data were based.

F. 1. Out of this appropriation, $54,596,009 the second year from the general fund is provided to increase salaries of funded SOQ instructional and support positions by two percent effective January 1, 2024. Sufficient funds are appropriated in the biennium, on a statewide basis, to support the state share of a five percent salary increase effective August 1, 2022, a five percent salary increase effective July 1, 2023, and a two percent salary increase effective January 1, 2024.

2. To access the funds for the two percent increase effective January 1, 2024, school divisions (1) must have provided at least an average 2.5 percent increase in the first year and an average 2.5 percent increase in the second year as provided in Item 137.C.37 and (2) shall certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel effective no later than January 1, 2024. School divisions that previously provided a total average increase in excess of the five percent increases provided in the first year or the second year to instructional and support personnel may count average increases given in excess of those five percent increases toward this certification. The state funds that the school division is eligible to receive shall be matched by the local government based on the composite index of local ability-to-pay. This local match shall be calculated for funded SOQ instructional and support positions using an effective date of January 1, 2024. Local school divisions shall certify to the Department of Education that funds used as the local match are derived solely from local revenue sources.

G. Out of this appropriation, $1,749,999 the second year from the Lottery Proceeds Fund is provided for supplemental one-time support to Accomack and Northampton school divisions. The Department of Planning of Budget is directed to increase the general fund and decrease the Lottery Proceeds Fund split funded At-Risk Add-On in Item 137 for this action.

H. Out of this appropriation, $12,000,000 the second year from the general fund is designated to support school safety and security grants. The Department of Education shall administer the program and develop guidelines. Funds may be used to support equipment and planning to improve safety and security, including purposes not authorized for the existing VPSA-funded Security Equipment grant program. In determining grant awards, prioritization shall be placed on the severity of identified deficiencies and the school division's local ability to pay as identified by its local composite index. In addition to this amount, $8,000,000 in federal State and Local Recovery Funds are provided for this purpose pursuant to Item 486.

I. Out of this appropriation, $3,000,000 the second year from the general fund is provided to Chesapeake Public Schools to support equipment costs for a regional career and technical education facility in the Chesapeake, Portsmouth, and Norfolk region.

J. Out of this appropriation, $3,000,000 the second year from the general fund is provided to Falls Church City Public Schools to support safety and security improvements at Oak Street Elementary School.

K. Out of this appropriation, $250,000 the second year from the general fund is designated to the YMCA Power Scholars Academy.

L. Out of this appropriation, $150,000 the second year from the general fund is provided for Critical National Security Language Grants. The Department of Education shall award these competitive grants to school divisions that provide one or more foreign language courses in a foreign language that is currently identified as critical by the National Security Language Initiative for Youth scholarship program. Each grant shall be limited to an annual amount sufficient to provide one or more full-time equivalent teaching position to provide one or more critical foreign language courses. The Department shall establish guidelines for administering the program, including selection criteria that considers teacher experience and qualifications, student interest, class size and student to teacher ratios, and the number of courses to be taught.

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M. Community-based providers that are recipients of Virginia Preschool Initiative grants shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Virginia Preschool Initiative community-add-on partnerships and provided that the provider meets the expectations of the statewide measurement and improvement system.				
N. This appropriation includes $86,170,708 the second year from the Lottery Proceeds Fund and the corresponding adjustment of $86,170,708 the second year from the general fund to adjust the split-funded At-Risk Add On in Item 137. These amounts represent the estimated residual fiscal year 2023 Lottery profit transfer.				
Total for Direct Aid to Public Education			**$11,104,322,613**	**~~$10,550,693,760~~** ***$11,196,021,820***
Fund Sources: General	$9,143,956,725	~~$8,655,839,112~~ *$9,214,996,464*		
Special	$1,005,000	$1,020,000		
Commonwealth Transportation	$1,359,300	$1,495,230		
Trust and Agency	$834,671,715	~~$769,009,545~~ *$855,180,253*		
Federal Trust	$1,123,329,873	$1,123,329,873		
Grand Total for Department of Education, Central Office Operations			**$11,522,279,629**	**~~$10,976,625,334~~** ***$11,621,953,394***
General Fund Positions	167.17	181.17		
Nongeneral Fund Positions	335.83	335.83		
Position Level	503.00	517.00		
Fund Sources: General	$9,224,140,100	~~$8,737,474,868~~ *$9,296,632,220*		
Special	$6,811,735	$6,826,735		
Commonwealth Transportation	$1,643,154	$1,779,084		
Trust and Agency	$862,658,940	~~$803,518,947~~ *$889,689,655*		
Federal Trust	$1,427,025,700	$1,427,025,700		
§ 1-49. VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND (218)				
139. Instruction (19700)			$5,902,567	$5,902,567
Classroom Instruction (19701)	$5,702,307	$5,702,307		
Occupational-Vocational Instruction (19703)	$158,065	$158,065		
Outreach and Community Assistance (19710)	$42,195	$42,195		
Fund Sources: General	$4,959,661	$4,959,661		
Special	$135,239	$135,239		
Federal Trust	$807,667	$807,667		
Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
140. Residential Support (19800)			$5,304,382	$5,304,382
Food and Dietary Services (19801)	$464,940	$464,940		
Medical and Clinical Services (19802)	$416,197	$416,197		
Physical Plant Services (19803)	$2,173,672	$2,173,672		
Residential Services (19804)	$1,890,848	$1,890,848		
Transportation Services (19805)	$358,725	$358,725		
Fund Sources: General	$5,161,669	$5,161,669		
Special	$104,220	$104,220		
Federal Trust	$38,493	$38,493		
Authority: Title 22.1, Chapter 19, Code of Virginia.				
141. Administrative and Support Services (19900)			$2,528,031	$2,083,031

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General Management and Direction (19901)	$2,528,031	$2,083,031		
Fund Sources: General	$2,264,324	$1,819,324		
Special	$210,237	$210,237		
Federal Trust	$53,470	$53,470		

Authority: Title 22.1, Chapter 19, Code of Virginia.

Notwithstanding any other provision of law, the Virginia School for the Deaf and Blind is authorized to retain the income generated by the rental of facilities on the Staunton campus to outside entities.

Total for Virginia School for the Deaf and the Blind			**$13,734,980**	**$13,289,980**
General Fund Positions	185.50	185.50		
Position Level	185.50	185.50		
Fund Sources: General	$12,385,654	$11,940,654		
Special	$449,696	$449,696		
Federal Trust	$899,630	$899,630		

§ 1-50. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)

142. Higher Education Student Financial Assistance (10800)			$126,115,951	~~$160,378,512~~ *$177,378,512*
Scholarships (10810)	$125,925,951	~~$160,188,512~~ *$177,188,512*		
Regional Financial Assistance for Education (10813)	$190,000	$190,000		
Fund Sources: General	$120,855,951	~~$155,118,512~~ *$172,118,512*		
Special	$5,010,000	$5,010,000		
Dedicated Special Revenue	$250,000	$250,000		

Authority: Title 23.1, Chapter 6, Code of Virginia, Regional Grants and Contracts: Discretionary Inclusion; Undergraduate and Graduate Assistance: Discretionary Inclusion

A. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

B. Out of the amounts for Scholarships the following sums shall be made available for:

1. Tuition Assistance Grant Program, $90,813,320 the first year and $100,325,881 the second year from the general fund is designated for full-time undergraduate and graduate students.

2. a. Virginia Space Grant Consortium Scholarships, $795,000 the first year and $795,000 the second year from the general fund.

b. Out of the amounts included in this item, $100,000 the first year and $100,000 the second year from the general fund shall be provided to the Virginia Space Grant Consortium (VSGC) to provide scholarships for select high school students to participate in immersive ground and flight training through the solo experience as a step in addressing the critical pilot shortage. The VSGC shall work with Averett University and Liberty University to provide two sessions of its New Horizons solo academy giving 30 high school students the opportunity to accomplish their first solo flight.

c. Out of the amounts included in this item, $220,375 the first year and $220,375 the second year from the general fund shall be provided to the Virginia Space Grant Consortium to provide scholarships for high school students to participate in the Virginia Earth System Science Scholars program.

3. Out of this appropriation, $20,000 the first year and $20,000 the second year from the general fund is designated to provide grants of up to $5,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to

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set up practice in the Commonwealth for a period of not less than two years upon completion of instruction.

4. No amount, or part of an amount, listed for any program specified under paragraph B shall be expended for any other program in this appropriation.

C. Tuition Assistance Grant Program

1. Payments to students out of this appropriation shall not exceed $4,500 the first year and $5,000 the second year for qualified undergraduate students and $4,500 the first year and $5,000 the second year for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with § 23.1-628 through § 23.1-635, Code of Virginia. However, for those undergraduate students pursuing a career in teaching, payments shall be increased by an additional $500 in their senior year.

2. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the council that such notification has been completed and shall indicate the method by which it was carried out.

3. Institutions participating in this program must submit annually to the council copies of audited financial statements.

4. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by July 31. Returning students who received the award in the previous year will be prioritized with the July 31 award. Applications for a fall or full-year award received after July 31 but no later than September 14 will be held for consideration if funds are available after July 31 and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.

5. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.

6. All eligible institutions not previously approved by the State Council of Higher Education to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program or by the Commission on Osteopathic College Accreditation of the American Osteopathic Association in the case of freestanding institutions of higher education that offer the Doctor of Osteopathic Medicine as the sole degree program.

7. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.

8. No awards shall be provided to graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine.

9. Notwithstanding any other provisions of law, Eastern Virginia Medical School is not eligible to participate in the Tuition Assistance Grant Program.

10. Any general fund appropriation in the Tuition Assistance Grant Program which is unexpended at the close of business June 30 of any fiscal year shall be reappropriated for use in the program in the following year.

11. a. New incoming students enrolled exclusively in an online education or distance

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learning program are eligible to receive awards up to $2,250 the first year and $2,500 the second year from the Tuition Assistance Grant Program. However, existing students enrolled exclusively in online education or distance learning programs as of the 2019-20 academic year shall remain eligible to receive awards of up to the 2019-2020 award amounts for as long as the student maintains enrollment in each successive fiscal year, unless granted an exception for cause by SCHEV, until current degree completion or current degree program eligibility limits have otherwise expired, whichever comes first.

b. It is the intent of the General Assembly that awards under this paragraph related to new incoming students shall be calculated and granted at 50 percent of the undergraduate residential level.

12. All students eligible and receiving an award under this program enrolled into a TAG-eligible private not-for-profit Virginia Historically Black College and University (HBCU) accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) shall receive an additional award of up to $7,500 the first year and up to $7,500 the second year.

D.1. Regional Grants and Contracts: Out of this appropriation, $170,000 the first year and $170,000 the second year from the general fund is designated to support Virginia's participation in the Southern Regional Education Board initiative to increase the number of minority doctoral graduates.

2. The amounts listed in paragraph D.1. shall be expended in accordance with the agreements between the Commonwealth of Virginia and the Southern Regional Education Board.

E.1. Out of this appropriation, $7,680,000 the first year and $7,680,000 the second year from the general fund is designated to support the Virginia Military Survivors and Dependents program, § 23.1-608, Code of Virginia, to provide up to a $2,200 annual stipend to offset the costs of room, board, books and supplies for qualified survivors and dependents of military service members.

2. The amount of the stipend is an estimate depending on the number of students eligible under § 23.1-608, Code of Virginia. Changes that increase or decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

3. The Director, State Council of Higher Education for Virginia, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.

4. Each institution of higher education shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by May 15 of each year.

5. The Department of Veterans Services shall consult with the State Council of Higher Education for Virginia prior to the dissemination of any information related to the financial benefits provided under this program.

F.1. Out of the appropriation for this Item, $3,885,256 the first year and $3,885,256 the second year from the general fund is designated to support the Two-Year College Transfer Grant Program.

2. The State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with § 23.1-623 through § 23.1-627, Code of Virginia. Beginning with students who are entering a senior institution as a two-year transfer student for the first time in the fall 2013 academic year, and who otherwise meet the eligibility criteria of § 23.1-624, Code of Virginia, the maximum EFC is raised to $12,000.

3. The actual amount of the award depends on the number of students eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Changes that decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

4. Out of this appropriation, up to $600,000 the first year and $600,000 the second year from the general fund is designated to support students eligible for the first time under § 23.1-623

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through § 23.1-627, Code of Virginia. The State Council of Higher Education for Virginia shall transfer these funds to Norfolk State University, Old Dominion University, Radford University, University of Virginia's College at Wise, Virginia Commonwealth University and Virginia State University so that each institution can provide for grants of $1,000 from these funds for these students.

a. Each institution shall award grants from these funds for one year and students shall not receive subsequent awards until they have satisfied the requirements to move to the next class level. Each recipient may receive a maximum of one year of support per class level for a maximum total of two years of support.

b. Any balances remaining from the appropriation identified in paragraph F.4. shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to the State Council of Higher Education for Virginia to support the purposes specified in paragraphs F.1. and F.4. in the subsequent fiscal year.

c. It is anticipated that the institutions shift by a total of 600 the number of students each enrolls from first time freshman to transfers eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Institutional goals under this fund are estimated as follows:

Institution	**Transfer Target**
Norfolk State University	80
Old Dominion University	140
Radford University	140
University of Virginia's College at Wise	20
Virginia Commonwealth University	140
Virginia State University	80

d. The State Council of Higher Education for Virginia may allocate these funds among the institutions in Paragraph F.4.c. as necessary to meet the actual number of transfers each institution generates for students eligible for the first time under § 23.1-623 through § 23.1-627, Code of Virginia. Each institution shall report its progress toward the targets in Paragraph F.4.c. to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by May 1 each year.

e. The report shall include a detailed accounting of the use of the funds provided and a plan for achieving the goals identified in this item.

G. 1. Out of this appropriation, $13,500,000 the first year and ~~$13,500,000~~ *$18,500,000* the second year from the general fund is designated for the New Economy Workforce Credential Grant Program.

2. The State Council of Higher Education for Virginia shall develop guidelines for the program, collect data, evaluate and approve grant funds for allocation to eligible institutions.

3. Local community colleges shall not start new workforce programs that would duplicate existing high school and adult Career and Technical Education (CTE) programs for high-demand occupations in order to receive funding under this Grant.

4. No more than 25 percent of Grant funds may be used in one occupational field.

H. Out of this appropriation, $500,000 the first year ~~and $500,000 the second year~~ from the general fund is designated for the Cybersecurity Public Service Grant Program (the Program) as a public-private initiative for the purpose of attracting to and retaining in qualified employment talented recent graduates and veterans to meet qualified employers' growing demand for cybersecurity professionals. The Program shall provide renewable grants of up to $20,000 of matching state and employer funds on a competitive basis to an individual who (i) either (a) graduated within the past year from a Virginia public institution of higher education or regionally accredited Virginia private institution of higher education with an undergraduate or graduate degree in computer science or another academic program recognized by the Council to prepare an individual for a career in cybersecurity and who resides in the Commonwealth or (b) has served on active duty in

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the Armed Forces of the United States, was discharged or released within the past year from such service under conditions other than dishonorable, gained experience or received training in computer science during such service, and resides in the Commonwealth and (ii) accepts an offer of employment in a computer science position with any federal, state, or local government organization, including any federal or state military or defense organization, that is located in the Commonwealth or any private organization that contractually provides cybersecurity services for any such federal, state, or local organization and that is located in the Commonwealth. The State Council of Higher Education for Virginia shall administer and award grants pursuant to the Program and shall adopt regulations relating to recent graduate and veteran eligibility and academic or job qualifications, the application process, and identification and prioritization of qualified employers and qualified employment and may adopt such other regulations for the administration of the Program as it deems necessary. Recipients of the former Cybersecurity Public Service Scholarship may fulfill that program's employment commitment utilizing the employer description contained herein at the rate of one year of service for each year of award received.

I. 1. Out of this appropriation, $240,000 the first year and $240,000 the second year from the general fund is designated for the Grow Your Own Teacher pilot program to provide grants to low-income high school graduates who attended an institution of higher education in the Commonwealth and subsequently teach in high-need public schools in the school divisions in which they graduated from high school.

2. The Virginia Department of Education (VDOE) shall establish a process by which local school boards may apply for grants from the Grow Your Own Teacher Pilot Program to provide a grant of $7,500 per academic year for up to four years for individuals who (i) graduated from a public high school in the local school division; (ii) were eligible for free lunch during the individual's attendance at a public high school in the local school division; and (iii) teach, within one year of graduating from an institution of higher education in the Commonwealth for a period of at least four years, at a public school at which at least 50 percent of students qualify for free lunch in the school division in which such individual graduated from high school. In developing such process, the department will ensure that at least one school division within each of the eight superintendent regions, applying for such grants, be awarded prior to awarding grants to multiple school divisions within a single superintendent region. Each superintendent region shall be permitted to apply for up to four tuition grant awards. VDOE is authorized to offer and award any remaining unallotted awards to other applying school divisions within a superintendent region.

3. In the event that any nominee fails or refuses to comply with the teaching commitment under paragraph I.2. no grant shall be disbursed to the nominee.

J. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from nongeneral funds is designated for scholarships for eligible students participating in the Gaining Early Awareness and Readiness for Undergraduate Program (GearUp)

K. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund is designated to supplement in-state student financial assistance at Norfolk State University and Virginia State University. The State Council of Higher Education for Virginia shall transfer $1,250,000 the first year and $1,250,000 the second year to each institution.

L. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is designated for the State Council of Higher Education for Virginia to develop a grant program to support public high school teachers who are completing college coursework in order to become credentialed for dual enrollment courses.

M.1. Out of this appropriation $250,000 the first year and ~~$25,000,000~~ *$37,500,000* the second year from the general fund is provided to enhance efforts to recruit and retain students eligible for Pell grant assistance at public institutions of higher education.

2. The State Council of Higher Education for Virginia shall work with institutions with below average enrollment of Pell-eligible students to develop individualized recruitment and retention plans targeting low-income students. The Council shall partner with a nationally recognized consultant with experience in this area. The Council shall present a preliminary plan to the Governor, the Chairs of the House Appropriations and Senate Finance and

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Appropriations Committees no later than October 1, 2022. The Council shall present a final report on the final products for each institution to the same group no later than June 1, 2023.

~~3. Any Virginia public institution of higher education may apply for pilot funding in the second year through a competitive grant process. Applications must demonstrate efforts to restructure outreach, recruitment, admission and retention procedures. Funds may be used to support initiatives to attract, enroll, and retain low-income students. Institutions may also request funding for additional need-based financial aid. Priority shall be given to institutions with below-average Pell enrollment and to institutions with below-average endowments.~~

3. Any Virginia public institution of higher education may apply for funding in the second year through a competitive grant process. Applications must demonstrate efforts to restructure outreach, recruitment, admission, and retention procedures. Funds are intended to support initiatives that attract, enroll, and retain low-income students. Institutions that request funds for need-based financial aid must specify that aid may be used to support internship opportunities. Priority shall be given to institutions with below-average Pell enrollment. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated. Out of the amounts in paragraph M.1. of this item, the Council may use up to one percent of the funds for the administration and evaluation of the activities described in this item.

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

5. The Council shall establish eligibility criteria, evaluate proposals, determine award sizes, establish performance outcomes and monitor performance in consultation with staff from the House Appropriations and the Senate Finance and Appropriations Committees, the Office of the Secretary of Education, and the Department of Planning and Budget. The Council shall notify the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee 30 days prior to releasing funds to institutions.

6. The Council shall report periodically on activities related to this pilot and make recommendations for any potential future support to institutions that successfully meet their defined outcomes.

143.	Financial Assistance For Educational and General Services (11000)			$104,410	$104,410
	Sponsored Programs (11004)	$4,410	$4,410		
	Outstanding Faculty Recognition (11009)	$100,000	$100,000		
	Fund Sources: Special	$104,410	$104,410		

Authority: Outstanding Faculty Recognition Program: Discretionary Inclusion.

The State Council of Higher Education for Virginia shall annually provide a grant to faculty members selected to be honored under the Outstanding Faculty Recognition program from such private funds as may be designated for this purpose. The faculty members shall be selected from public and private institutions of higher education in Virginia, but recipients of Outstanding Faculty Recognition Awards shall not be eligible for the awards in subsequent years.

144.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			$25,160,355	$23,405,355
	Higher Education Coordination and Review (11104)	$11,900,576	$9,845,576		
	Regulation of Private and Out-of-State Institutions (11105)	$1,364,517	$1,364,517		
	Institutional Program Support (11107)	$11,895,262	$12,195,262		
	Fund Sources: General	$23,645,769	$21,890,769		

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Special	$1,324,586	$1,324,586		
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 Chairs of the House Appropriations and Senate Finance and Appropriations 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, $10,662,363 the first year and $10,962,363 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, $461,946 the first year and $461,946 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 and Appropriations 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

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learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.

G. The State Council of Higher Education for Virginia shall include Eastern Virginia Medical School in any calculations used to determine the funding requirements for state medical schools.

H. In addition to the reviews conducted under § 23.1-206 and § 23.1-306, Code of Virginia, the State Council of Higher Education shall evaluate the progress of individual initiatives funded in this act as part of the incentive funding provided to colleges and universities with regard to improvements in retention, graduation, degree production and other criteria the Council deems appropriate.

I. Out of this appropriation, $330,687 the first year and $330,687 the second year from the general fund is designated to support research and analysis and the administration of a multi-agency longitudinal data system to improve consumer information and policy recommendations.

J. Out of this appropriation, $225,000 the first year and $225,000 the second year from the general fund is designated to establish and maintain a fund for excellence and innovation. The fund is designed to stimulate collaboration among public school divisions, community colleges and universities to create and expand affordable student pathways and to pursue shared services and other efficiency initiatives at colleges and universities that lead to measurable cost reductions. Grants will be awarded on a competitive basis, with eligibility criteria determined by the State Council of Higher Education for Virginia.

K. Out of this appropriation, $174,000 and one position the first year and $174,000 and one position the second year from the general fund is designated for the establishment of a student loan ombudsman to provide timely assistance to student borrowers of any student education loan in the Commonwealth. The ombudsman will also be responsible for establishing and maintaining an online student loan borrower education course, which would cover key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, loan forgiveness, and disclosure requirements.

L. 1. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund is designated for the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. The funding is designed to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. The Program comprises institutional grants and a statewide initiative to facilitate the readiness of students, employers, and institutions of higher education to participate in internship and other work-based learning opportunities.

2. In administering the statewide initiative, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iii) gather data on current institutional internship practices, scale, and outcomes; (iv) develop internship readiness educational resources, delivery methods, certification procedures, and outreach and awareness activities for employer partners, students, and institutional career development personnel; (v) pursue shared services or other efficiency initiatives, including technological solutions; and (vi) create a process to track key measures of performance.

3. The Council shall establish eligibility criteria, including requirements for matching funds, for institutional grants. Such grants shall be used to accomplish one or more of the following goals: (i) support state or regional workforce needs; (ii) support initiatives to attract and retain talent in the Commonwealth; (iii) support research and research commercialization in sectors and clusters targeted for development; (iv) support regional economic growth and diversification plans; (v) enhance the job readiness of students; (vi) enhance higher education affordability and timely completion for Virginia students; or (vii) further the objectives of increasing the tech talent pipeline.

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M. In addition to the exceptions pursuant to § 2.2-3815, the provisions of the section shall not be construed to prevent the release of a social security number to the U.S. Census, 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. In addition, the office of the workforce development advisor shall also have access to wage records collected by the Council.

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.

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.

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. 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.

S. The State Council of Higher Education for Virginia shall examine the feasibility of having a point of contact at each public institution of higher education for students who have been involved in the foster care system. The Council shall investigate the possibility of using federal dollars for this purpose and report their findings to the Commission on Youth by November 30, 2022.

T. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided to support a mental health workforce pilot at institutions of higher education in consultation with the Virginia Health Care Foundation. The pilot shall support the costs of required supervision for graduates of Masters of Social Work and Masters of Counseling programs seeking licensure. Eligible institutions include public institutions of higher education operating in Virginia. The State Council of Higher Education for Virginia shall report the outcomes of the pilot annually to the Governor and General Assembly.

U.1. As part of the biennial six-year financial plan required in the provisions of § 23.1-306, Code of Virginia, each public four-year institution of higher education, Richard Bland

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College, and the Virginia Community College System shall include in its six-year plan and amendments to its plan submitted to the State Council of Higher Education for Virginia (SCHEV) an official commitment and set of policies and practices to support freedom of expression and inquiry, free speech, academic freedom, and diversity of thought.

2. Each public four-year institution of higher education, Richard Bland College, and the Virginia Community College System shall also submit an annual report on freedom of expression and inquiry, free speech, academic freedom, and diversity of thought to the Secretary of Education, including related incidents and statistics from the prior academic year.

V. Out of this appropriation, $2,000,000 the first year from the general fund is designated for the creation and support of an Innovation Center at a Historically Black College or University in the City of Richmond. The Director, State Council of Higher Education for Virginia, shall transfer this funding to the City of Richmond for costs associated with the Innovation Center.

145.	Higher Education Federal Programs Coordination (11200)		$2,440,426	$2,440,426
	Higher Education Federal Programs Coordination (11201)	$2,440,426	$2,440,426	
	Fund Sources: Federal Trust	$2,440,426	$2,440,426	

Authority: Title 23.1, Chapter 2, Code of Virginia.

Out of this appropriation, $2,440,426 the first year and $2,440,426 the second year from nongeneral funds is designated for grants to improve teacher quality (No Child Left Behind Act grant).

146.	Financial Assistance for Public Education (Categorical) (17100)		$3,000,000	$3,000,000
	Early Awareness and Readiness Programs (17117)	$3,000,000	$3,000,000	
	Fund Sources: Federal Trust	$3,000,000	$3,000,000	

Authority: Discretionary Inclusion.

Out of this appropriation, $3,000,000 the first year and $3,000,000 the second year from nongeneral funds is designated for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

147.	Technology Assistance Services (18600)		$200,000	$200,000
	Distance Learning and Electronic Classroom (18602)	$200,000	$200,000	
	Fund Sources: Special	$200,000	$200,000	

Authority: Code of Virginia, § 23.1-211

Out of this appropriation, $200,000 the first year and $200,000 the second year from nongeneral funds is designated to cover the costs of coordination and administration of the Virginia State Authorization Reciprocity Agreement (SARA) program as administered by the Southern Regional Education Board (SREB) and the National Council on State Authorization Reciprocity Agreements (NC-SARA).

Total for State Council of Higher Education for Virginia			**$157,021,142**	**~~$189,528,703~~** ***$206,528,703***
General Fund Positions	52.00	52.00		
Nongeneral Fund Positions	20.00	~~20.00~~ *25.00*		
Position Level	72.00	~~72.00~~ *77.00*		

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Fund Sources: General	$144,501,720	~~$177,009,281~~ *$194,009,281*		
Special	$6,638,996	$6,638,996		
Trust and Agency	$190,000	$190,000		
Dedicated Special Revenue	$250,000	$250,000		
Federal Trust	$5,440,426	$5,440,426		

§ 1-51. CHRISTOPHER NEWPORT UNIVERSITY (242)

148.	Educational and General Programs (10000)			$94,731,364	$94,853,864
	Higher Education Instruction (100101)	$48,719,923	$48,719,923		
	Higher Education Research (100102)	$1,961,180	$1,961,180		
	Higher Education Academic (100104)	$11,504,529	$11,504,529		
	Higher Education Student Services (100105)	$7,254,697	$7,254,697		
	Higher Education Institutional Support (100106)	$10,365,620	$10,479,120		
	Operation and Maintenance Of Plant (100107)	$14,925,415	$14,934,415		
	Fund Sources: General	$43,714,369	$43,832,869		
	Higher Education Operating	$51,016,995	$51,020,995		

Authority: Title 23.1, Chapter 14, 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. 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.

C. 1. Out of this appropriation, $667,670 the first year and $667,670 the second year from the general fund is designated to address increased degree production in Data 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 Science (40);

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. Christopher Newport University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

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4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.				
D. Out of this appropriation, $2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
149. Higher Education Student Financial Assistance (10800)			$10,517,330	$11,464,030
Scholarships (10810)	$10,494,567	$11,437,467		
Fellowships (10820)	$22,763	$26,563		
Fund Sources: General	$6,587,330	$7,534,030		
Higher Education Operating	$3,930,000	$3,930,000		
Authority: Title 23.1, Chapter 14, Code of Virginia.				
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.				
150. Financial Assistance For Educational and General Services (11000)			$1,498,882	$1,498,882
Sponsored Programs (11004)	$1,498,882	$1,498,882		
Fund Sources: Higher Education Operating	$1,498,882	$1,498,882		
Authority: Title 23.1, Chapter 14, Code of Virginia.				
The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
151. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$81,463,139	$81,463,139
Food Services (80910)	$17,970,191	$17,970,191		
Bookstores And Other Stores (80920)	$709,796	$709,796		
Residential Services (80930)	$30,661,571	$30,661,571		
Parking And Transportation Systems And Services (80940)	$1,809,449	$1,809,449		
Student Unions And Recreational Facilities (80970)	$5,920,245	$5,920,245		
Recreational And Intramural Programs (80980)	$167,142	$167,142		
Other Enterprise Functions (80990)	$14,206,447	$14,206,447		
Intercollegiate Athletics (80995)	$10,018,298	$10,018,298		
Fund Sources: Higher Education Operating	$61,759,270	$61,759,270		
Debt Service	$19,703,869	$19,703,869		
Authority: Title 23.1, Chapter 14, Code of Virginia.				
Total for Christopher Newport University			**$188,210,715**	**$189,279,915**
General Fund Positions	355.06	356.06		
Nongeneral Fund Positions	603.68	603.68		
Position Level	958.74	959.74		
Fund Sources: General	$50,301,699	$51,366,899		
Higher Education Operating	$118,205,147	$118,209,147		
Debt Service	$19,703,869	$19,703,869		

§ 1-52. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)

ITEM 152.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
152.	Educational and General Programs (10000)			$250,149,399	$248,055,399
	Higher Education Instruction (100101)	$140,643,823	$140,643,823		
	Higher Education Research (100102)	$1,659,768	$1,659,768		
	Higher Education Public Services (100103)	$3,008,021	$508,021		
	Higher Education Academic (100104)	$34,938,980	$34,938,980		
	Higher Education Student Services (100105)	$10,304,632	$10,304,632		
	Higher Education Institutional Support (100106)	$32,783,267	$32,783,267		
	Operation and Maintenance Of Plant (100107)	$26,810,908	$27,216,908		
	Fund Sources: General	$64,491,487	$62,148,487		
	Higher Education Operating	$176,904,416	$177,153,416		
	Debt Service	$8,753,496	$8,753,496		

Authority: Title 23.1, Chapter 28, 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. 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.

C. Out of this appropriation, $245,000 the first year and $245,000 the second year from the general fund is designated to support the Lewis B. Puller Jr. Veterans Benefits Clinic.

D. Out of this appropriation, $287,850 and two positions the first year and $287,850 and two positions the second year from the general fund is designated to develop a specialization in military and veterans counseling within the existing clinical mental health counseling degree program and a post-graduate certificate in veterans counseling.

E. The College of William and Mary may extend the authority granted to it under the Restructured Higher Education Financial and Administrative Operations Act (Title 23.1, Chapter 10, Code of Virginia) to Richard Bland College in a manner that is consistent with the Management Agreement By and Between the Commonwealth of Virginia and the College of William and Mary in Virginia, executed November 15, 2005 and subsequently amended to the provisions of the memorandum of understanding related to financial operations and other related administrative areas as executed by the presidents of both institutions on November 15, 2017 and as may subsequently be amended.

F. 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 the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

G. 1. Out of this appropriation, $1,221,670 the first year and $1,221,670 the second year from the general fund is designated to address increased degree production in Data 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

ITEM 152.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

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. The College of William and Mary 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 15 annually over the base year.

c. Education awards of 5 annually over the base year.

d. 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 and Appropriations Committees annually.

H. Out of this appropriation, $250,000 and two positions the first year and $250,000 and two positions the second year from the general fund is designated for the development of the Public Policy's Whole of Government program. This program will provide a hybrid Master of Public Policy degree that will allow the first year to be completed online.

I. 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.

J. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated to support operating expenses for research efforts connected with the Bray School in partnership with the Colonial Williamsburg Foundation.

K. Out of this appropriation, $1,200,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

153.	Higher Education Student Financial Assistance (10800)		$51,964,218	$52,661,418
	Scholarships (10810)	$36,488,101	$37,143,601	
	Fellowships (10820)	$15,476,117	$15,517,817	
	Fund Sources: General	$5,185,876	$5,883,076	
	Higher Education Operating	$46,778,342	$46,778,342	

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. Higher education operating funds appropriated in this program may be allocated for need-based aid to Virginia undergraduate students to enhance the quality and diversity of the student body.

B. The appropriation for the fund source Higher Education Operating in this Item shall be considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

ITEM 153.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
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.				
154. Financial Assistance For Educational and General Services (11000)			$32,524,929	$32,524,929
Sponsored Programs (11004)	$32,524,929	$32,524,929		
Fund Sources: General	$75,000	$75,000		
Higher Education Operating	$32,264,735	$32,264,735		
Debt Service	$185,194	$185,194		
Authority: Title 23.1, Chapter 28, Code of Virginia.				
A. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.				
B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
155. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$91,664,623	$91,664,623
Food Services (80910)	$18,341,249	$18,341,249		
Bookstores And Other Stores (80920)	$3,875,918	$3,875,918		
Residential Services (80930)	$30,651,011	$30,651,011		
Parking And Transportation Systems And Services (80940)	$2,366,059	$2,366,059		
Telecommunications Systems And Services (80950)	$4,661,486	$4,661,486		
Student Health Services (80960)	$5,575,127	$5,575,127		
Student Unions And Recreational Facilities (80970)	$9,302,104	$9,302,104		
Recreational And Intramural Programs (80980)	$1,148,078	$1,148,078		
Other Enterprise Functions (80990)	$6,730,163	$6,730,163		
Intercollegiate Athletics (80995)	$9,013,428	$9,013,428		
Fund Sources: Higher Education Operating	$69,455,019	$69,455,019		
Debt Service	$22,209,604	$22,209,604		
Authority: Title 23.1, Chapter 28, Code of Virginia.				
Total for The College of William and Mary in Virginia			**$426,303,169**	**$424,906,369**
General Fund Positions	558.16	558.16		
Nongeneral Fund Positions	882.96	882.96		
Position Level	1,441.12	1,441.12		
Fund Sources: General	$69,752,363	$68,106,563		
Higher Education Operating	$325,402,512	$325,651,512		
Debt Service	$31,148,294	$31,148,294		
Richard Bland College (241)				
156. Educational and General Programs (10000)			$18,827,919	$19,089,919
Higher Education Instruction (100101)	$9,958,591	$9,958,591		
Higher Education Public Services (100103)	$4,500	$4,500		
Higher Education Academic (100104)	$1,005,615	$1,005,615		
Higher Education Student Services (100105)	$1,164,160	$1,164,160		
Higher Education Institutional Support (100106)	$4,765,027	$4,765,027		

ITEM 156.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Operation and Maintenance Of Plant (100107).....	$1,930,026	$2,192,026		
Fund Sources: General.....	$12,661,706	$12,828,706		
Higher Education Operating.....	$6,166,213	$6,261,213		

Authority: Title 23.1, Chapter 28, 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. 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.

C. In order to advance the goals of the Commonwealth of Virginia, the Virginia Plan for Higher Education and Richard Bland College, Richard Bland College may develop and deliver new, collaborative educational pathways and innovative educational models, including distance learning, technology-based instruction, prior learning assessments, work-based learning, and competency-based programs that lead to high-demand fields and industries critical to the economic development of the Petersburg region and Virginia. In addition, Richard Bland College may:

1. Continue to explore new and expanded partnership opportunities with the College of William and Mary as well as identify potential new higher education partners to pursue shared services and other options for cost reduction and increased efficiencies for any non-core business functions of the college. Unitization of shared services functions in the areas of Collections, Enterprise Resource Program (ERP), Procurement, and Accounts Payable will reduce overhead expenses and enable re-investment in the College's core business;

2. Identify higher education partners to strategically merge and align academic programming to advance the credential and completion goals outlined in the Virginia Plan for Higher Education;

3. Broker agreements between and among educational, industry, and non-profit partners and establish collaborative, innovative partnership agreements with school districts, public and private colleges and universities, economic development agencies, employers, philanthropic organizations, veterans organizations, public agencies and other partners as necessary to strengthen and streamline educational pathways from high school, to work-based learning, to baccalaureate and advanced degrees that prepare individuals, including nontraditional students and veterans, for entry into STEM-H and other high-demand careers in the Commonwealth;

4. Pilot and implement innovative educational approaches and technologies, and promote the development, delivery, and ongoing assessment of innovative, cost-effective degree programs and stackable credentials, including industry-recognized, competency-based credentials that are aligned with and responsive to the educational and workforce development needs of traditional and non-traditional students, including veterans and military personnel, and advance the economic development needs of employers and industries statewide;

5. Identify and implement new strategies to support economic and community development in Virginia and to expand opportunities for traditional and non-traditional students, including veterans, to prepare for high-demand fields.

6. The President of Richard Bland College shall submit a report on the institution's progress in exploring and expanding partnership opportunities for shared services and academic programming with other higher education partners to the Chairs of the House Committee on Appropriations, the House Committee on Education, the Senate Committee

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on Education and Health, and the Senate Committee on Finance and Appropriations no later than July 1 of each year.

D. Out of this appropriation, $1,557,350 and 13 positions the first year and $1,557,350 and 13 positions the second year from the general fund is designated to address the staffing recommendations of the Auditor of Public Accounts related to financial management, information technology, human resources, financial aid, and operations.

E. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated to support student success initiatives at Richard Bland College. Supported activities may include: (i) the implementation of Guided Pathways; (ii) the increase of course offerings related to diversity, equity, and inclusion; (iii) expansion of the College's health care service offerings for students; and (iv) expansion of student employment opportunities on campus.

F. Richard Bland College shall provide a plan to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2022 on the steps necessary to transition to an innovative model for higher education that prepares citizens for jobs in high-demand fields and in industries critical to the economic development of the Petersburg area, Virginia Gateway Region and Commonwealth of Virginia, to begin implementation in the 2024-25 academic year. Richard Bland College shall work in consultation with the Virginia Secretary of Education, the State Council of Higher Education for Virginia, the College William and Mary, and regional post-secondary and secondary education institutions in the development of this plan.

G. Out of this appropriation, $1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

H. 1. The Secretary of Education in collaboration with the Director of the State Council of Higher Education for Virginia, the Secretary of Finance, the Director of the Department of Planning and Budget, the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, the President of the Virginia Economic Development Partnership Authority and Richard Bland College shall evaluate the creation of a regional partnership and other strategies to improve education attainment, alternative delivery methods, enhanced efficiencies, and economic and community development for the region and the state. Additional input may be provided by regional partners and other entities, including Virginia State University, Virginia Commonwealth University, and Brightpoint Community College.

2. The review shall include an evaluation of a new governance model building upon the November 2022 report issued by Richard Bland College.

3. The Secretary of Education shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees the recommendations no later than December 1, 2023.

157.	Higher Education Student Financial Assistance (10800)		$1,613,780	$2,127,080
	Scholarships (10810)	$1,613,780	$2,127,080	
	Fund Sources: General	$1,553,780	$2,067,080	
	Higher Education Operating	$60,000	$60,000	

Authority: Title 23.1, Chapter 28, Code of Virginia.

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.

158.	Financial Assistance For Educational and General Services (11000)			
	a sum sufficient, estimated at		$15,000	$15,000

ITEM 158.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Sponsored Programs (11004)	$15,000	$15,000		
	Fund Sources: Higher Education Operating	$15,000	$15,000		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
159.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$4,741,277	$4,741,277
	Food Services (80910)	$640,627	$640,627		
	Bookstores And Other Stores (80920)	$200,000	$200,000		
	Residential Services (80930)	$2,384,338	$2,384,338		
	Parking And Transportation Systems And Services (80940)	$248,000	$248,000		
	Recreational And Intramural Programs (80980)	$29,000	$29,000		
	Other Enterprise Functions (80990)	$882,500	$882,500		
	Intercollegiate Athletics (80995)	$356,812	$356,812		
	Fund Sources: Higher Education Operating	$4,741,277	$4,741,277		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
	Total for Richard Bland College			**$25,197,976**	**$25,973,276**
	General Fund Positions	84.43	84.43		
	Nongeneral Fund Positions	41.41	41.41		
	Position Level	125.84	125.84		
	Fund Sources: General	$14,215,486	$14,895,786		
	Higher Education Operating	$10,982,490	$11,077,490		
	Virginia Institute of Marine Science (268)				
160.	Educational and General Programs (10000)			$30,206,807	$29,969,531
	Higher Education Instruction (100101)	$1,142,004	$1,142,004		
	Higher Education Research (100102)	$13,724,157	$13,493,363		
	Higher Education Academic (100104)	$6,399,374	$6,400,984		
	Higher Education Institutional Support (100106)	$3,302,465	$3,302,465		
	Operation and Maintenance Of Plant (100107)	$5,638,807	$5,630,715		
	Fund Sources: General	$28,241,721	$28,004,445		
	Higher Education Operating	$1,965,086	$1,965,086		

Authority: Title 23.1, Chapter 28, and Title 28.2, Chapter 11, 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. If sufficient appropriations are not made available by the Commonwealth, it shall not be necessary for the Virginia Institute of Marine Science to reallocate funds from existing research projects to provide the funding for research mandated in the Code of Virginia or in the Appropriation Act.

C. Out of this appropriation, $212,772 and four positions the first year and $212,772 and four positions the second year from the general fund is designated to support an Aquaculture Genetics and Breeding Technology Center at the Virginia Institute of Marine Science. The center shall coordinate its efforts with the repletion program of the Virginia Marine Resources Commission.

D. It is the intent of the General Assembly that the development of a disease resistant native oyster remains a high priority for oyster-related research activities at the Virginia Institute of Marine Science.

E. Out of this appropriation, $68,391 the first year and $68,391 the second year from the

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general fund is provided for the continuation of the Clean Marina Program. This additional funding will allow the Virginia Institute of Marine Science to provide education, outreach, and technical assistance to the Commonwealth's marinas in an effort to improve water quality.

F. Out of this appropriation, $289,096 the first year and $289,096 the second year from the general fund is designated for the monitoring of the Chesapeake Bay's blue crab population. This additional support will permit the Virginia Institute of Marine Science to generate the data necessary to develop fishery management plans, determine in-danger habitats, and project the annual blue crab catch.

G. Notwithstanding Chapter 719, 1999 Acts of Assembly, out of this appropriation, $159,579 the first year and $159,579 the second year from the general fund shall be provided to the Virginia Institute of Marine Science to support the Fishery Resource Grant Fund and Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the State Comptroller upon written request of the President of the College of William and Mary.

H. Out of this appropriation, $432,894 and 3.15 positions the first year and $432,894 and 3.15 positions the second year from the general fund is designated to support research on sea level rise and state-of-the-art storm surge modeling, as well as for subcontracting with the College of William and Mary's Virginia Coastal Policy Center (CWMVCPC) to conduct policy and legal analyses of stakeholder-driven adaptation responses to sea level rise, in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving the Virginia Institute of Marine Science, Old Dominion University, and the CWMVCPC, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.

I. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is designated for the establishment of a marine conservation fellowship program in partnership with Virginia-based marine science education programs and conservation museums.

J. Out of this appropriation, $14,783 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Leasing Program (MELP) for upgrades to the campus information technology infrastructure. In addition to these amounts, $188,086 and one position the first year and $188,086 and one position the second year from the general fund is designated for supporting a network engineer, maintenance contracts, and staff training.

K. Out of this appropriation, $84,678 the first year and $84,585 the second year from the general fund is designated for debt service costs for the fourth and fifth year payments of a five-year lease under the Master Equipment Leasing Program (MELP) for the equipment associated with the modeling and assessment technologies used to monitor the water quality of the Chesapeake Bay and its tributaries. In addition to this amount, $406,075 and 2.70 positions the first year and $406,075 and 2.70 positions the second year from the general fund is designated for a postdoctoral researcher and two research technicians, research-related supplies and materials, and ongoing service center costs.

L. Out of this appropriation, $403,000 the first year and $403,000 the second year from the general fund is designated for evaluating the ecological health of the Elizabeth River, monitoring the performance of past restoration projects, and providing scientific guidance on development of new restoration projects. Every third year a State of the Elizabeth River Scorecard report on pollution levels in the Elizabeth River shall be produced. The scorecard shall include, at a minimum, an assessment of fish health data including cancer levels, tributyltin levels, and benthic index of biotic integrity, in correlation with water and sediment contaminant analyses from the Elizabeth River.

M. 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 the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

N. Out of this appropriation, $386,668 and 2.75 positions the first year and $386,668 and 2.75

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positions the second year from the general fund is provided for an annual survey of submerged bay grasses and the development of best management practices for oyster aquaculture that supports co-existence with bay grasses. The survey is also intended to assist in evaluating attainment of water quality standards, permitting efforts of other state agencies, and evaluating progress towards meeting the Chesapeake Bay Program goals.				
O. Out of this appropriation, $185,000 the first year and $185,000 the second year from the general fund is provided for a cooperative research program on shellfish aquaculture and seagrass. The research program is intended to determine how aquaculture activity affects the recovery rate of ecologically functional eelgrass beds and develop a landscape-level ecological model that can inform management decisions about how to apportion habitats within the entire coastal bay system on Virginia's Eastern Shore.				
P. Out of this appropriation, $290,000 the first year from the general fund is provided to support an American shad recovery plan to address the population of shad in the James River.				
161. Higher Education Student Financial Assistance (10800)			$382,002	$412,502
Fellowships (10820)	$382,002	$412,502		
Fund Sources: General	$382,002	$412,502		
Authority: Title 23.1, Chapter 28, Code of Virginia.				
162. Financial Assistance For Educational and General Services (11000)			$24,997,658	$24,997,658
Eminent Scholars (11001)	$75,211	$75,211		
Sponsored Programs (11004)	$24,922,447	$24,922,447		
Fund Sources: Higher Education Operating	$24,997,658	$24,997,658		
Authority: Title 23.1, Chapter 28 and Title 28.2, Chapter 11, Code of Virginia.				
A. Out of the amounts for sponsored programs, $50,000 the first year and $50,000 the second year from nongeneral funds shall be paid from the Marine Fishing Improvement Fund to support the Mariculture and Marine Product Advisory Program.				
B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the institute to cover sponsored program operations.				
Total for Virginia Institute of Marine Science			**$55,586,467**	**$55,379,691**
General Fund Positions	322.57	322.57		
Nongeneral Fund Positions	96.60	96.60		
Position Level	419.17	419.17		
Fund Sources: General	$28,623,723	$28,416,947		
Higher Education Operating	$26,962,744	$26,962,744		
Grand Total for The College of William and Mary in Virginia			**$507,087,612**	**$506,259,336**
General Fund Positions	965.16	965.16		
Nongeneral Fund Positions	1,020.97	1,020.97		
Position Level	1,986.13	1,986.13		
Fund Sources: General	$112,591,572	$111,419,296		
Higher Education Operating	$363,347,746	$363,691,746		
Debt Service	$31,148,294	$31,148,294		
§ 1-53. GEORGE MASON UNIVERSITY (247)				
163. Educational and General Programs (10000)			$681,135,793	$681,147,793
Higher Education Instruction (100101)	$420,753,169	$420,753,169		

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Higher Education Research (100102)	$10,972,845	$10,972,845		
Higher Education Public Services (100103)	$2,883,074	$2,883,074		
Higher Education Academic (100104)	$85,198,617	$85,198,617		
Higher Education Student Services (100105)	$29,160,056	$29,160,056		
Higher Education Institutional Support (100106)	$71,727,194	$71,727,194		
Operation and Maintenance Of Plant (100107)	$60,440,838	$60,452,838		
Fund Sources: General	$199,860,850	$199,865,850		
Higher Education Operating	$481,274,943	$481,281,943		

Authority: Title 23.1, Chapter 15, Code of Virginia.

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

B. Out of this appropriation, an amount estimated at $289,614 the first year and $289,614 the second year from the general fund and $124,120 the first year and $124,120 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.

C. Out of this appropriation, $459,125 the first year and $459,125 the second year from the general fund is designated for the Institute for Conflict Analysis.

D. 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.

E. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is designated to support the Potomac Bay Science Center.

F. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund is designated to develop a pathway program to attract and train veterans for cyber security careers.

G. 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.

H. 1. Out of this appropriation, $4,685,320 the first year and $4,685,320 the second year from the general fund is designated to address increased degree production in Data 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

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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 (40);

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. George Mason University is expected to maintain increases in:

a. Data Science and Technology awards of 50 annually over the base year.

b. Science and Engineering awards of 35 annually over the base year.

c. Healthcare awards of 35 annually over the base year.

d. Education awards of 40 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 and Appropriations Committees annually.

I. Out of this appropriation $50,000 the first year and $50,000 the second year from the general fund is designated for campus lighting, generators and other infrastructure at the School of Conflict Resolution at the Point of View facility.

J. The Board of Visitors of George Mason University may participate in a joint venture or innovation agreement with an individual, corporation, governmental body or agency, partnership, association, or other entity to develop and deliver new, collaborative distance learning and technology-based instruction programs for traditional and non-traditional students, including veterans and military personnel. The Board may create or operate such entity accordingly. In the course of any venture or agreement, the Board may authorize a pilot and implementation of distance learning and technology-based instruction programs that are aligned with and responsive to the educational and workforce needs of traditional and non-traditional students. If the Board determines it is necessary to the development and delivery of distance learning and technology-based instruction programs, the Board may create or assist in the creation of; own in whole or in part or otherwise control; participate in or with any entities, public or private; and purchase, receive, subscribe for, own, use, employ, sell, pledge or otherwise acquire or dispose of (i) shares or obligations of, or interests in, any entity organized for any purpose within or outside the Commonwealth and (ii) obligations of any person or corporation. Prior to the execution of any joint venture or innovation agreement, George Mason University shall formally seek and receive approval from the State Council of Higher Education for Virginia and report on whether there will be any impact on current or future operations of the Online Virginia Network Authority.

K. Out of this appropriation, $2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

164. Higher Education Student Financial Assistance (10800)			$69,715,494	$99,206,144
Scholarships (10810)	$63,452,328	$92,681,328		
Fellowships (10820)	$6,263,166	$6,524,816		
Fund Sources: General	$42,419,494	$65,510,144		
Higher Education Operating	$27,296,000	$33,696,000		

Authority: Title 23.1, Chapter 15, Code of Virginia.

ITEM 164.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

A. Notwithstanding the provisions of § 4-5.01.5.b) of this Act, George Mason University is hereby authorized to transfer the balance of its discontinued student loan funds to an endowment fund established by the University to be used for undergraduate and graduate students in the Higher Education Student Financial Assistance Program.

B. 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.

165.	Financial Assistance For Educational and General Services (11000)		$281,275,000	$281,275,000
	Eminent Scholars (11001)	$1,000,000	$1,000,000	
	Sponsored Programs (11004)	$280,275,000	$280,275,000	
	Fund Sources: General	$2,106,250	$2,106,250	
	Higher Education Operating	$279,168,750	$279,168,750	

Authority: Title 23.1, Chapter 15, Code of Virginia.

A. 1. Out of this appropriation, $956,250 the first year and $956,250 the second year from the general fund and $5,850,000 the first year and $5,850,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.

2. Out of this appropriation, $750,000 the first year and $750,000 the second year from the general fund is designated for applied research in simulation modeling and gaming.

B. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is designated for Lyme Disease research and medical test development.

C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

D. Out of this appropriation, $275,000 the first year and $275,000 the second year from the general fund is designated for George Mason University, in collaboration with Eastern Virginia Medical School, Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Tech-Carilion, INOVA, and Sentara Health System, to create the Virginia Commonwealth Clinical Research Network to serve as a network of institutions to conduct significant clinical trials in areas that include oncology, mental health and substance abuse. The Virginia Commonwealth Clinical Research Network would facilitate identifying and recruiting patients and expand access for researchers to a clinical base thereby creating greater opportunities for grant funding and the development commercialization of breakthrough products and services.

166.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at		$243,449,535	$243,449,535
	Food Services (80910)	$37,525,061	$37,525,061	
	Bookstores And Other Stores (80920)	$2,007,709	$2,007,709	
	Residential Services (80930)	$41,303,634	$41,303,634	
	Parking And Transportation Systems And Services (80940)	$15,501,304	$15,501,304	
	Telecommunications Systems And Services (80950)	$589,977	$589,977	
	Student Health Services (80960)	$5,619,151	$5,619,151	
	Student Unions And Recreational Facilities (80970)	$11,446,270	$11,446,270	
	Recreational And Intramural Programs (80980)	$18,806,844	$18,806,844	
	Other Enterprise Functions (80990)	$85,516,698	$85,516,698	
	Intercollegiate Athletics (80995)	$25,132,887	$25,132,887	
	Fund Sources: Higher Education Operating	$189,307,335	$189,307,335	
	Debt Service	$54,142,200	$54,142,200	

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Authority: Title 23.1, Chapter 15, Code of Virginia.				
Total for George Mason University			**$1,275,575,822**	**$1,305,078,472**
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	$244,386,594	$267,482,244		
Higher Education Operating	$977,047,028	$983,454,028		
Debt Service	$54,142,200	$54,142,200		

§ 1-54. JAMES MADISON UNIVERSITY (216)

167.	Educational and General Programs (10000)		$382,948,294	$383,262,632
	Higher Education Instruction (100101)	$210,904,454	$211,218,792	
	Higher Education Research (100102)	$929,467	$929,467	
	Higher Education Public Services (100103)	$1,700,218	$1,700,218	
	Higher Education Academic (100104)	$50,626,534	$50,626,534	
	Higher Education Student Services (100105)	$25,534,638	$25,534,638	
	Higher Education Institutional Support (100106)	$49,649,824	$49,649,824	
	Operation and Maintenance Of Plant (100107)	$43,603,159	$43,603,159	
	Fund Sources: General	$130,643,879	$130,958,217	
	Higher Education Operating	$250,353,762	$250,353,762	
	Debt Service	$1,950,653	$1,950,653	

Authority: Title 23.1, Chapter 16, 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. 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.

C. 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.

D. 1. Out of this appropriation, $2,445,920 the first year and $2,445,920 the second year from the general fund is designated to address increased degree production in Data 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

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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 (40);

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. James Madison University is expected to maintain increases in:

a. Data Science and Technology awards of 10 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. Healthcare awards of 45 annually over the base year.

d. Education awards of 15 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

E. 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 James Madison University and the Commonwealth, as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.

F. Out of this appropriation, $4,600,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

168.	Higher Education Student Financial Assistance (10800)		$26,753,898	$32,072,248
	Scholarships (10810)	$25,663,827	$30,895,127	
	Fellowships (10820)	$1,090,071	$1,177,121	
	Fund Sources: General	$13,850,346	$19,168,696	
	Higher Education Operating	$12,903,552	$12,903,552	

Authority: Title 23.1, Chapter 16, Code of Virginia.

A. 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.

B. The appropriation for the fund source Higher Education Operating in this Item shall be considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between James Madison University and the Commonwealth as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.

169.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at		$46,750,000	$46,750,000
	Eminent Scholars (11001)	$350,000	$350,000	
	Sponsored Programs (11004)	$46,400,000	$46,400,000	
	Fund Sources: Higher Education Operating	$46,750,000	$46,750,000	

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	Authority: Title 23.1, Chapter 16, Code of Virginia.				
170.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$244,527,990	$244,527,990
	Food Services (80910)	$80,006,129	$80,006,129		
	Bookstores And Other Stores (80920)	$1,671,000	$1,671,000		
	Residential Services (80930)	$40,908,562	$40,908,562		
	Parking And Transportation Systems And Services (80940)	$8,299,037	$8,299,037		
	Telecommunications Systems And Services (80950)	$1,653,061	$1,653,061		
	Student Health Services (80960)	$7,361,895	$7,361,895		
	Student Unions And Recreational Facilities (80970)	$8,350,305	$8,350,305		
	Recreational And Intramural Programs (80980)	$13,665,647	$13,665,647		
	Other Enterprise Functions (80990)	$22,731,460	$22,731,460		
	Intercollegiate Athletics (80995)	$59,880,894	$59,880,894		
	Fund Sources: Higher Education Operating	$202,228,750	$202,228,750		
	Debt Service	$42,299,240	$42,299,240		
	Authority: Title 23.1, Chapter 16, Code of Virginia.				
	Total for James Madison University			**$700,980,182**	**$706,612,870**
	General Fund Positions	1,294.53	1,294.53		
	Nongeneral Fund Positions	2,873.38	2,873.38		
	Position Level	4,167.91	4,167.91		
	Fund Sources: General	$144,494,225	$150,126,913		
	Higher Education Operating	$512,236,064	$512,236,064		
	Debt Service	$44,249,893	$44,249,893		

§ 1-55. LONGWOOD UNIVERSITY (214)

171.	Educational and General Programs (10000)			$84,079,735	~~$84,079,735~~ *$84,089,735*
	Higher Education Instruction (100101)	$44,126,310	~~$44,126,310~~ *$44,136,310*		
	Higher Education Public Services (100103)	$640,768	$640,768		
	Higher Education Academic (100104)	$8,373,149	$8,373,149		
	Higher Education Student Services (100105)	$5,567,185	$5,567,185		
	Higher Education Institutional Support (100106)	$15,540,846	$15,540,846		
	Operation and Maintenance Of Plant (100107)	$9,831,477	$9,831,477		
	Fund Sources: General	$39,249,680	~~$39,249,680~~ *$39,259,680*		
	Higher Education Operating	$44,830,055	$44,830,055		
	Authority: Title 23.1, Chapter 17, 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. 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

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fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, $547,000 the first year and $547,000 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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. Longwood University is expected to maintain increases in:

a. Science and Engineering awards of 5 annually over the base year.

b. Healthcare awards of 5 annually over the base year.

c. Education awards of 5 annually over the base year.

d. 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 Chairman of the House Appropriations and Senate Finance and Appropriations Committees annually.

D. Out of this appropriation, $2,400,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

172.	Higher Education Student Financial Assistance (10800)		$9,860,518	$11,390,718
	Scholarships (10810)	$9,829,454	$11,354,454	
	Fellowships (10820)	$31,064	$36,264	
	Fund Sources: General	$6,864,879	$8,395,079	
	Higher Education Operating	$2,995,639	$2,995,639	

Authority: Title 23.1, Chapter 17, Code of Virginia.

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.

173.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at		$5,678,393	$5,678,393
	Sponsored Programs (11004)	$5,678,393	$5,678,393	
	Fund Sources: Higher Education Operating	$5,678,393	$5,678,393	

Authority: Title 23.1, Chapter 17, Code of Virginia.

174.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at		$64,882,672	$64,882,672

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Food Services (80910)	$8,139,258	$8,139,258		
Bookstores And Other Stores (80920)	$273,195	$273,195		
Residential Services (80930)	$22,354,254	$22,354,254		
Parking And Transportation Systems And Services (80940)	$989,591	$989,591		
Telecommunications Systems And Services (80950)	$951,620	$951,620		
Student Health Services (80960)	$974,226	$974,226		
Student Unions And Recreational Facilities (80970)	$3,179,541	$3,179,541		
Recreational And Intramural Programs (80980)	$2,172,334	$2,172,334		
Other Enterprise Functions (80990)	$16,807,306	$16,807,306		
Intercollegiate Athletics (80995)	$9,041,347	$9,041,347		
Fund Sources: Higher Education Operating	$57,295,361	$57,295,361		
Debt Service	$7,587,311	$7,587,311		
Authority: Title 23.1, Chapter 17, Code of Virginia.				
Total for Longwood University			**$164,501,318**	**~~$166,031,518~~** ***$166,041,518***
General Fund Positions	291.39	291.39		
Nongeneral Fund Positions	471.67	471.67		
Position Level	763.06	763.06		
Fund Sources: General	$46,114,559	~~$47,644,759~~ *$47,654,759*		
Higher Education Operating	$110,799,448	$110,799,448		
Debt Service	$7,587,311	$7,587,311		

§ 1-56. NORFOLK STATE UNIVERSITY (213)

175.	Educational and General Programs (10000)			$125,490,394	$123,004,353
	Higher Education Instruction (100101)	$67,433,394	$64,933,394		
	Higher Education Research (100102)	$199,975	$199,975		
	Higher Education Public Services (100103)	$1,326,879	$1,326,879		
	Higher Education Academic (100104)	$16,053,707	$16,067,666		
	Higher Education Student Services (100105)	$5,900,122	$5,900,122		
	Higher Education Institutional Support (100106)	$20,915,308	$20,915,308		
	Operation and Maintenance Of Plant (100107)	$13,661,009	$13,661,009		
	Fund Sources: General	$80,759,172	$78,273,131		
	Higher Education Operating	$44,731,222	$44,731,222		
	Authority: Title 23.1, Chapter 19, 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, $5,350,128 the first year and $5,350,128 the second year from the general fund is designated for the recently initiated Bachelor of Science academic programs in Electronics Engineering and Optical Engineering and Master of Science academic programs in Electronics Engineering, Optical Engineering, Computer Science, and Criminal Justice.

2. Out of the amounts for programs listed in paragraph B.1. above, shall be provided $273,486 the first year and $273,486 the second year from the general fund for lease payments through the Master Equipment Leasing Program for educational and general equipment.

3. Out of the amounts for Educational and General Programs, $37,500 the first year and

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$37,500 the second year from the general fund is provided to serve in lieu of endowment income from the Eminent Scholars Program.

C.1. Out of the amounts for Educational and General Programs, a maximum of $70,000 the first year and $70,000 the second year from the general fund is designated for the Dozoretz National Institute for Minorities in Applied Sciences.

2. Any unexpended balances in paragraphs B.1., B.2., B.3., and C.1. in this Item at the close of business on June 30, 2022 and June 30, 2023 shall not revert to the surplus of the general fund, but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Norfolk State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

D. 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.

E. Out of this appropriation, $220,000 the first year and $220,000 the second year from the general fund is designated to increase retention and graduation of juniors and seniors in good academic standing and who have additional demonstrated need.

F. 1. Out of this appropriation, $826,570 the first year and $826,570 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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. Norfolk State University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Healthcare awards of 5 annually over the base year.

d. Education awards of 5 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 and Appropriations Committees annually.

G. Out of this appropriation, $548,000 the first year and $548,000 the second year from the general fund is designated for the Center for African American Policy to provide non-partisan research on public policy issues affecting African Americans and other people of color.

ITEM 175.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
H. Out of this appropriation, $1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
176. Higher Education Student Financial Assistance (10800)			$28,427,081	$33,959,031
Scholarships (10810)	$28,036,029	$33,461,729		
Fellowships (10820)	$391,052	$497,302		
Fund Sources: General	$23,294,214	$28,826,164		
Higher Education Operating	$5,132,867	$5,132,867		
Authority: Title 23.1, Chapter 19, Code of Virginia.				

A. 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.

B. 1. Out of this appropriation up to $7,222,765 the first year and $7,222,765 from the general fund is provided for an affordability pilot program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements, and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits to complete a certificate or degree. Priority shall be placed on students from Norfolk, Portsmouth, and Newport News and remaining funds may be used for room and board if available. It is the intention that the program may ramp up to 300 students total at any one time by fiscal year 2024. In the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.

2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.

3. The University shall submit a detailed budget and implementation plan, including how the institution will disseminate information about the program to area students, the projected size of each cohort, and how the institution will monitor and report on the success of the program.

177. Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$20,231,943	$20,231,943
Sponsored Programs (11004)	$20,231,943	$20,231,943		
Fund Sources: Higher Education Operating	$20,231,943	$20,231,943		
Authority: Title 23.1, Chapter 19, Code of Virginia.				
178. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$49,312,878	$49,312,878
Food Services (80910)	$1,368,865	$1,368,865		
Bookstores And Other Stores (80920)	$393,740	$393,740		
Residential Services (80930)	$14,529,508	$14,529,508		
Parking And Transportation Systems And Services (80940)	$458,180	$458,180		
Student Health Services (80960)	$1,000,000	$1,000,000		
Student Unions And Recreational Facilities (80970)	$9,570,213	$9,570,213		
Other Enterprise Functions (80990)	$14,824,504	$14,824,504		

ITEM 178.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Intercollegiate Athletics (80995)	$7,167,868	$7,167,868		
Fund Sources: Higher Education Operating	$40,488,242	$40,488,242		
Debt Service	$8,824,636	$8,824,636		
Authority: Title 23.1, Chapter 19, Code of Virginia.				
Total for Norfolk State University			**$223,462,296**	**$226,508,205**
General Fund Positions	531.15	531.15		
Nongeneral Fund Positions	689.97	689.97		
Position Level	1,221.12	1,221.12		
Fund Sources: General	$104,053,386	$107,099,295		
Higher Education Operating	$110,584,274	$110,584,274		
Debt Service	$8,824,636	$8,824,636		

§ 1-57. OLD DOMINION UNIVERSITY (221)

179.	Educational and General Programs (10000)		$358,049,129	$358,774,129
	Higher Education Instruction (100101)	$214,249,297	$213,999,297	
	Higher Education Research (100102)	$7,839,852	$7,839,852	
	Higher Education Public Services (100103)	$311,015	$311,015	
	Higher Education Academic (100104)	$56,149,881	$56,149,881	
	Higher Education Student Services (100105)	$19,754,158	$19,754,158	
	Higher Education Institutional Support (100106)	$31,447,153	$31,447,153	
	Operation and Maintenance Of Plant (100107)	$28,297,773	$29,272,773	
	Fund Sources: General	$169,457,389	$169,751,389	
	Higher Education Operating	$188,591,740	$189,022,740	

Authority: Title 23.1, Chapter 20, Code of Virginia.

A.1. 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).

2. Out of this appropriation, the university may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school.

B. Out of this appropriation, $431,013 the first year and $431,013 the second year from the general fund and $198,244 the first year and $198,244 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.

C. Notwithstanding § 1-610, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.

D. Notwithstanding § 23.1-506, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

E. 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-

ITEM 179.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

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.

F. Out of this appropriation, $320,000 the first year and $320,000 the second year from the general fund is designated to provide opportunity for 80 students per year to be engaged in STEM education using aerospace, high tech science, technology and engineering in partnership with NASA Wallops Flight Facility. Old Dominion University will collaborate with the Virginia Space Grant Consortium and STEM educators to identify the students who will participate in the program each year. The designated funding in this paragraph will not be considered as a resource for purposes of funding guidelines.

G. Out of this appropriation, $409,200 and four positions the first year and $409,200 and four positions the second year from the general fund is designated to support modeling of socioeconomic impacts of recurrent flooding in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving Old Dominion University, the Virginia Institute of Marine Science, and the College of William and Mary's Virginia Coastal Policy Center, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.

H. 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.

I. 1. Out of this appropriation, $3,611,790 the first year and $3,611,790 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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. Old Dominion University is expected to maintain increases in:

a. Data Science and Technology awards of 15 annually over the base year.

b. Science and Engineering awards of 40 annually over the base year.

c. Healthcare awards of 40 annually over the base year.

d. Education awards of 30 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

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4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

J. Out of this appropriation, $25,000 the first year and $25,000 the second year from the general fund is designated for the Marine Rescue Program, a collaborative program between Old Dominion University and the Virginia Aquarium and Marine Science Foundation to support rescue efforts for stranded and sick marine animals throughout the entire Virginia coastline region of the Chesapeake Bay.

K. Out of this appropriation, $264,000 the first year and $264,000 the second year from the general fund is designated to provide more targeted internship experiences through the Commonwealth Science, Technology, Engineering, and Mathematics (STEM) Industry Internship Program, managed by the Virginia Space Grant Consortium.

L. Out of this appropriation, $3,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

180.	Higher Education Student Financial Assistance (10800)		$43,411,907	$61,336,357
	Scholarships (10810)	$40,186,112	$57,853,012	
	Fellowships (10820)	$3,225,795	$3,483,345	
	Fund Sources: General	$35,084,389	$53,008,839	
	Higher Education Operating	$8,327,518	$8,327,518	

Authority: Title 23.1, Chapter 20, Code of Virginia.

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.

181.	Financial Assistance For Educational and General Services (11000)		$24,911,599	$24,911,599
	Eminent Scholars (11001)	$421,387	$421,387	
	Sponsored Programs (11004)	$24,490,212	$24,490,212	
	Fund Sources: General	$11,491,584	$11,491,584	
	Higher Education Operating	$13,420,015	$13,420,015	

Authority: Title 23.1, Chapter 20, Code of Virginia.

A.1. Out of this appropriation, $2,099,838 and 14 positions the first year and $2,099,838 and 14 positions the second year from the general fund and $4,500,000 the first year and $4,500,000 the second year from nongeneral funds are designated to build research capacity in modeling and simulation, which shall include efforts to improve traffic management through modeling.

2. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to support science, technology, engineering and mathematics (STEM), and health-related programs. Old Dominion University shall use these funds to promote the use of modeling and simulation in the medical industry.

B. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund is designated to expand research efforts at the Center for Bioelectrics, which uses electrical stimuli in the biomedical area to eliminate cancer cells and tumors without damaging healthy surrounding tissue, accelerate wound healing, and efficiently deliver DNA vaccines. Non-biomedical areas of research include reducing pollutants in exhaust and establishing effective ground penetrating radar.

C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

ITEM 181.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

D. Out of this appropriation, $370,000 the first year and $370,000 the second year from the general fund is designated to the Virginia SmallSat Data Consortium, to support development of the Virginia Institute for Spaceflight and Autonomy.

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

F. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to support a minority fellowship program partnership between Old Dominion University and the Virginia Symphony Orchestra.

G. Out of this appropriation, $500,000 each year from the general fund is designated to establish a Maritime Center for Mission Engineering Solutions and Workforce Training.

H. Out of this appropriation, $1,500,000 each year from the general fund is designated to support the Institute for Coastal Adaptation and Resilience at Old Dominion University and its collaboration with the Chesapeake Bay Foundation.

I. Out of this appropriation, $500,000 each year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.

182. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$120,682,026	$120,682,026
Food Services (80910)	$5,260,460	$5,260,460		
Bookstores And Other Stores (80920)	$655,764	$655,764		
Residential Services (80930)	$38,399,263	$38,399,263		
Parking And Transportation Systems And Services (80940)	$6,539,784	$6,539,784		
Telecommunications Systems And Services (80950)	$906,134	$906,134		
Student Health Services (80960)	$3,575,660	$3,575,660		
Student Unions And Recreational Facilities (80970)	$8,197,679	$8,197,679		
Recreational And Intramural Programs (80980)	$4,215,657	$4,215,657		
Other Enterprise Functions (80990)	$18,763,357	$18,763,357		
Intercollegiate Athletics (80995)	$34,168,268	$34,168,268		
Fund Sources: Higher Education Operating	$94,206,664	$94,206,664		
Debt Service	$26,475,362	$26,475,362		

Authority: Title 23.1, Chapter 20, Code of Virginia.

Old Dominion University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of TELETECHNET classes offered at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for TELETECHNET students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the University's Board of Visitors. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the State Council of Higher Education for Virginia. Revenues in excess of expenditures shall be retained in the fund to support the entire TELETECHNET program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

Total for Old Dominion University			**$547,054,661**	**$565,704,111**
General Fund Positions	1,090.51	1,090.51		
Nongeneral Fund Positions	1,531.98	1,531.98		
Position Level	2,622.49	2,622.49		

ITEM 182.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$216,033,362	$234,251,812		
Higher Education Operating	$304,545,937	$304,976,937		
Debt Service	$26,475,362	$26,475,362		

§ 1-58. RADFORD UNIVERSITY (217)

183.	Educational and General Programs (10000)			$137,831,383	$137,831,383
	Higher Education Instruction (100101)	$84,288,405	$84,288,405		
	Higher Education Public Services (100103)	$629,980	$629,980		
	Higher Education Academic (100104)	$12,325,154	$12,325,154		
	Higher Education Student Services (100105)	$6,511,721	$6,511,721		
	Higher Education Institutional Support (100106)	$22,659,968	$22,659,968		
	Operation and Maintenance Of Plant (100107)	$11,416,155	$11,416,155		
	Fund Sources: General	$66,862,810	$66,862,810		
	Higher Education Operating	$70,968,573	$70,968,573		

Authority: Title 23.1, Chapter 21, 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. 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.

C. 1. Out of this appropriation, $1,028,460 the first year and $1,028,460 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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. Radford University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Healthcare awards of 10 annually over the base year.

d. Education awards of 10 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

ITEM 183.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

5. Out of the amounts designated for degree production $300,000 the first year and $300,000 the second year is designated to support a flat-fee degree pilot initiative for education programs. Radford University shall offer alternative tuition or fee structures, including discounted tuition, flat tuition rates, discounted student fees, or student fee and student services flexibility, to any first-time, incoming freshman undergraduate student who (i) has established domicile, as that term is defined in § 23.1-500 et seq., in the Commonwealth and (ii) enrolls full time with the intent to earn a degree in a program that leads to employment as a teacher in the region. Such an alternative tuition or fee structure may be renewed each year if the recipient maintains continuous full-time enrollment. If a recipient fails to maintain continuous full-time enrollment, subsequently enrolls in a noneligible degree program, or fails to complete the eligible degree program within four years, the institution shall convert the financial benefit received by the student to a financial obligation payable by the student to the institution on terms established by the institution.

D. Out of this appropriation, $1,400,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

184.	Higher Education Student Financial Assistance (10800)			$17,758,173	$26,114,873
	Scholarships (10810)	$16,664,826	$24,934,226		
	Fellowships (10820)	$1,093,347	$1,180,647		
	Fund Sources: General	$15,850,702	$24,207,402		
	Higher Education Operating	$1,907,471	$1,907,471		

Authority: Title 23.1, Chapter 21, Code of Virginia.

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.

185.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$9,010,037	$9,010,037
	Eminent Scholars (11001)	$48,397	$48,397		
	Sponsored Programs (11004)	$8,961,640	$8,961,640		
	Fund Sources: Higher Education Operating	$9,010,037	$9,010,037		

Authority: Title 23.1, Chapter 21, Code of Virginia.

186.	Administrative and Support Services (19900)			$23,385,314	$23,385,314
	Operation of Higher Education Centers (19931)	$23,385,314	$23,385,314		
	Fund Sources: General	$12,190,852	$12,190,852		
	Higher Education Operating	$11,194,462	$11,194,462		

Authority: Title 23.1, Chapter 23, Code of Virginia

The appropriation listed in this Item is designated to support Radford University Carilion.

187.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$68,977,308	$68,977,308
	Food Services (80910)	$19,251,178	$19,251,178		
	Bookstores And Other Stores (80920)	$605,227	$605,227		
	Residential Services (80930)	$16,275,025	$16,275,025		
	Parking And Transportation Systems And Services (80940)	$1,657,550	$1,657,550		

ITEM 187.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Telecommunications Systems And Services (80950)	$659,898	$659,898		
Student Health Services (80960)	$3,242,356	$3,242,356		
Student Unions And Recreational Facilities (80970)	$6,101,566	$6,101,566		
Recreational And Intramural Programs (80980)	$1,659,883	$1,659,883		
Other Enterprise Functions (80990)	$5,324,675	$5,324,675		
Intercollegiate Athletics (80995)	$14,199,950	$14,199,950		
Fund Sources: Higher Education Operating	$64,777,308	$64,777,308		
Debt Service	$4,200,000	$4,200,000		
Authority: Title 23.1, Chapter 21, Code of Virginia.				
Total for Radford University			**$256,962,215**	**$265,318,915**
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	$94,904,364	$103,261,064		
Higher Education Operating	$157,857,851	$157,857,851		
Debt Service	$4,200,000	$4,200,000		

§ 1-59. UNIVERSITY OF MARY WASHINGTON (215)

188. Educational and General Programs (10000)			$92,481,147	$92,481,147
Higher Education Instruction (100101)	$51,344,686	$51,344,686		
Higher Education Research (100102)	$422,289	$422,289		
Higher Education Public Services (100103)	$520,659	$520,659		
Higher Education Academic (100104)	$10,464,228	$10,464,228		
Higher Education Student Services (100105)	$9,952,542	$9,952,542		
Higher Education Institutional Support (100106)	$12,181,250	$12,181,250		
Operation and Maintenance Of Plant (100107)	$7,595,493	$7,595,493		
Fund Sources: General	$39,739,855	$39,739,855		
Higher Education Operating	$52,741,292	$52,741,292		

Authority: Title 23.1, Chapter 18, 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. Out of this appropriation an amount estimated at $80,483 the first year and $80,483 the second year from the general fund and $36,130 the first year and $36,130 the second year nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.

C. 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.

D. Notwithstanding any other provision of law, the University of Mary Washington may enter into an agreement with the Fredericksburg Regional Alliance, a nonprofit organization dedicated to cooperative economic development efforts in the Fredericksburg region, for the purpose of expanding regional efforts in the field of economic development and research.

ITEM 188.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

E. 1. Out of this appropriation, $338,550 the first year and $338,550 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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. University of Mary Washington is expected to maintain increases in:

a. Science and Engineering awards of 5 annually over the base year.

b. Education awards of 5 annually over the base year.

c. 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 Chairs of the House Appropriations and Senate Finance and Appropriation Committees annually.

F. Out of this appropriation, $568,000 the first year and $568,000 the second year from the general fund is designated to support an educational partnership between regional K-12 school divisions, community colleges, University of Mary Washington and industry to develop a curriculum that accelerates time to degree, lowers cost, eliminates the skills gap and reduces reliance on student debt in the areas of Education, Healthcare and Cybersecurity.

G. Out of this appropriation, $2,100,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

189.	Higher Education Student Financial Assistance (10800)		$14,638,862	$16,165,862
	Scholarships (10810)	$14,607,129	$16,128,829	
	Fellowships (10820)	$31,733	$37,033	
	Fund Sources: General	$4,438,862	$5,965,862	
	Higher Education Operating	$10,200,000	$10,200,000	

Authority: Title 23.1, Chapter 18, Code of Virginia.

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.

190.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at		$809,533	$809,533
	Eminent Scholars (11001)	$57,396	$57,396	
	Sponsored Programs (11004)	$752,137	$752,137	

ITEM 190.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: Higher Education Operating	$809,533	$809,533		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
191.	Museum and Cultural Services (14500)			$1,099,138	$1,099,138
	Collections Management and Curatorial Services (14501)	$1,099,138	$1,099,138		
	Fund Sources: General	$781,117	$781,117		
	Special	$318,021	$318,021		
	Authority: Title 23.1, Chapter 18 and Chapter 51, Acts of Assembly of 1960; § 23.1-1310, Code of Virginia.				
	The amounts provided in this appropriation are designated for the support of Belmont, the estate and memorial gallery of American artist Gari Melchers.				
192.	Administrative and Support Services (19900)			$1,700,000	$1,700,000
	Operation of Higher Education Centers (19931)	$1,700,000	$1,700,000		
	Fund Sources: General	$1,250,000	$1,250,000		
	Special	$450,000	$450,000		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
193.	Historic and Commemorative Attraction Management (50200)			$527,898	$527,898
	Historic and Commemorative Attraction Management (50200)	$53,950	$53,950		
	Historic Landmarks and Facilities Management (50203)	$473,948	$473,948		
	Fund Sources: General	$473,948	$473,948		
	Special	$53,950	$53,950		
	Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.				
	The amounts provided in this appropriation are designated for the support of the James Monroe Museum and Memorial Library.				
194.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$53,809,228	$53,809,228
	Food Services (80910)	$9,250,229	$9,250,229		
	Residential Services (80930)	$21,754,169	$21,754,169		
	Parking And Transportation Systems And Services (80940)	$692,417	$692,417		
	Telecommunications Systems And Services (80950)	$2,832,104	$2,832,104		
	Student Health Services (80960)	$592,823	$592,823		
	Student Unions And Recreational Facilities (80970)	$5,391,937	$5,391,937		
	Recreational And Intramural Programs (80980)	$1,040,941	$1,040,941		
	Other Enterprise Functions (80990)	$9,600,754	$9,600,754		
	Intercollegiate Athletics (80995)	$2,653,854	$2,653,854		
	Fund Sources: Higher Education Operating	$48,370,600	$48,370,600		
	Debt Service	$5,438,628	$5,438,628		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
	Total for University of Mary Washington			**$165,065,806**	**$166,592,806**
	General Fund Positions	231.66	231.66		
	Nongeneral Fund Positions	465.00	465.00		
	Position Level	696.66	696.66		
	Fund Sources: General	$46,683,782	$48,210,782		
	Special	$821,971	$821,971		

ITEM 194.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Higher Education Operating	$112,121,425	$112,121,425		
	Debt Service	$5,438,628	$5,438,628		

§ 1-60. UNIVERSITY OF VIRGINIA (207)

195.	Educational and General Programs (10000)			$828,237,103	$832,311,999
	Higher Education Instruction (100101)	$437,727,484	$441,802,380		
	Higher Education Research (100102)	$31,375,273	$31,375,273		
	Higher Education Public Services (100103)	$12,134,442	$12,134,442		
	Higher Education Academic (100104)	$127,704,792	$127,704,792		
	Higher Education Student Services (100105)	$38,252,253	$38,252,253		
	Higher Education Institutional Support (100106)	$50,349,944	$50,349,944		
	Operation and Maintenance Of Plant (100107)	$130,692,915	$130,692,915		
	Fund Sources: General	$165,262,926	$165,262,926		
	Higher Education Operating	$660,094,177	$664,169,073		
	Debt Service	$2,880,000	$2,880,000		

Authority: Title 23.1, Chapter 22, 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. This appropriation includes an amount not to exceed $1,393,959 the first year and $1,393,959 the second year from the general fund 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 of Virginia, in cooperation with the Virginia Commonwealth University Health System Authority, 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 the University of Virginia for purposes of determining the university's portion of the statewide general fund reduction requirement.

C. 1. Out of this appropriation, $2,476,467 the first year and $2,476,467 the second year from the general fund and $1,714,900 the first year and $1,714,900 the second year from nongeneral funds is designated for the Virginia Foundation for Humanities and Public Policy.

2. Out of the total funding in paragraph C.1., $250,000 and two positions the first year and $250,000 and two positions the second year from the general fund and $714,900 and four positions the first year and $714,900 and four positions the second year from nongeneral funds is provided to support Discovery Virginia, an online archive to preserve elements of Virginia history, culture, and heritage, and make the materials accessible to the public.

3. Out of the total funding in paragraph C.1., $500,000 and 2.00 positions the first year and $500,000 and 2.00 positions the second year from the general fund and $1,000,000 and 4.15 positions the first year and $1,000,0000 and 4.15 positions the second year from nongeneral funds is provided to create curriculum materials for K-12 schools, establish a network of Humanities Ambassadors in public schools and libraries across the state, and support classroom visits by Foundation program staff to support student use of the Foundation for the Humanities resources.

ITEM 195.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

4. Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this Item begin to address the objective of appropriating one dollar per capita for the support of the Foundation.

D. Out of this appropriation, an amount estimated at $501,230 the first year and $501,230 the second year from the general fund and at least $468,850 the first year and at least $468,850 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.

E. Out of this appropriation, $183,306 the first year and $183,306 the second year from the general fund, and at least $283,500 the first year and at least $283,500 the second year from nongeneral funds are designated for the independent Virginia Institute of Government at the University of Virginia Center for Public Service.

F. Out of this appropriation, at least $148,577 the first year and $148,577 the second year from the general fund is designated for support of diabetes education and public service at the Virginia Center for Diabetes Professional Education at the University of Virginia.

G. Out of this appropriation $304,927 the first year and $304,927 the second year from the general fund and $53,189 the first year and $53,189 the second year from nongeneral funds are designated for support of the State Arboretum at Blandy Farm.

H. 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.

I. 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.

J. Out of this appropriation, $190,000 the first year and $190,000 the second year from the general fund is designated for a program to expand health care services to rural and medically underserved areas through the use of physicians, nurse practitioners, other providers, and telemedicine.

K. Out of this appropriation, $175,000 the first year and $175,000 the second year is designated to support the efforts of the Weldon Cooper Center to produce population estimates at least every other year in between census years.

L. 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 the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

M. 1. Out of this appropriation, $2,661,340 the first year and $2,661,340 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

ITEM 195.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

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 (40);

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. The University of Virginia 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 20 annually over the base year.

d. Education awards of 10 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

N. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is designated to the Weldon Cooper Center for Public Service to increase its demographic projection capacity.

O. Out of this appropriation, $2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students

196.	Higher Education Student Financial Assistance (10800)		$167,352,652	$170,071,552
	Scholarships (10810)	$76,751,133	$79,230,233	
	Fellowships (10820)	$90,601,519	$90,841,319	
	Fund Sources: General	$13,634,364	$16,353,264	
	Higher Education Operating	$153,718,288	$153,718,288	

Authority: Title 23.1, Chapter 22, Code of Virginia.

A. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund, shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

B. 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 revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

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.

ITEM 197.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
197.	Financial Assistance For Educational and General Services (11000)			$593,865,458	~~$593,865,458~~ *$596,365,458*
	Sponsored Programs (11004)	$593,865,458	~~$593,865,458~~ *$596,365,458*		
	Fund Sources: General	$26,806,715	~~$26,806,715~~ *$29,306,715*		
	Higher Education Operating	$544,248,743	$544,248,743		
	Debt Service	$22,810,000	$22,810,000		

Authority: Title 23.1, Chapter22, Code of Virginia.

A. Out of this appropriation, $1,744,245 the first year and $1,744,245 the second year from the general fund and $14,350,000 the first year and $14,350,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering and biosciences.

B.1. Out of this appropriation, $20,000,000 the first year and ~~$20,000,000~~ *$22,500,000* the second year from the general fund is designated for the support of cancer research. From this allocation, $2,500,000 the first year and $2,500,000 the second year from the general fund is designated for the support of pediatric cancer research.

2. The University of Virginia shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.

C. Out of this appropriation, $4,112,500 the first year and $4,112,500 the second year from the general fund is designated for support of the Focused Ultrasound Center to support core programs and research activities. The funding provided in this paragraph supports the activities and research at the University of Virginia as designated by the Focused Ultrasound Foundation, including coordinated activities with Virginia Tech.

D. Out of this appropriation, $950,000 the first year and $950,000 the second year from the general fund is designated to support the creation of the UVA Economic Development Accelerator.

E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

198.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$221,675,089	$221,675,089
	Food Services (80910)	$5,370,300	$5,370,300		
	Residential Services (80930)	$45,728,208	$45,728,208		
	Parking And Transportation Systems And Services (80940)	$12,559,388	$12,559,388		
	Telecommunications Systems And Services (80950)	$15,564,808	$15,564,808		
	Student Health Services (80960)	$9,988,673	$9,988,673		
	Student Unions And Recreational Facilities (80970)	$7,764,975	$7,764,975		
	Recreational And Intramural Programs (80980)	$9,719,717	$9,719,717		
	Other Enterprise Functions (80990)	$61,430,758	$61,430,758		
	Intercollegiate Athletics (80995)	$53,548,262	$53,548,262		
	Fund Sources: Higher Education Operating	$199,817,089	$199,817,089		
	Debt Service	$21,858,000	$21,858,000		

Authority: Title 23.1, Chapter 22, Code of Virginia.

Total for University of Virginia			**$1,811,130,302**	~~**$1,817,924,098**~~ ***$1,820,424,098***
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		

ITEM 198.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$205,704,005	~~$208,422,905~~ *$210,922,905*		
Higher Education Operating	$1,557,878,297	$1,561,953,193		
Debt Service	$47,548,000	$47,548,000		

University of Virginia Medical Center (209)

199.	*State Health Services (43000)*			$2,331,852,899	$2,429,057,746
	Inpatient Medical Services (43007)	$938,159,311	$969,433,550		
	Outpatient Medical Services (43011)	$614,562,971	$643,255,312		
	Administrative Services (43018)	$779,130,617	$816,368,884		
	Fund Sources: Higher Education Operating	$2,314,206,434	$2,411,411,281		
	Debt Service	$17,646,465	$17,646,465		

Authority: §§ 23.1, Chapter 22, Article 3 , Code of Virginia and Chapter 38, Acts of Assembly of 1978.

A. The appropriation to the University of Virginia Medical Center provides for the care, treatment, health related services and education activities associated with Virginia patients, including indigent and medically indigent patients. Inasmuch as the University of Virginia Medical Center is a state teaching hospital, this appropriation is to be used to jointly support the education of health students through patient care provided by this appropriation.

B. By July 1 of each year, the Director, Department of Medical Assistance Services shall approve a common criteria and methodology for determining free care attributable to the appropriations in this Item. The Medical Center will report to the Department of Medical Assistance Services expenditures for indigent, medically indigent, and other patients. The Auditor of Public Accounts and the State Comptroller shall monitor the implementation of these procedures. The Medical Center shall report by October 31 annually to the Department of Medical Assistance Services, the Comptroller and the Auditor of Public Accounts on expenditures related to this Item. Reporting shall be by means of the indigent care cost report and shall follow criteria approved by the Director, Department of Medical Assistance Services.

C. Funding for Family Practice is included in the University of Virginia's Educational and General appropriation. Support for other residencies is included in the hospital appropriation.

D. It is the intent of the General Assembly that the University of Virginia Medical Center – Hospital maintain its efforts to staff residencies and fellow positions to produce sufficient generalist physicians in medically underserved regions of the state.

E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover medical center operations.

F. Notwithstanding anything contrary to law, the University of Virginia has authority to determine compensation paid to Medical Center employees in accordance with policies established by the Board of Visitors.

G. In order to provide the state share for Medicaid supplemental payments to Medicaid provider private hospitals in which the University of Virginia Medical Center has a non-majority interest, the University of Virginia shall transfer to the Department of Medical Assistance Services public funds that comply with 42 C.F.R. § 433.51.

H. On of before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $249,997 from the surplus balances of this program.

200. The June 30, 2022 and June 30, 2023 unexpended balances of the University of Virginia Medical Center are hereby reappropriated; their use is subject to approval of allotments by the Department of Planning and Budget.

ITEM 200.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
201. A full accrual system of accounting shall be effected by the institution, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia, with the provison that appropriations for operating expenses may not be used for capital projects.				
Total for University of Virginia Medical Center			**$2,331,852,899**	**$2,429,057,746**
Nongeneral Fund Positions	7,963.22	7,996.22		
Position Level	7,963.22	7,996.22		
Fund Sources: Higher Education Operating	$2,314,206,434	$2,411,411,281		
Debt Service	$17,646,465	$17,646,465		
University of Virginia's College at Wise (246)				
202. Educational and General Programs (10000)			$42,355,876	~~$40,549,150~~ *$40,849,150*
Higher Education Instruction (100101)	$22,124,406	~~$20,898,340~~ *$21,198,340*		
Higher Education Public Services (100103)	$588,007	$588,007		
Higher Education Academic (100104)	$5,427,667	$4,847,007		
Higher Education Student Services (100105)	$3,259,167	$3,259,167		
Higher Education Institutional Support (100106)	$5,934,521	$5,934,521		
Operation and Maintenance Of Plant (100107)	$5,022,108	$5,022,108		
Fund Sources: General	$29,668,614	~~$27,348,324~~ *$27,648,324*		
Higher Education Operating	$12,687,262	$13,200,826		

Authority: Title 23.1, Chapter 22, Article 2, 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. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.

C. 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.

D. Out of this appropriation, $715,580 the first year from the general fund is designated to support debt service costs for the fifth payment of a five-year lease under the Master Equipment Lease Program (MELP) to upgrade the university's information technology network and security systems. In addition to these amounts, $116,489 the first year and $116,489 the second year from the general fund is designated to support training and software costs.

E. 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 the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

F. Out of this appropriation, $1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

ITEM 202.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
G. Notwithstanding § 23.1-203(3) of the Code of Virginia, the escalation of the University of Virginia's College at Wise (the College) to offer master's level degree programs is approved. Any new master's degree program proposed by the College shall be reviewed and approved or disapproved by the State Council of Higher Education for Virginia consistent with the Council's duties per § 23.1-203(5) of the Code of Virginia.				
203. Higher Education Student Financial Assistance (10800)			$4,097,235	$5,418,535
Scholarships (10810)	$4,097,235	$5,418,535		
Fund Sources: General	$4,047,235	$5,368,535		
Higher Education Operating	$50,000	$50,000		
Authority: Title 23.1. Chapter 22, Article 2, Code of Virginia.				
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.				
204. Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$5,663,186	$5,663,186
Sponsored Programs (11004)	$5,663,186	$5,663,186		
Fund Sources: Higher Education Operating	$5,663,186	$5,663,186		
Authority: Title 23.1 Chapter 22, Article 2, Code of Virginia.				
205. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$12,482,373	$12,482,373
Food Services (80910)	$294,528	$294,528		
Bookstores And Other Stores (80920)	$268,500	$268,500		
Residential Services (80930)	$4,819,106	$4,819,106		
Parking And Transportation Systems And Services (80940)	$160,252	$160,252		
Student Health Services (80960)	$211,363	$211,363		
Student Unions And Recreational Facilities (80970)	$1,326,389	$1,326,389		
Recreational And Intramural Programs (80980)	$123,400	$123,400		
Other Enterprise Functions (80990)	$2,054,235	$2,054,235		
Intercollegiate Athletics (80995)	$3,224,600	$3,224,600		
Fund Sources: Higher Education Operating	$9,492,373	$9,492,373		
Debt Service	$2,990,000	$2,990,000		
Authority: Title 23.1, Chapter 22, Article 2, Code of Virginia.				
Total for University of Virginia's College at Wise			**$64,598,670**	~~**$64,113,244**~~ ***$64,413,244***
General Fund Positions	171.46	171.46		
Nongeneral Fund Positions	207.24	211.24		
Position Level	378.70	382.70		
Fund Sources: General	$33,715,849	~~$32,716,859~~ *$33,016,859*		
Higher Education Operating	$27,892,821	$28,406,385		
Debt Service	$2,990,000	$2,990,000		
Grand Total for University of Virginia			**$4,207,581,871**	~~**$4,311,095,088**~~ ***$4,313,895,088***
General Fund Positions	1,260.24	1,260.24		

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Nongeneral Fund Positions	14,125.78	14,162.78		
Position Level	15,386.02	15,423.02		
Fund Sources: General	$239,419,854	~~$241,139,764~~ *$243,939,764*		
Higher Education Operating	$3,899,977,552	$4,001,770,859		
Debt Service	$68,184,465	$68,184,465		

§ 1-61. VIRGINIA COMMONWEALTH UNIVERSITY (236)

206.	Educational and General Programs (10000)			$717,652,872	$718,071,872
	Higher Education Instruction (100101)	$450,442,692	$450,442,692		
	Higher Education Research (100102)	$14,858,290	$14,858,290		
	Higher Education Public Services (100103)	$9,247,514	$9,247,514		
	Higher Education Academic (100104)	$103,656,257	$103,656,257		
	Higher Education Student Services (100105)	$26,749,121	$26,749,121		
	Higher Education Institutional Support (100106)	$56,605,922	$56,605,922		
	Operation and Maintenance Of Plant (100107)	$56,093,076	$56,512,076		
	Fund Sources: General	$240,009,158	$240,218,158		
	Higher Education Operating	$477,643,714	$477,853,714		

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 $386,685 the first year and not less than $536,685 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

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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. All other funding support for the center shall be maintained by the university at least at the level provided in fiscal year 2019.

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, $192,753 the first year and $192,753 the second year from the general fund is designated for support of the Education Policy Institute.

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.

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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, $235,000 the first year and $235,000 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 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 (40);

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 and Appropriations Committees annually.

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.

Q. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund is designated to fund research and programming activities at the Research

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Institute for Social Equity within the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University. The University shall conduct social equity research and analysis, work collaboratively with Virginia Union University, expand the Minority Political Leadership Institute, expand social equity training and development, and increase its racial equity and social justice tools and resources.

R. Out of this appropriation, $7,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

207.	Higher Education Student Financial Assistance (10800)		$76,013,975	$86,680,875
	Scholarships (10810)	$71,938,191	$82,279,691	
	Fellowships (10820)	$4,075,784	$4,401,184	
	Fund Sources: General	$42,365,386	$53,032,286	
	Higher Education Operating	$33,648,589	$33,648,589	

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

A. 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 revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

B. 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.

208.	Financial Assistance For Educational and General Services (11000)		$343,858,802	~~$338,858,802~~ *$341,358,802*
	Eminent Scholars (11001)	$3,063,732	$3,063,732	
	Sponsored Programs (11004)	$340,795,070	~~$335,795,070~~ *$338,295,070*	
	Fund Sources: General	$26,512,500	~~$21,512,500~~ *$24,012,500*	
	Higher Education Operating	$297,240,022	$297,240,022	
	Debt Service	$20,106,280	$20,106,280	

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

A. Out of this appropriation, $1,162,500 the first year and $1,162,500 the second year from the general fund and $6,600,000 the first year and $6,600,000 the second year from nongeneral funds are designated to build research capacity in the areas of biomedical engineering and regenerative medicine.

B. Out of this appropriation, $25,000,000 the first year and ~~$20,000,000~~ *$22,500,000* the second year from the general fund is designated for the support of cancer research. Virginia Commonwealth University shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.

C. Out of this appropriation, $350,000 the first year and $350,000 the second year from the general fund is designated to support the Parkinson's and Movement Disorders Center.

D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

209.	State Health Services (43000)		$32,652,534	$32,652,534

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State Health Services Technical Support And Administration (43012)	$32,652,534	$32,652,534		
Fund Sources: Higher Education Operating	$32,652,534	$32,652,534		

Authority: Discretionary Inclusion.

This appropriation includes funding to support 238 instructional and administrative faculty positions and for administrative and classified positions which provide services, through internal service agreements, to the Virginia Commonwealth University Health System Authority.

210. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$176,177,902	$176,177,902
Food Services (80910)	$16,010,960	$16,010,960		
Bookstores And Other Stores (80920)	$5,338,412	$5,338,412		
Residential Services (80930)	$31,825,554	$31,825,554		
Parking And Transportation Systems And Services (80940)	$24,585,881	$24,585,881		
Telecommunications Systems And Services (80950)	$5,676,016	$5,676,016		
Student Health Services (80960)	$6,109,293	$6,109,293		
Student Unions And Recreational Facilities (80970)	$14,560,559	$14,560,559		
Recreational And Intramural Programs (80980)	$11,859,159	$11,859,159		
Other Enterprise Functions (80990)	$42,147,881	$42,147,881		
Intercollegiate Athletics (80995)	$18,064,187	$18,064,187		
Fund Sources: Higher Education Operating	$142,310,022	$142,310,022		
Debt Service	$33,867,880	$33,867,880		

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

211. Administrative and Support Services (19900)			$45,058,639	$45,058,639
Operation of Higher Education Centers (19931)	$45,058,639	$45,058,639		
Fund Sources: Higher Education Operating	$45,058,639	$45,058,639		

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

A.1. Out of this appropriation, $45,058,639 the first year and $45,058,639 the second year from nongeneral funds is designated to support the university's branch campus in Qatar.

2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.

3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.

4. Notwithstanding § 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.

5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act. Employees hired as University and Academic Professionals are considered employees of the Commonwealth of Virginia and are subject to the university's policies, Management Agreement, and applicable law.

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6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.				
Total for Virginia Commonwealth University.....			**$1,391,414,724**	**~~$1,397,500,624~~** ***$1,400,000,624***
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.....	$308,887,044	~~$314,762,944~~ *$317,262,944*		
Higher Education Operating.....	$1,028,553,520	$1,028,763,520		
Debt Service.....	$53,974,160	$53,974,160		

§ 1-62. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

212. Educational and General Programs (10000).....			$1,029,822,208	~~$1,031,522,208~~ *$1,039,872,208*
Higher Education Instruction (100101).....	$474,471,972	~~$475,471,972~~ *$483,821,972*		
Higher Education Public Services (100103).....	$4,895,968	$4,895,968		
Higher Education Academic (100104).....	$101,046,410	$101,046,410		
Higher Education Student Services (100105).....	$105,744,521	$105,744,521		
Higher Education Institutional Support (100106).....	$243,037,318	$243,037,318		
Operation and Maintenance Of Plant (100107).....	$100,626,019	$101,326,019		
Fund Sources: General.....	$486,763,559	~~$488,463,559~~ *$496,813,559*		
Higher Education Operating.....	$543,058,649	$543,058,649		

Authority: Title 23.1, Chapter 29, 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. It is the objective of the Commonwealth that a standard of 70 percent full-time faculty be established for the Virginia Community College System. Consistent with higher education funding guidelines, it is expected that the Virginia Community College System will utilize the funds provided for base operating support to achieve this objective. In addition, the first priority for new funding provided to the community college system shall be for operating support at individual community colleges. Thirty days prior to the beginning of each fiscal year, the Virginia Community College System shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the allocation of all new general funds and nongeneral funds in this item and any cost recovery plans between the individual community colleges and the system office.

C. It is the intent of the General Assembly that funds available to the Virginia Community College System be reallocated to accommodate changes in enrollment and other cost factors at each of the community colleges.

D. Tuition and fee revenues from out-of-state students taking distance education courses through the Virginia Community College System must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the State Board for Community Colleges.

E. Out of this appropriation, amounts for the following special programs are designated: at J. Sargeant Reynolds Community College, the Program for the Deaf, $64,547 and four positions the first year and $64,547 and four positions the second year from the general fund and the Program for the Intellectually Disabled, $91,004 and four positions the first year and $91,004 and four positions the second year from the general fund; and, at New River Community College, the Program for the Deaf, $78,328 and four positions the first

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year and $78,328 and four positions the second year from the general fund, and the Program for the Intellectually Disabled, $69,682 and 4.5 positions the first year and $69,682 and 4.5 positions the second year from the general fund; and, at Danville Community College, the Program for the Deaf, $26,001 and one position the first year and $26,001 and one position the second year from the general fund.

F. Out of this appropriation, $39,001 the first year and $39,001 the second year from the general fund is designated to support the Southwest Virginia Telecommunications Network.

G. Out of this appropriation, $261,370 and four positions the first year and $261,370 and four positions the second year from the general fund is provided to support Virginia Western Community College's participation in the Roanoke Higher Education Center and the Botetourt County Education and Training Center at Greenfield.

H. Out of this appropriation, $130,005 the first year and $130,005 the second year from the general fund is designated to support the Southwestern Virginia Advanced Manufacturing Technology Center at Wytheville Community College.

I.1. Out of this appropriation, $345,000 the first year and $345,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Botetourt County Education and Training Center at Greenfield.

2. The general fund amounts provided for in this paragraph for workforce training, retraining, programming, and community education facilities at the Botetourt County Education and Training Center shall be matched by local or private sources in a ratio of two-thirds state funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.

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, $191,884 the first year and $191,884 the second year from the general fund shall be provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

L. Out of this appropriation, $489,000 the first year and $489,000 the second year from the general fund is designated for Northern Virginia Community College to implement the SySTEMic Solutions initiative which will enable expansion of dual enrollment courses with a STEM focus in all Northern Virginia school districts; opportunities to earn industry-aligned certifications; professional development opportunities for STEM teachers; part-time employment and internship opportunities for students in STEM programs; hands-on SOL-based science lessons at the elementary level with industry input and support; and collaborative robotics programs between the community college and K-12 schools. It is expected that an equal amount of private funds will be generated as a match for the state support.

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

N. Out of this appropriation, $115,130 the first year and $115,130 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.

O. Out of this appropriation, $255,000 the first year and $255,000 the second year from the

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general fund and $163,000 the first year and $163,000 the second year from nongeneral funds is designated for the operation of the Amherst Center of Central Virginia Community College. Central Virginia Community College shall report annually to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the number of students enrolled, the programs provided with number of students served and the number of degrees and certificates awarded by program.

P. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is designated for Laurel Ridge Community College. Of this amount $100,000 the first year and $100,000 the second year is designated to expand the career and technical education programs at the Middletown Campus and $100,000 the first year and $100,000 the second year is designated for workforce training programs at the Fauquier Campus. The programs will be designed in collaboration with regional employers and high schools.

Q. Out of this appropriation, $1,100,000 and seven positions the first year and $1,100,000 and seven positions the second year from the general fund is designated for veterans resource centers at Northern Virginia Community College, Tidewater Community College, Virginia Peninsula Community College, Germanna Community College, J. Sargeant Reynolds Community College, Brightpoint Community College, and Virginia Western Community College.

R. Out of this appropriation, $250,000 and nine positions the first year and $250,000 and nine positions the second year from the general fund is designated to support the Rural Horseshoe Initiative.

S. Out of this appropriation, $480,000 and two positions the first year and $480,000 and two positions the second year from the general fund are designated for the Virginia Community College System, in partnership with the State Council of Higher Education for Virginia, to develop and maintain a mandated online repository for all transfer agreements, course equivalency tools, Passport Credit Program Guidelines and other informational resources related to transferring from a public two-year institution to a public four-year institution. The repository shall also include a Dual Enrollment Guide, Exam Equivalency Guide, Degree Searcher, and other transfer tools and components that support student transfer.

T. The Virginia Community College System is requested to work together with the City of Norfolk, Norfolk Public Schools, and other private or nonprofit entities for development of a plan for a possible Advanced Regional Technology and Workforce Academy in the City of Norfolk. The Academy will provide adult and youth workforce and educational services by Tidewater Community College in collaboration with Norfolk Public Schools and other local school divisions. The Virginia Community College System shall submit a proposed governance structure for the Academy and other proposed components of the plan to the Secretary of Education, the Secretary of Finance, and Chief Workforce Development Advisor for consideration.

U. Out of this appropriation, $413,689 the first year and $1,413,689 the second year from the general fund is designated for costs of three associate degree programs in Occupational Therapy Assistant, Physical Therapy Assistant, and Surgical Technology that have transferred to Virginia Western Community College as a result of the merger of Radford University and the Jefferson College of Health Sciences authorized in Chapter 60 of the 2019 Acts of Assembly.

V. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is designated for advising, marketing, outreach and public awareness efforts for the G3 program in Item 213.

W. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated for health science and technology education at Virginia Western, New River and Mountain Gateway Community Colleges.

X. Out of this appropriation, $296,314 the first year and $296,314 the second year from the general fund is designated for Southside Virginia Community College to implement the Solar Hands-On Instructional Network of Excellence (SHINE) workforce program.

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Y. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated for the Virginia Community College System (VCCS) to develop a state-funded grant program to support the Great Expectations Program in the following areas: the hiring of college coaches or mentors, housing stipends, child care, and transportation needs. VCCS shall report to the Commission on Youth the outcomes of the grant program by November 30 of each year. The Great Expectations Program serves young adults who have experienced foster care.

Z. Out of this appropriation, $1,500,000 the first year and $1,000,000 the second year from the general fund is designated for enhancements to the cyber-security infrastructure.

AA. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated for Virginia Peninsula Community College to support its collaboration with the Coastal Virginia Science, Technology, Engineering, and Mathematics Hub.

BB. Out of this appropriation, $300,000 and one position the first year and $1,500,000 and two positions the second year from the general fund is designated for Danville Community College to establish an aviation maintenance technology program. Danville Community College shall develop a comprehensive work plan which includes an implementation plan, projected expenditures, performance benchmarks and partnership responsibilities. Danville Community College shall initiate the program and accreditation approval through federal and state entities and complete partnership agreements with Danville Regional Airport, Averett University, other higher education partners, participating K-12 school divisions, businesses and any public bodies necessary for program.

CC. Out of this appropriation, $3,900,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

DD. Out of this appropriation $7,750,000 the second year from the general fund is provided for support of workforce programs in regions with high labor demand and low supply. Funds may be used for startup costs related to new program development and shall include an employer match to ensure alignment to workforce needs. Funds also may be used to support new program development for career and technical dual enrollment courses.

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

FF. Out of this appropriation, $350,000 the second year from the general fund is provided to the Virginia Community College System to support mixed-delivery programs and classroom equipment and materials at Virginia Peninsula Community College. Of this amount, $100,000 is provided to support early childhood instructional delivery, equipment, and program operating costs. Virginia Peninsula Community College is authorized to enter into a partnership agreement with a third-party provider to facilitate in-practice early childhood educational training. Funds shall be ongoing and incorporated into the institution's base budget for the next biennium.

213.	Higher Education Student Financial Assistance (10800)			
	a sum sufficient, estimated at.....		$129,404,661	$151,404,661
	Scholarships (10810).....	$129,404,661	$151,404,661	
	Fund Sources: General.....	$90,957,355	$112,957,355	
	Higher Education Operating.....	$38,447,306	$38,447,306	

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.

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B. Funding in this Item shall be allocated for the Virginia Guarenteed 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.

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 the first year and $34,500,000 the second year from the general fund is designated for the Get Skilled, Get a Job, Give Back Program (G3 Program) pursuant to § 23.1-2911.2.

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

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		Technology/Technician			
	15.0699	Industrial Production Technologies/Technicians, 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 Maintenance			

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		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			

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	51.0911	Radiologic Technology/Science - 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. By December 1 of each year, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall evaluate the skills and training including those provided through high school career and technical education, credentials, certifications, apprenticeships, internships, and other degree and non-degree programs needed for Virginians to fill jobs available in certified regional council areas.

b. Based on this evaluation, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall make recommendations to the Governor and General Assembly what programs should be offered in each region that qualify for financial assistance under the G3 Program.

c. 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:

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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 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.

d. In addition, healthcare workers, first responders and other essential workers as defined under Phase 1a and 1b of the Center for Disease Control (CDC) and Virginia Department of Health (VDH) and that are serving in the frontline of the COVID-19 pandemic shall, subject to the provisions of paragraph D.1. of this item, be eligible for programs offered under the G-3 initiative that enhance or upgrade their skills at no cost during the period that is covered under the state of emergency and for two years thereafter.

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 212 V. of this act.

b. The governing boards of Virginia's public associate degree-granting institutions shall 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.

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214.	Financial Assistance For Educational and General Services (11000)			$60,736,044	$60,736,044
	Sponsored Programs (11004)	$60,736,044	$60,736,044		
	Fund Sources: Higher Education Operating	$60,736,044	$60,736,044		

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

The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

215.	Economic Development Services (53400)			$128,352,970	$128,352,970
	Management of Workforce Development Program Services (53427)	$128,352,970	$128,352,970		
	Fund Sources: General	$12,351,314	$12,351,314		
	Higher Education Operating	$116,001,656	$116,001,656		

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

A. 1. Out of this appropriation, $53,850,629 and 38 positions the first year, and $53,850,629 and 38 positions the second year from nongeneral funds is provided for the administration and implementation of workforce development programs as part of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA).

2. Out of this appropriation, and consistent with Sections 128 and 133 of WIOA, 15% of the nongeneral funds received for the administration of Title I of WIOA shall be reserved by the Governor in a fund to support administration of the Title 1 programs and to support statewide strategic workforce initiatives. At the end of the federal allotment cycle, unobligated Rapid Response funds shall also be transferred to the Governor's fund, consistent with Section 134 of WIOA. The investment strategy for the fund shall be determined by the Governor, in consultation with the Chief Workforce Development Advisor, the Virginia Community College System, and workforce system stakeholders no later than the first day of the federal program year for WIOA Title I. The investment strategy shall be consistent with required and allowable activities under Section 134 of WIOA. By December 15 of each year, the Chief Workforce Development Advisor shall report on the use of funds and generated outcomes to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

B. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is provided to continue planning for the advanced integrated manufacturing technology program at Virginia Peninsula Community College.

C.1. Out of this appropriation, $666,162 the first year and $666,162 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick and Henry Community College.

2. Out of this appropriation, $1,086,350 the first year and $1,086,350 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick and Henry Community College for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering most of Virginia.

D. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, $664,647 in the first year and $664,647 in the second year from the general fund is designated for this purpose. These funds may be combined with funds of $249,243 the first year and $249,243 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.

E.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence

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responsible for development of statewide training programs to meet current, high demand workforce needs of the Commonwealth. Out of this appropriation, at least $664,647 the first year and $664,647 the second year from the general fund is available to support the Institutes of Excellence.

2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:

a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;

b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;

c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and

d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.

F. Out of this appropriation, $1,196,820 and 23 positions the first year and $1,196,820 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.

G. Out of this appropriation, $470,880 and four positions the first year and $470,880 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Virginia Peninsula Community College), $78,480 and one position the first year and $78,480 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), $156,960 and one position the first year and $156,960 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, $156,960 and one position the first year and $156,960 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, $78,480 and one position the first year and $78,480 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.

H. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to continue the pre-hire immersion training program.

I. Out of this appropriation, $460,000 the first year and $460,000 the second year from the general fund is designated to support the veteran's credit for prior learning application.

J. Out of this appropriation, $104,950 the first year and $104,950 the second year from the general fund is designated to support career and technical education at Laurel Ridge Community College's Luray-Page County Center with a focus on healthcare and medical programs.

K. Out of this appropriation, $310,000 the first year and $310,000 the second year from

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the general fund is designated to implement a pilot program between Virginia Western Community College, Botetourt County Public Schools, and local industry partners to meet the demand for mechatronic technicians. The program goal is to prepare 100 Mechatronic Engineering Technicians over five years using established career pathways with Botetourt County Public Schools and Virginia Western Community College and a sustainable faculty preparation program.

L. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated to implement a pilot program between Virginia Western Community College, Roanoke City Public Schools and local industry partners to create a Career Technical dual track program to allow high school students the opportunity to complete high school with both a diploma and a workforce credential / certificate.

M. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated towards implementing a construction pre-hire immersion training pilot program at two community colleges.

N. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover workforce development program operations.

O. Out of this appropriation, $475,000 each year from the general fund is designated to implement a pilot program between Rappahannock Community College and Virginia Commonwealth University Health System to create a certified sonographer education and training program in order to address significant workforce shortages across the Commonwealth. Funding shall support capital, equipment, and staffing needs to create two training labs in the Rappahannock Community College service region.

216.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		$53,821,317	$53,821,317
	Food Services (80910).....	$1,238,576	$1,238,576	
	Bookstores And Other Stores (80920).....	$14,447,297	$14,447,297	
	Parking And Transportation Systems And Services (80940).....	$18,487,416	$18,487,416	
	Student Unions And Recreational Facilities (80970)...	$19,648,028	$19,648,028	
	Fund Sources: Higher Education Operating.....	$37,710,554	$37,710,554	
	Debt Service.....	$16,110,763	$16,110,763	

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

217. The appropriations in this section are for the following community colleges:

College I.D.	Community College	College I.D.	Community College
61	System Office	80	Northern Virginia
70	Shared Services Center	85	Patrick and Henry
91	Blue Ridge	77	Paul D. Camp
92	Central Virginia	82	Piedmont
87	Mountain Gateway	78	Rappahannock
79	Danville	76	Southside Virginia
84	Eastern Shore	94	Southwest Virginia
97	Germanna	93	Virginia Peninsula
83	J. Sargeant Reynolds	95	Tidewater
90	Brightpoint	96	Virginia Highlands
98	Laurel Ridge	86	Virginia Western
99	Mountain Empire	88	Wytheville
75	New River		

Total for Virginia Community College System.....	**$1,402,137,200**	**~~$1,425,837,200~~** ***$1,434,187,200***

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General Fund Positions	5,634.57	5,635.57		
Nongeneral Fund Positions	5,296.58	5,296.58		
Position Level	10,931.15	10,932.15		
Fund Sources: General	$590,072,228	~~$613,772,228~~ *$622,122,228*		
Higher Education Operating	$795,954,209	$795,954,209		
Debt Service	$16,110,763	$16,110,763		

§ 1-63. VIRGINIA MILITARY INSTITUTE (211)

218.	Educational and General Programs (10000)			$57,437,165	$56,725,605
	Higher Education Instruction (100101)	$25,067,132	$24,651,892		
	Higher Education Public Services (100103)	$88,135	$88,135		
	Higher Education Academic (100104)	$6,821,076	$6,821,076		
	Higher Education Student Services (100105)	$4,046,027	$4,010,707		
	Higher Education Institutional Support (100106)	$11,785,331	$11,355,331		
	Operation and Maintenance Of Plant (100107)	$9,629,464	$9,798,464		
	Fund Sources: General	$20,809,176	$20,269,276		
	Higher Education Operating	$36,227,989	$36,056,329		
	Debt Service	$400,000	$400,000		

Authority: Title 23.1, Chapter 25, Code of Virginia.

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

B. 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.

C. Resources determined by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the base adequacy funding guidelines.

D. 1. Out of this appropriation, $395,740 the first year and $395,740 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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).

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3. Virginia Military Institute is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

E. 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.

F. Out of this appropriation, $3,729,287 the first year and $3,120,387 the second year from the general fund is designated to address the One Corps initiatives related to Title IX Coordination, the Commandant Staff, the Legal Affairs Office, Academic and Student Programs, Compliance and Reporting and Commemorations and Memorials as well as targeted staff salary compression issues.

G. Out of this appropriation, $1,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

219.	Higher Education Student Financial Assistance (10800)		$5,787,018	$6,018,318
	Scholarships (10810)	$5,787,018	$6,018,318	
	Fund Sources: General	$1,187,018	$1,418,318	
	Higher Education Operating	$4,600,000	$4,600,000	

Authority: Title 23.1, Chapter 25, § 23.1-2506, Code of Virginia.

A. Out of the amounts for Scholarships and Loans, the institute shall provide for State Cadetships and for discretionary student aid.

B. 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.

220.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at		$894,898	$894,898
	Eminent Scholars (11001)	$200,000	$200,000	
	Sponsored Programs (11004)	$694,898	$694,898	
	Fund Sources: Higher Education Operating	$894,898	$894,898	

Authority: Title 23.1, Chapter 25, Code of Virginia.

221.	Unique Military Activities (11300)		$11,209,162	$10,764,162
	Fund Sources: General	$6,275,771	$5,859,671	
	Higher Education Operating	$4,933,391	$4,904,491	

Authority: Discretionary Inclusion.

ITEM 221.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.				
2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
222. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$30,418,510	$30,418,510
Food Services (80910)	$7,497,369	$7,497,369		
Bookstores And Other Stores (80920)	$1,174,021	$1,174,021		
Residential Services (80930)	$2,080,471	$2,080,471		
Student Health Services (80960)	$232,440	$232,440		
Student Unions And Recreational Facilities (80970)	$1,838,039	$1,838,039		
Recreational And Intramural Programs (80980)	$955,874	$955,874		
Other Enterprise Functions (80990)	$11,245,395	$11,245,395		
Intercollegiate Athletics (80995)	$5,394,901	$5,394,901		
Fund Sources: Higher Education Operating	$27,920,510	$27,920,510		
Debt Service	$2,498,000	$2,498,000		
Authority: Title 23.1, Chapter 25, Code of Virginia.				
Total for Virginia Military Institute			**$105,746,753**	**$104,821,493**
General Fund Positions	203.71	203.71		
Nongeneral Fund Positions	292.06	292.06		
Position Level	495.77	495.77		
Fund Sources: General	$28,271,965	$27,547,265		
Higher Education Operating	$74,576,788	$74,376,228		
Debt Service	$2,898,000	$2,898,000		

§ 1-64. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

223. Educational and General Programs (10000)			$889,805,983	$890,988,983
Higher Education Instruction (100101)	$536,637,766	$536,637,766		
Higher Education Research (100102)	$23,409,533	$23,409,533		
Higher Education Public Services (100103)	$25,486,759	$25,486,759		
Higher Education Academic (100104)	$98,163,445	$98,163,445		
Higher Education Student Services (100105)	$27,074,183	$27,074,183		
Higher Education Institutional Support (100106)	$86,382,514	$86,382,514		
Operation and Maintenance Of Plant (100107)	$92,651,783	$93,834,783		
Fund Sources: General	$211,354,059	$211,803,059		
Higher Education Operating	$678,451,924	$679,185,924		

Authority: Title 23.1, Chapter 26, 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. Out of this appropriation shall be expended an amount estimated at $869,882 the first year and $869,882 the second year from the general fund and $436,357 the first year and $436,357 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.

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C. Out of this appropriation, $301,219 the first year and $301,219 the second year from the general fund is designated to support the Marion duPont Scott Equine Center of the Virginia-Maryland Regional College of Veterinary Medicine.

D. Out of this appropriation, $225,588 the first year and $225,588 the second year from the general fund is designated to support tobacco research for medicinal purposes and field tests at sites in Blackstone and Abingdon.

E. 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.

F. Out of this appropriation, $288,000 the first year and $288,000 the second year from the general fund is designated to develop a STEM Industry Internship program in partnership with the Virginia Space Grant Consortium, Virginia Regional Technology Councils and industry. The program will provide 75 undergraduate students across the Commonwealth an opportunity to centrally apply for real world work experience and provide Virginia's industries with access to qualified interns. Virginia Tech will partner with the Virginia Space Grant Consortium and work with Virginia's Regional Technology Councils who will serve as the program's conduit to industry, advertising the program and linking with interested industry partners.

G. 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.

H. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund is designated to support a cyber range platform to be used for cyber security training by students in Virginia's public high schools, community colleges, and four-year institutions. Virginia Tech shall form a consortium among participating institutions, and shall serve as the coordinating entity for use of the platform. The consortium should initially include all Virginia public institutions with a certification of academic excellence from the federal government.

I. 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 Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

J. 1. Out of this appropriation, $5,215,880 the first year and $5,215,880 the second year from the general fund is designated to address increased degree production in Data 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

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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 (40);

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 Tech is expected to maintain increases in:

a. Data Science and Technology awards of 60 annually over the base year.

b. Science and Engineering awards of 100 annually over the base year.

c. 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

K. Out of this appropriation, $5,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

224.	Higher Education Student Financial Assistance (10800)		$40,020,794	$46,101,994
	Scholarships (10810)	$33,978,369	$39,577,169	
	Fellowships (10820)	$6,042,425	$6,524,825	
	Fund Sources: General	$26,591,936	$32,673,136	
	Higher Education Operating	$13,428,858	$13,428,858	

Authority: Soil Scientist Scholarships: Title 23.1, Chapter 26, and § 23.1-615, Code of Virginia.,

A. Out of the amount for Scholarships, the following sums shall be made available from the general fund for:

1. Soil Scientist Scholarships, $11,000 the first year and $11,000 the second year.

2. Scholarships, internships, and graduate assistantships administered by the Multicultural Academic Opportunities Program at the university, $86,500 the first year and $86,500 the second year. Eligible students must have financial need and participate in an academic support program.

B. 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 revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

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.

225.	Financial Assistance For Educational and General Services (11000)		$392,037,507	~~$392,037,507~~ *$393,037,507*
	Eminent Scholars (11001)	$2,000,000	$2,000,000	
	Sponsored Programs (11004)	$390,037,507	~~$390,037,507~~ *$391,037,507*	

ITEM 225.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General	$9,388,544	~~$9,388,544~~ *$10,388,544*		
Higher Education Operating	$382,648,963	$382,648,963		

Authority: Title 23.1, Chapter 26, Code of Virginia.

A. Out of this appropriation, $2,388,544 the first year and $2,388,544 the second year from the general fund and $15,000,000 the first year and $15,000,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology.

B. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

C. *1.* Out of this appropriation, $3,000,000 the first year and ~~$3,000,000~~ *$4,000,000* the second year from the general fund is designated to support and enhance brain disorder research.

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

D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

E. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated for support of the Focused Ultrasound Research Program to support core programs and research activities. The funding in this paragraph supports the activities and research at Virginia Tech as designated by the Focused Ultrasound Foundation, including coordinated activities with the University of Virginia.

F. Out of this appropriation, $500,000 each year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.

226. Unique Military Activities (11300)			$3,278,212	$3,649,074
Fund Sources: General	$3,278,212	$3,649,074		

Authority: Discretionary Inclusion.

A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.

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	2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
227.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$313,121,077	$313,121,077
	Food Services (80910)	$58,017,586	$58,017,586		
	Residential Services (80930)	$54,276,261	$54,276,261		
	Parking And Transportation Systems And Services (80940)	$13,709,452	$13,709,452		
	Telecommunications Systems And Services (80950)	$19,617,224	$19,617,224		
	Student Health Services (80960)	$11,308,313	$11,308,313		
	Student Unions And Recreational Facilities (80970)	$18,411,985	$18,411,985		
	Recreational And Intramural Programs (80980)	$9,123,592	$9,123,592		
	Other Enterprise Functions (80990)	$61,473,310	$61,473,310		
	Intercollegiate Athletics (80995)	$67,183,354	$67,183,354		
	Fund Sources: Higher Education Operating	$302,770,577	$302,770,577		
	Debt Service	$10,350,500	$10,350,500		
	Authority: Title 23.1, Chapter 26, Code of Virginia.				
	Total for Virginia Polytechnic Institute and State University			**$1,638,263,573**	**~~$1,645,898,635~~** ***$1,646,898,635***
	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	$250,612,751	~~$257,513,813~~ *$258,513,813*		
	Higher Education Operating	$1,377,300,322	$1,378,034,322		
	Debt Service	$10,350,500	$10,350,500		

Virginia Cooperative Extension and Agricultural Experiment Station (229)

228.	Educational and General Programs (10000)			$101,914,286	$101,050,286
	Higher Education Research (100102)	$45,604,407	$44,314,407		
	Higher Education Public Services (100103)	$51,704,190	$52,032,190		
	Higher Education Academic (100104)	$741,724	$741,724		
	Operation and Maintenance Of Plant (100107)	$3,863,965	$3,961,965		
	Fund Sources: General	$82,626,439	$81,757,439		
	Higher Education Operating	$19,287,847	$19,292,847		

Authority: Title 23.1,Chapter 26, Article 2 , Code of Virginia.

A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law.

B.1. It is the intent of the General Assembly that the Cooperative Extension Service gives highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The university shall ensure that the service utilizes information technology to the extent possible in the delivery of programs.

2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The

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report shall include all expenditures from local support funds.

C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming.

D. It is the intent of the General Assembly that the general fund share for the Virginia Cooperative Extension and Agriculture Experiment Station shall be 95 percent.

E. 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 Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

F. Out of this appropriation, $1,615,000 the first year is designated for the equipment at the Agricultural Research and Extension Centers in support of the Building Resilience in Virginia Communities through Cooperative Extension and Agricultural Research initiative.

Total for Virginia Cooperative Extension and Agricultural Experiment Station			**$101,914,286**	**$101,050,286**
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	$82,626,439	$81,757,439		
Higher Education Operating	$19,287,847	$19,292,847		
Grand Total for Virginia Polytechnic Institute and State University			**$1,740,177,859**	**~~$1,746,948,921~~** ***$1,747,948,921***
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	$333,239,190	~~$339,271,252~~ *$340,271,252*		
Higher Education Operating	$1,396,588,169	$1,397,327,169		
Debt Service	$10,350,500	$10,350,500		

§ 1-65. VIRGINIA STATE UNIVERSITY (212)

229. Educational and General Programs (10000)			$102,401,934	$103,542,356
Higher Education Instruction (100101)	$63,099,494	$64,665,695		
Higher Education Research (100102)	$2,208,693	$2,208,693		
Higher Education Public Services (100103)	$120,472	$120,472		
Higher Education Academic (100104)	$6,718,971	$6,718,971		
Higher Education Student Services (100105)	$6,215,135	$6,215,135		
Higher Education Institutional Support (100106)	$15,769,691	$15,343,912		
Operation and Maintenance Of Plant (100107)	$8,269,478	$8,269,478		
Fund Sources: General	$61,636,894	$62,777,316		
Higher Education Operating	$40,765,040	$40,765,040		

Authority: Title 23.1, Chapter 27, 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, $3,790,639 the first year and $3,790,639 the second year from the general fund is designated for continued enhancement of the existing Bachelor of Science academic programs in Computer Science, Manufacturing Engineering, Computer

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Engineering, Mass Communications and Criminal Justice, and the doctoral program in Education.

2. Out of this appropriation, $37,500 the first year and $37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business on June 30, 2023 and June 30, 2024, shall not revert to the surplus of the general fund but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Virginia State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

C. This appropriation includes $200,000 the first year and $200,000 the second year from the general fund to increase the number of faculty with terminal degrees to at least 85 percent of the total teaching faculty.

D. Out of this appropriation, Virginia State University is authorized to use up to $600,000 the first year and $600,000 the second year from the general fund to address extremely critical deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.

E. 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.

F. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is designated to support the Manufacturing Engineering and Logistics Technology program.

G. Out of this appropriation, $104,022 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) for upgrades to the university's police radio system.

H. Out of this appropriation, $321,757 the first year from the general fund is designated to support debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) to improve the university's information technology network. In addition to these amounts, $295,419 the first year and $295,419 the second year from the general fund is designated to support training and software costs.

I. 1. Out of this appropriation, $480,710 the first year and $480,710 the second year from the general fund is designated to address increased degree production in Data 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 (40);

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

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completion report for the Education Programs (13).

3. Virginia State University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Education awards of 5 annually over the base year.

d. 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

J. Out of this appropriation, an amount estimated at $299,286 the first year and $299,286 the second year from the general fund and $224,464 the first year and $224,464 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.

K. Out of this appropriation, $1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

230.	Higher Education Student Financial Assistance (10800)		$25,360,848	$28,894,248
	Scholarships (10810)	$24,829,589	$28,296,889	
	Fellowships (10820)	$531,259	$597,359	
	Fund Sources: General	$18,763,821	$22,297,221	
	Higher Education Operating	$6,597,027	$6,597,027	

Authority: Title 23.1, Chapter 27, Code of Virginia.

A. 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.

B. 1. Out of this appropriation up to $7,222,765 the first year and $7,222,765 the second year from the general fund is provided for an affordability pilot program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements, and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits to complete a certificate or degree. Priority shall be placed on students from Matoaca, Petersburg, and Colonial Heights high schools, and remaining funds may be used for room and board if available. It is the intention that the program may ramp up to 300 students total at any one time by fiscal year 2024. In the first and second year, in the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.

2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.

231.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at		$35,638,161	$35,638,161
	Sponsored Programs (11004)	$35,638,161	$35,638,161	

ITEM 231.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: Higher Education Operating	$35,638,161	$35,638,161		
	Authority: Title 23.1, Chapter 27, Code of Virginia.				
232.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$48,215,794	$48,215,794
	Food Services (80910)	$11,489,606	$11,489,606		
	Bookstores And Other Stores (80920)	$1,451,001	$1,451,001		
	Residential Services (80930)	$17,374,870	$17,374,870		
	Parking And Transportation Systems And Services (80940)	$417,467	$417,467		
	Student Health Services (80960)	$1,046,036	$1,046,036		
	Student Unions And Recreational Facilities (80970)	$2,678,662	$2,678,662		
	Other Enterprise Functions (80990)	$6,705,300	$6,705,300		
	Intercollegiate Athletics (80995)	$7,052,852	$7,052,852		
	Fund Sources: Higher Education Operating	$37,883,249	$37,883,249		
	Debt Service	$10,332,545	$10,332,545		
	Authority: Title 23.1, Chapter 27, Code of Virginia.				
	Total for Virginia State University			**$211,616,737**	**$216,290,559**
	General Fund Positions	384.47	391.47		
	Nongeneral Fund Positions	489.89	489.89		
	Position Level	874.36	881.36		
	Fund Sources: General	$80,400,715	$85,074,537		
	Higher Education Operating	$120,883,477	$120,883,477		
	Debt Service	$10,332,545	$10,332,545		
	Cooperative Extension and Agricultural Research Services (234)				
233.	Educational and General Programs (10000)			$14,390,198	$14,390,198
	Higher Education Research (100102)	$6,601,489	$6,601,489		
	Higher Education Public Services (100103)	$7,044,370	$7,044,370		
	Higher Education Institutional Support (100106)	$77,738	$77,738		
	Operation and Maintenance Of Plant (100107)	$666,601	$666,601		
	Fund Sources: General	$7,310,969	$7,310,969		
	Higher Education Operating	$7,079,229	$7,079,229		

Authority: Title 23.1, Chapter 27, § 23.1-2704, Title 23, Chapter 13, Code of Virginia.

A. Out of this appropriation, $392,107 the first year and $392,107 the second year from the general fund is designated for support of research and extension activities aimed at the production of hybrid striped bass in Virginia farm ponds. No expenditures will be made from these funds for other purposes without the prior written permission of the Secretary of Education.

B. The Extension Division budgets shall include and separately account for local payments. Virginia State University, in conjunction with Virginia Polytechnic Institute and State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the Extension Division, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance and Appropriations Committees. The report shall include all expenditures from local support funds.

C. Out of this appropriation, $394,000 the first year and $394,000 the second year from the general fund is designated for the Small-Farmer Outreach Training and Technical Assistance Program to provide outreach and business management education to small farmers.

ITEM 233.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
D. All appropriation not otherwise obligated in this Item may be used for any Extension related activities or operational expenses.				
Total for Cooperative Extension and Agricultural Research Services			**$14,390,198**	**$14,390,198**
General Fund Positions	45.75	45.75		
Nongeneral Fund Positions	67.00	67.00		
Position Level	112.75	112.75		
Fund Sources: General	$7,310,969	$7,310,969		
Higher Education Operating	$7,079,229	$7,079,229		
Grand Total for Virginia State University			**$226,006,935**	**$230,680,757**
General Fund Positions	430.22	437.22		
Nongeneral Fund Positions	556.89	556.89		
Position Level	987.11	994.11		
Fund Sources: General	$87,711,684	$92,385,506		
Higher Education Operating	$127,962,706	$127,962,706		
Debt Service	$10,332,545	$10,332,545		

§ 1-66. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)

234. Museum and Cultural Services (14500)			$3,482,205	$3,461,620
Collections Management and Curatorial Services (14501)	$71,377	$71,377		
Education and Extension Services (14503)	$1,299,759	$1,299,759		
Operational and Support Services (14507)	$2,111,069	$2,090,484		
Fund Sources: General	$2,701,670	$2,681,085		
Special	$780,535	$780,535		

Authority: Title 23.1, Chapter 32, Article 2, Code of Virginia.

A. Any revenue generated by the Frontier Culture Museum of Virginia from the development of its properties pursuant to § 23.1-3203, Code of Virginia, may be retained by the museum to support agency operations. Such revenues shall be deposited into a special fund which shall be created on the books of the State Comptroller. Amounts in this fund shall be appropriated consistent with the provisions of this act.

B. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the American Frontier Culture Foundation.

Total for Frontier Culture Museum of Virginia			**$3,482,205**	**$3,461,620**
General Fund Positions	22.50	22.50		
Nongeneral Fund Positions	15.00	15.00		
Position Level	37.50	37.50		
Fund Sources: General	$2,701,670	$2,681,085		
Special	$780,535	$780,535		

§ 1-67. GUNSTON HALL (417)

235. Museum and Cultural Services (14500)			$1,188,529	$1,238,529
Education and Extension Services (14503)	$319,202	$369,202		
Operational and Support Services (14507)	$869,327	$869,327		
Fund Sources: General	$968,492	$1,018,492		
Special	$220,037	$220,037		

Authority: Title 23.1, Chapter 32, Article 3, Code of Virginia.

ITEM 235.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Total for Gunston Hall			**$1,188,529**	**$1,238,529**
General Fund Positions	10.00	10.00		
Nongeneral Fund Positions	3.00	3.00		
Position Level	13.00	13.00		
Fund Sources: General	$968,492	$1,018,492		
Special	$220,037	$220,037		

§ 1-68. JAMESTOWN-YORKTOWN FOUNDATION (425)

236. Museum and Cultural Services (14500)			$21,578,961	$21,801,184
Collections Management and Curatorial Services (14501)	$719,315	$719,315		
Education and Extension Services (14503)	$10,197,546	$10,094,546		
Operational and Support Services (14507)	$10,662,100	$10,987,323		
Fund Sources: General	$12,434,085	$12,656,308		
Special	$9,144,876	$9,144,876		

Authority: Title 23.1, Chapter 32, Article 4, Code of Virginia.

A. Out of the amounts for Operational and Support Services, the Director is authorized to expend from special funds amounts not to exceed $3,500 the first year and $3,500 the second year for entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the agency.

B. With the prior written approval of the Director, Department of Planning and Budget, nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the Board of Trustees in support of Foundation programs.

C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be authorized to fill all positions authorized in this act and all part-time (wage) positions funded in this act, notwithstanding § 4-7.01 of this act.

D. Out of the appropriation for this Item, $54,777 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) for the purchase of museum electronic security equipment through the state's master equipment lease program.

Total for Jamestown-Yorktown Foundation			**$21,578,961**	**$21,801,184**
General Fund Positions	113.00	113.00		
Nongeneral Fund Positions	63.00	63.00		
Position Level	176.00	176.00		
Fund Sources: General	$12,434,085	$12,656,308		
Special	$9,144,876	$9,144,876		

Jamestown-Yorktown Commemorations (400)

237. Historic and Commemorative Attraction Management (50200)			$7,000,000	$0
Revolutionary War Commemoration (50210)	$7,000,000	$0		
Fund Sources: General	$7,000,000	$0		

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

B. Any employees paid from this appropriation shall be exempt from the Virginia

ITEM 237.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

Personnel Act. Employees shall not be entitled to severance and unemployment as stipulated in hiring agreements.

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

1. Solicit and accept donations of materials and services to defray expenses;

2. Retain all nongeneral funds from grants, donations, contributions, gifts, fees, sales, or other funds received, collected, or undertaken by the Jamestown-Yorktown Foundation for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of any fiscal year;

3. Procure, with the maximum delegated authority available to any executive branch agency or institution in the Commonwealth, any goods and services with which there are minimum procurement requirements associated;

4. Hire employees up to the Maximum Employment Level for the Foundation as provided in the general appropriations act, despite any potential suspension on hiring that may be mandated for the state agencies;

5. Receive assistance and advice from agencies and institutions of the Commonwealth without charge; and

6. Contact international, national, interstate, state, regional, and local elected and appointed officials

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

E. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act shall not apply to the expenditure of funds from the 250th anniversary commemoration. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations. The guidelines shall implement a system of competitive negotiation for goods and services that; shall prohibit discrimination because race, religion, color, sex, age, disability, national origin, sexual orientation, gender identity, political affiliation, veteran status, or any other basis prohibited by state law relating to discrimination; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations with funds from the 250th anniversary commemoration: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.

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

ITEM 237.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Commemorations.				
G. All general funds received by the Jamestown-Yorktown Commemoration shall be retained and not reverted back to the general fund at the end of any fiscal year.				
H. The provisions of this act shall expire on July 1, 2027.				
Total for Jamestown-Yorktown Commemorations...			**$7,000,000**	**$0**
General Fund Positions	10.00	10.00		
Position Level	10.00	10.00		
Fund Sources: General	$7,000,000	$0		
Grand Total for Jamestown-Yorktown Foundation..			**$28,578,961**	**$21,801,184**
General Fund Positions	123.00	123.00		
Nongeneral Fund Positions	63.00	63.00		
Position Level	186.00	186.00		
Fund Sources: General	$19,434,085	$12,656,308		
Special	$9,144,876	$9,144,876		

§ 1-69. THE LIBRARY OF VIRGINIA (202)

238.	Archives Management (13700)			$7,719,522	$7,754,857
	Management of Public Records (13701)	$1,236,882	$1,236,882		
	Management of Archival Records (13702)	$2,388,239	$2,417,166		
	Historical and Cultural Publications (13703)	$774,733	$781,141		
	Archival Research Services (13704)	$1,419,861	$1,419,861		
	Conservation-Preservation of Historic Records (13705)	$887,762	$887,762		
	Circuit Court Record Preservation (13706)	$1,012,045	$1,012,045		
	Fund Sources: General	$3,970,955	$4,006,290		
	Special	$3,418,110	$3,418,110		
	Federal Trust	$330,457	$330,457		
	Authority: Title 42.1, Chapters 1 and 7, Code of Virginia.				
	A. The Librarian of Virginia shall report annually to the Secretary of Education on progress in the processing and preserving of circuit court records.				
	B. The Librarian of Virginia and the State Archivist shall conduct an annual study of The Library of Virginia's archival preservation needs and priorities, and shall report annually by December 1 to the Governor and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees of the General Assembly on The Library of Virginia's progress to date in reducing its archival backlog.				
	C. The Library of Virginia shall partner with the Offices of the Clerks of the Circuit Court to identify the challenges in restoring the many volumes of historical records treated with cellulose acetate lamination between the 1930s and the 1980s that are housed within the Circuit Court Clerks' offices across the Commonwealth. The Library will work to identify the number and current condition of these volumes and provide an estimate of costs to stabilize and preserve these volumes. The Library and the Clerks of the Circuit Court will submit a report of these findings and a proposed preservation plan by December 1, 2022, to the Governor and the General Assembly.				
239.	Statewide Library Services (14200)			$6,994,649	$7,019,811
	Cooperative Library Services (14201)	$2,651,222	$2,651,222		
	Consultation to Libraries (14203)	$781,927	$781,927		
	Research Library Services (14206)	$3,561,500	$3,586,662		
	Fund Sources: General	$3,504,863	$3,530,025		
	Special	$289,602	$289,602		

ITEM 239.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Federal Trust	$3,200,184	$3,200,184		

Authority: Title 42.1, Chapters 1 and 3, Code of Virginia.

It is the intent of the General Assembly to continue to provide electronic resources for public libraries and to provide universal access to all citizens of the Commonwealth. First priority shall be the ability to access the Internet in local public libraries.

240. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$21,083,584	~~$20,733,584~~ *$24,297,584*
State Formula Aid for Local Public Libraries (14301)	$21,083,584	~~$20,733,584~~ *$24,297,584*		
Fund Sources: General	$21,083,584	~~$20,733,584~~ *$24,297,584*		

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, $350,000 the first year from the general fund is designated for the Eastern Shore Regional Library and Heritage Center.

E. It is the objective of the Commonwealth to fully fund the state formula for state aid to local libraries. The additional appropriations in the first and second years begin a four-year phase-in of full funding. It is the objective of the General Assembly to complete the phase-in in fiscal year 2026.

241. Administrative and Support Services (19900)			$10,710,640	~~$10,710,640~~ *$12,146,640*
General Management and Direction (19901)	$3,710,587	$3,710,587		
Information Technology Services (19902)	$3,475,440	~~$3,475,440~~ *$4,911,440*		
Physical Plant Services (19915)	$3,524,613	$3,524,613		
Fund Sources: General	$8,625,880	~~$8,625,880~~ *$10,061,880*		
Special	$1,041,670	$1,041,670		
Federal Trust	$1,043,090	$1,043,090		

Authority: Title 42.1, Chapter 1, Code of Virginia.

A. In the event that any budget reduction actions are required, the Director, Department of Planning and Budget, shall exclude from any reduction target calculations the rent plan included in the Library of Virginia budget.

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

Total for The Library Of Virginia			**$46,508,395**	~~**$46,218,892**~~ ***$51,218,892***
General Fund Positions	143.09	143.09		
Nongeneral Fund Positions	63.91	63.91		

ITEM 241.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Position Level	207.00	207.00		
	Fund Sources: General	$37,185,282	~~$36,895,779~~ *$41,895,779*		
	Special	$4,749,382	$4,749,382		
	Federal Trust	$4,573,731	$4,573,731		

§ 1-70. THE SCIENCE MUSEUM OF VIRGINIA (146)

242.	Museum and Cultural Services (14500)			$11,842,396	$11,842,396
	Collections Management and Curatorial Services (14501)	$1,748,516	$1,748,516		
	Education and Extension Services (14503)	$4,681,340	$4,681,340		
	Operational and Support Services (14507)	$5,412,540	$5,412,540		
	Fund Sources: General	$6,255,446	$6,255,446		
	Special	$5,336,950	$5,336,950		
	Federal Trust	$250,000	$250,000		

Authority: Title 23.1, Chapter 32, Article 5, Code of Virginia.

A. This appropriation from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provisions in this act.

B. Out of this appropriation, $351,314 the first year and $351,314 the second year from the general fund is designated for debt service costs for payments under the Master Equipment Lease Program (MELP) for the purchase of new equipment for the Dome.

C. Out of this appropriation, $150,000 the first year and $150,000 the second year is provided to pilot a STEM partnership between the Science Museum of Virginia, the Virginia Air and Space Center, and the Virginia Living Museum for programs that promote achievement for K-12 students in Hampton Roads and across the state, leveraging technology in the vital STEM component of the workforce pipeline.

D. Purchase of items for resale at retail outlets and food services operations open to the public operated by the Science Museum of Virginia shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.

	Total for The Science Museum of Virginia			**$11,842,396**	**$11,842,396**
	General Fund Positions	59.19	59.19		
	Nongeneral Fund Positions	34.81	34.81		
	Position Level	94.00	94.00		
	Fund Sources: General	$6,255,446	$6,255,446		
	Special	$5,336,950	$5,336,950		
	Federal Trust	$250,000	$250,000		

§ 1-71. VIRGINIA MUSEUM OF NATURAL HISTORY (942)

243.	Museum and Cultural Services (14500)			$3,771,090	$3,773,967
	Collections Management and Curatorial Services (14501)	$217,157	$218,807		
	Education and Extension Services (14503)	$327,494	$327,494		
	Operational and Support Services (14507)	$2,350,013	$2,351,240		
	Scientific Research (14508)	$876,426	$876,426		
	Fund Sources: General	$3,207,184	$3,210,061		
	Special	$468,310	$468,310		
	Federal Trust	$95,596	$95,596		

Authority: Title 10.1, Chapter 20, Code of Virginia.

	Total for Virginia Museum of Natural History			**$3,771,090**	**$3,773,967**

ITEM 243.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
General Fund Positions	40.00	41.00		
Nongeneral Fund Positions	9.50	9.50		
Position Level	49.50	50.50		
Fund Sources: General	$3,207,184	$3,210,061		
Special	$468,310	$468,310		
Federal Trust	$95,596	$95,596		

§ 1-72. VIRGINIA COMMISSION FOR THE ARTS (148)

244.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$5,236,912	~~$5,236,912~~ *$6,157,412*
	Financial Assistance to Cultural Organizations (14302)	$4,986,912	~~$4,986,912~~ *$5,907,412*		
	Administration of Grants for Cultural and Artistic Affairs (14307)	$250,000	$250,000		
	Fund Sources: General	$4,585,237	~~$4,585,237~~ *$5,505,737*		
	Dedicated Special Revenue	$11,000	$11,000		
	Federal Trust	$640,675	$640,675		

Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.

A. In the allocation of grants to arts organizations, the Commission shall give preference to the performing arts.

B. It is the objective of the Commonwealth to fund the Virginia Commission for the Arts at an amount that equals one dollar for each resident of Virginia.

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

245.	Museum and Cultural Services (14500)			$848,754	$848,754
	Operational and Support Services (14507)	$848,754	$848,754		
	Fund Sources: General	$743,650	$743,650		
	Federal Trust	$105,104	$105,104		

Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.

	Total for Virginia Commission for the Arts			**$6,085,666**	~~**$6,085,666**~~ ***$7,006,166***
	General Fund Positions	6.00	6.00		
	Position Level	6.00	6.00		
	Fund Sources: General	$5,328,887	~~$5,328,887~~ *$6,249,387*		
	Dedicated Special Revenue	$11,000	$11,000		
	Federal Trust	$745,779	$745,779		

§ 1-73. VIRGINIA MUSEUM OF FINE ARTS (238)

246.	Museum and Cultural Services (14500)			$46,224,994	$45,086,106
	Collections Management and Curatorial Services (14501)	$8,538,795	$8,538,795		
	Education and Extension Services (14503)	$9,983,298	$8,844,410		
	Operational and Support Services (14507)	$27,702,901	$27,702,901		
	Fund Sources: General	$13,333,920	$12,195,032		
	Special	$6,452,595	$6,452,595		
	Enterprise	$7,479,910	$7,479,910		

ITEM 246.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Dedicated Special Revenue	$18,708,569	$18,708,569		
Federal Trust	$250,000	$250,000		

Authority: Title 23.1, Chapter 32, Article 6, Code of Virginia.

A. The appropriation in this Item from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provision of this act.

B. Nongeneral fund revenues included in this Item under Dedicated Special Revenue will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions.

C. The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs, and entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the museum.

D. Out of this appropriation, $158,513 in the first year and $158,513 in the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond.

E. Purchase of items for resale at retail outlets and food services operations open to the public operated by the Virginia Museum of Fine Arts shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.

Total for Virginia Museum of Fine Arts			**$46,224,994**	**$45,086,106**
General Fund Positions	141.50	141.50		
Nongeneral Fund Positions	212.00	212.00		
Position Level	353.50	353.50		
Fund Sources: General	$13,333,920	$12,195,032		
Special	$6,452,595	$6,452,595		
Enterprise	$7,479,910	$7,479,910		
Dedicated Special Revenue	$18,708,569	$18,708,569		
Federal Trust	$250,000	$250,000		

§ 1-74. EASTERN VIRGINIA MEDICAL SCHOOL (274)

247. Financial Assistance For Educational and General Services (11000)			$35,735,995	~~$35,835,995~~ *$49,835,995*
Sponsored Programs (11004)	$595,612	$595,612		
Medical Education (11005)	$35,140,383	~~$35,240,383~~ *$49,240,383*		
Fund Sources: General	$35,735,995	~~$35,835,995~~ *$49,835,995*		

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

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

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

C. Out of this appropriation, $875,700 the first year and $1,225,700 the second year from the general fund is designated to support financial aid for in-state medical and health professions students.

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

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

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

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

H. 1. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the general fund is designated to support accreditation requirements at the Eastern Virginia Medical School.

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

I. 1. Out of this appropriation, $14,000,000 the second year from the general fund is appropriated to support the costs associated with planning and initial integration activities necessary to ensure a successful launch of the Eastern Virginia Health Sciences Center at Old Dominion University. Of this amount, $5,000,000 is provided for information technology and initial integration and $9,000,000 is provided for costs associated with the conversion of employees into the state personnel system. Funding for the conversion of employees shall not be used until written approval is provided by the Governor and Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee as outlined in Chapters 756 and 778 of the 2023 Acts of Assembly.

2. Old Dominion University and Eastern Virginia Medical School shall report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, on the status of the merger at the earliest date possible, but no later than July 1, 2024.

3. The Director, Department of Planning and Budget shall transfer funds from this item to Agency 221 as necessary to facilitate implementation of the integration activities.

J. Eastern Virginia Health Sciences Center is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments and managed care directed payments to primary teaching hospitals affiliated with Eastern Virginia Health Sciences Center. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with Eastern Virginia Medical School that are in excess of fair market value or that alleviate pre-existing financial burdens of the school. Eastern Virginia Medical School is authorized to use general fund dollars to accomplish this transfer. As part of interagency agreements, the department shall require the public entities to attest to compliance with applicable CMS criteria.

248. Appropriations for this agency shall be disbursed in twelve equal monthly installments each fiscal year.

Total for Eastern Virginia Medical School.....			**$35,735,995**	**~~$35,835,995~~** ***$49,835,995***

ITEM 248.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: General	$35,735,995	~~$35,835,995~~ *$49,835,995*		

§ 1-75. NEW COLLEGE INSTITUTE (938)

249.	Administrative and Support Services (19900)			$5,502,527	$4,502,527
	Operation of Higher Education Centers (19931)	$5,502,527	$4,502,527		
	Fund Sources: General	$3,949,405	$2,949,405		
	Special	$1,553,122	$1,553,122		

Authority: Title 23.1, Chapter 31, Article 4, Code of Virginia.

A. It is the intent of the General Assembly that the New College Institute, the Institute for Advanced Learning and Research, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education and the Department of Planning and Budget on their joint efforts in this regard.

B. The requirements of § 4-5.05 shall not apply to this appropriation.

C. Notwithstanding any other provision of law, New College Institute is authorized to retain the income generated by the rental of space at the Building on Baldwin in Martinsville, VA to outside entities.

Total for New College Institute			**$5,502,527**	**$4,502,527**
General Fund Positions	21.00	23.00		
Nongeneral Fund Positions	6.00	6.00		
Position Level	27.00	29.00		
Fund Sources: General	$3,949,405	$2,949,405		
Special	$1,553,122	$1,553,122		

§ 1-76. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)

250.	Economic Development Services (53400)			$7,323,958	$7,323,958
	Regional Research, Technology, Education, and Commercialization Services (53421)	$7,323,958	$7,323,958		
	Fund Sources: General	$7,323,958	$7,323,958		

Authority: Title 23.1, Chapter 31, Article 3, Code of Virginia.

A. It is the intent of the General Assembly that the Institute for Advanced Learning and Research, the New College Institute, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.

B. The requirements of § 4-5.05 shall not apply to this appropriation.

C. This Item includes no funds for the agency's use of leased property for engagement activities.

Total for Institute for Advanced Learning and Research			**$7,323,958**	**$7,323,958**
Fund Sources: General	$7,323,958	$7,323,958		

§ 1-77. ROANOKE HIGHER EDUCATION AUTHORITY (935)

ITEM 251.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
251.	Administrative and Support Services (19900).....			$2,230,854	~~$2,071,068~~ *$2,435,704*
	Operation of Higher Education Centers (19931).....	$2,230,854	~~$2,071,068~~ *$2,435,704*		
	Fund Sources: General.....	$2,230,854	~~$2,071,068~~ *$2,435,704*		
	Authority: Title 23.1, Chapter 31, Article 5, Code of Virginia.				
	A. The requirements of § 4-5.05 shall not apply to this appropriation.				
	Total for Roanoke Higher Education Authority.....			**$2,230,854**	**~~$2,071,068~~** ***$2,435,704***
	Fund Sources: General.....	$2,230,854	~~$2,071,068~~ *$2,435,704*		

§ 1-78. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)

252.	Administrative and Support Services (19900).....			$9,378,342	~~$8,923,342~~ *$9,479,342*
	Operation of Higher Education Centers (19931).....	$9,378,342	~~$8,923,342~~ *$9,479,342*		
	Fund Sources: General.....	$5,171,617	~~$4,716,617~~ *$5,272,617*		
	Special.....	$4,206,725	$4,206,725		

Authority: Title 23.1, Chapter 31, Article 6, Code of Virginia.

A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center, the Institute for Advanced Learning and Research, and the New College Institute coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education for Virginia on their joint efforts in this regard.

B. Out of this appropriation, $29,050 the first year and $29,050 the second year from the general fund is 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 the General Assembly.

C. Out of this appropriation, $266,000 and four positions the first year and $266,000 and four positions the second year from the general fund is designated for additional operational support of the Southern Virginia Higher Education Center and its efforts to provide STEM programs and specialized workforce training to the citizens of Southside Virginia.

D. Out of this appropriation, $731,250 and eight positions the first year and $731,250 and eight positions the second year from the general fund and $782,100 and 3.5 positions the first year and $782,100 and 3.5 positions the second year from nongeneral funds are designated to maintain workforce advancement programs in the areas of health care, manufacturing, information technology, and STEM that were originally established through short-term grants in order to expand the credentials-to-career pipeline for key industry sectors in Southside Virginia.

E. Out of this appropriation, $127,055 the first year and $127,055 the second year from the general fund is designated for debt service costs under the Master Equipment Leasing Program (MELP) for the acquisition of technical training equipment. In addition to these costs, $394,125 and six positions the first year and $394,125 and six positions the second year from the general fund and $233,375 the first year and $233,375 the second year from nongeneral funds are designated for the staff and operational costs associated with the Career Tech Academy, providing automation and robotics technical training to high school students from the counties of Charlotte, Halifax, and Mecklenburg.

ITEM 252.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

F. The Southern Virginia Higher Education Center is authorized to provide specialized workforce training consistent with grant agreements and memoranda of understanding with employers that existed as of January 1, 2016. The center will seek opportunities to collaborate with local community colleges in meeting the continuing goals of these programs and on new training needs identified by employers. If the local community colleges are unable to meet the training needs identified by employers, then the center is authorized to seek other education providers or to offer specialized workforce training independent of the local community colleges.

G. The requirements of § 4-5.05 shall not apply to this appropriation.

Total for Southern Virginia Higher Education Center			**$9,378,342**	**~~$8,923,342~~** ***$9,479,342***
General Fund Positions	41.80	41.80		
Nongeneral Fund Positions	29.50	29.50		
Position Level	71.30	71.30		
Fund Sources: General	$5,171,617	~~$4,716,617~~ *$5,272,617*		
Special	$4,206,725	$4,206,725		

§ 1-79. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)

253. Administrative and Support Services (19900)			$5,280,513	$5,280,513
General Management and Direction (19901)	$46,831	$46,831		
Operation of Higher Education Centers (19931)	$5,233,682	$5,233,682		
Fund Sources: General	$4,032,768	$4,032,768		
Special	$1,247,745	$1,247,745		

Authority: Title 23.1, Chapter 31, Article 7, Code of Virginia.

A. The board of trustees of the Southwest Virginia Higher Education Center may establish and administer agreements with out-of-state institutions certified to operate in Virginia pursuant to § 23.1-219 Code of Virginia for such institutions to provide undergraduate-level and graduate-level instructional programs at the Center.

B. Out of the appropriation for this item, $1,500,000 the first year and $1,500,000 the second year from the general fund shall be deposited to the Virginia Rural Information Technology Apprenticeship Grant Fund, as established in § 23.1-3129.1 Code of Virginia, for the purpose of awarding grants on a competitive basis from the Fund to small, rural information technology businesses in qualifying localities to establish apprenticeship programs.

Total for Southwest Virginia Higher Education Center			**$5,280,513**	**$5,280,513**
General Fund Positions	31.00	31.00		
Nongeneral Fund Positions	3.00	3.00		
Position Level	34.00	34.00		
Fund Sources: General	$4,032,768	$4,032,768		
Special	$1,247,745	$1,247,745		

§ 1-80. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)

254. Financial Assistance For Educational and General Services (11000)			$4,547,692	$1,547,692
Sponsored Programs (11004)	$4,547,692	$1,547,692		
Fund Sources: General	$4,547,692	$1,547,692		

ITEM 254.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Authority: Discretionary Inclusion.				
A. This appropriation represents the Commonwealth of Virginia's contribution to the Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC, for the support of the Thomas Jefferson National Accelerator Facility (Jefferson Lab) located at Newport News, Virginia. This contribution includes funds to support faculty positions and industry-led research that will promote economic development opportunities in the Commonwealth.				
B. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated to provide funding to expand a center for nuclear femtography in partnership with the Commonwealth's research universities. Nuclear femtography is expected to be the next generation of nanotechnology.				
C. Out of this appropriation, $3,000,000 the first year from the general fund is designated to begin planning a high performance data facility project.				
D. This nonstate agency is exempt from the match requirement of § 2.2-1505, Code of Virginia and § 4-5.05 of this act.				
Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC			**$4,547,692**	**$1,547,692**
Fund Sources: General	$4,547,692	$1,547,692		
§ 1-81. ONLINE VIRGINIA NETWORK AUTHORITY (244)				
255. Educational and General Programs (10000)			$4,000,000	$4,000,000
Higher Education Instruction (10001)	$4,000,000	$4,000,000		
Fund Sources: General	$4,000,000	$4,000,000		
Authority: Title 23.1, Chapter 31, Article 9, Code of Virginia.				
Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is designated for the Online Virginia Network Authority (OVN).				
Total for Online Virginia Network Authority			**$4,000,000**	**$4,000,000**
Fund Sources: General	$4,000,000	$4,000,000		
§ 1-82. MAINTAIN AFFORDABLE ACCESS (984)				
255.5 Educational and General Programs (10000)			*$0*	*$143,250,000*
Higher Education Instruction (10001)	*$0*	*$143,250,000*		
Fund Sources: General	*$0*	*$143,250,000*		
Authority: Discretionary Inclusion				
A. Out of this appropriation, $75,000,000 the second year from the general fund is provided to support operations at public colleges and universities. Funds are intended to support the growing need for student support services; address increased costs resulting from inflation; refine or create programs that meet current and future workforce needs; and minimize student costs. Funds shall be ongoing and incorporated into each institution's base budget for the next biennium. The Department of Planning and Budget shall transfer the allocations to the appropriate education and general programs account as follows:				

Institution	***Amount***
Christopher Newport University	*$2,383,000*
George Mason University	*$8,012,000*
James Madison University	*$4,724,000*
Longwood University	*$2,453,000*
Norfolk State University	*$1,598,000*

ITEM 255.5.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Old Dominion University				*$7,477,000*
Radford University				*$2,897,000*
University of Mary Washington				*$2,106,000*
University of Virginia				*$4,045,000*
University of Virginia's College at Wise				*$501,000*
Virginia Commonwealth University				*$10,394,000*
Virginia Military Institute				*$832,000*
Virginia State University				*$1,491,000*
Virginia Polytechnic Institute & State University				*$9,205,000*
College of William and Mary				*$1,873,000*
Richard Bland College				*$373,000*
Virginia Community College System				*$14,636,000*
Total				*$75,000,000*

B. 1. Out of this appropriation, $62,500,000 the second year from the general fund is provided to support need-based undergraduate financial aid at public colleges and universities. These funds also are intended to reduce the amount of tuition revenue from in-state undergraduate students that institutions use for financial aid, grants, and scholarships.

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

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

Institution	***Amount***
Christopher Newport University	*$513,000*
College of William and Mary	*367,000*
George Mason University	*12,725,000*
James Madison University	*2,917,000*
Longwood University	*850,000*
Norfolk State University	*3,617,000*
Old Dominion University	*9,850,000*
Radford University	*4,608,000*
University of Mary Washington	*850,000*
University of Virginia	*1,383,000*
University of Virginia's College at Wise	*733,000*
Virginia Commonwealth University	*5,767,000*
Virginia Military Institute	*125,000*
Virginia State University	*2,525,000*
Virginia Polytechnic Institute and State University	*3,125,000*
Richard Bland College	*279,000*
Virginia Community College System	*12,266,000*
Total	*62,500,000*

C. Out of this appropriation, $5,750,000 the second year from the general fund is designated to address nursing shortages. Funds shall prioritize increased compensation for full and part-time faculty to remain competitive with nursing salaries. Funds shall be ongoing and incorporated into the institutions' base budget for the next biennium. The Department of Planning and Budget shall transfer the allocations to the appropriate higher education account as follows:

Institution	***Amount***

ITEM 255.5.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
George Mason University				*$560,000*
James Madison University				*660,000*
Longwood University				*130,000*
Norfolk State University				*110,000*
Old Dominion University				*560,000*
Radford University				*530,000*
University of Mary Washington				*130,000*
University of Virginia				*320,000*
University of Virginia's College at Wise				*50,000*
Virginia Commonwealth University				*510,000*
Virginia State University				*30,000*
Virginia Community College System				*2,160,000*
Total				*5,750,000*
Total for Maintain Affordable Access.....			***$0***	***$143,250,000***
Fund Sources: *General*.....	*$0*	*$143,250,000*		

§ 1-83. VIRGINIA COLLEGE BUILDING AUTHORITY (941)

256. Authority: Chapter 597, Acts of Assembly of 1986.

A.1. The purpose of this Item is to provide an ongoing program for the acquisition and replacement of instructional and research equipment at state-supported institutions of higher education in accordance with the intent and purpose of Chapter 597, Acts of Assembly of 1986.

2. The Governor shall annually present to the General Assembly through the Commonwealth's budget process, the estimated payments and the corresponding total value of equipment to be acquired.

B.1. The State Council of Higher Education for Virginia shall establish and maintain procedures through which institutions of higher education apply for allocations made available under the program, and shall develop guidelines and recommendations for the apportionment of such equipment to each state-supported institution of higher education.

2. The Authority shall finance equipment for educational institutions in accordance with § 23.1-1207, Code of Virginia, and according to terms and conditions approved through the Commonwealth's budget and appropriation process. Bonds or notes issued by the Virginia College Building Authority to finance equipment may be sold and issued at the same time with other obligations of the Authority as separate issues or as a combined issue. Each institution shall make available such additional detail on specific equipment to be purchased as may be requested by the Governor or the General Assembly. If emergency acquisitions are necessary when the General Assembly is not in session, the Governor may approve such acquisitions. The Governor shall report his approval of such acquisitions to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

3. Amounts for debt service payments for allocations provided by this Item shall be provided pursuant to Item 280 of this act.

C.1. Transfer of the appropriation in Item 280 of this act to the Virginia College Building Authority shall be subject to the approval of the Secretary of Finance. An allocation of $173,875,000 made in the 2020-2022 biennium brings the total amount of equipment acquired through the program to approximately $1,816,664,454.

2. Allocations of $91,650,000 the first year and $91,650,000 the second year will be made to support the purchase of additional equipment to enhance instructional and research activity at Virginia's public colleges and universities. Allocations are as follows:

ITEM 256.

		Item Details($)		Appropriations($)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Institution	Prior Allocations	FY 2023 Allocation	FY 2024 Allocation	FY 2023 Research Allocation	FY 2024 Research Allocation
George Mason University	$110,326,893	$3,947,024	$3,947,024	$474,407	$474,407
Old Dominion University	$120,325,673	$5,016,192	$5,016,192	$329,078	$329,078
University of Virginia	$323,674,592	$10,458,476	$10,458,476	$12,689,341	$12,689,341
Virginia Commonwealth University	$218,280,785	$6,853,430	$6,853,430	$2,995,552	$2,995,552
Virginia Polytechnic Institute and State University	$336,051,208	$10,331,639	$10,331,639	$5,240,458	$5,240,458
College of William and Mary	$61,278,424	$2,300,493	$2,300,493	$595,857	$595,857
Christopher Newport University	$17,896,213	$754,464	$754,464	$0	$0
University of Virginia's College at Wise	$7,145,495	$250,681	$250,681	$0	$0
James Madison University	$56,969,495	$2,309,646	$2,309,646	$0	$0
Longwood University	$17,860,701	$743,433	$743,433	$0	$0
University of Mary Washington	$19,281,906	$655,746	$655,746	$0	$0
Norfolk State University	$49,433,223	$2,350,108	$2,350,108	$0	$0
Radford University	$41,068,640	1,744,993	$1,744,993	$0	$0
Virginia Military Institute	$20,798,850	$886,084	$886,084	$0	$0
Virginia State University	$31,515,265	$1,342,189	$1,342,189	$0	$0
Richard Bland College	$4,256,858	$160,149	$160,149	$0	$0
Virginia Community College System	$349,681,297	$17,596,542	$17,596,542	$0	$0
Virginia Institute of Marine Science	$11,259,144	$362,100	$362,100	$175,307	$175,307
Virginia Cooperative Extension and Agricultural Experiment Station	$4,000,000	$0	$0	$0	$0
Southwest Virginia Higher Education Center	$1,783,829	$80,111	$80,111	$0	$0
Roanoke Higher Education Authority	$1,460,085	$77,623	$77,623	$0	$0
Institute for Advanced Learning	$7,113,344	$274,172	$274,172	$0	$0

ITEM 256.			Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
and Research						
Southern Virginia Higher Education Center	$1,007,736	$95,790	$95,790		$0	$0
New College Institute	$548,194	$34,486	$34,486		$0	$0
Eastern Virginia Medical School	$3,646,574	$524,429	$524,429		$0	$0
TOTAL	**$1,816,664,424**	**$69,150,000**	**$69,150,000**		**$22,500,000**	**$22,500,000**

D. Out of the allocations for the Virginia Community College System, $5,000,000 the first year and $5,000,000 the second year is designated to support the equipment needs of Workforce Development activities, including those related to the New Economy Industry Credential Assistance Training Grant Program.

E. Out of the research allocations for the University of Virginia, $7,500,000 each year is designated to support equipment needs for the Institute for Biotechnology under Item 115 of this act as well as any other research equipment needs for the University of Virginia.

Total for Virginia College Building Authority.....			**$0**	**$0**
TOTAL FOR OFFICE OF EDUCATION.....			**$25,017,458,739**	**~~$24,703,482,605~~** ***$25,544,561,801***
General Fund Positions.....	19,180.05	19,206.05		
Nongeneral Fund Positions.....	42,987.70	~~43,024.70~~ *43,029.70*		
Position Level.....	62,167.75	~~62,230.75~~ *62,235.75*		
Fund Sources: General.....	$12,184,375,139	~~$11,819,660,321~~ *$12,574,568,809*		
Special.....	$48,882,675	$48,897,675		
Higher Education Operating.....	$10,090,357,864	$10,200,085,611		
Commonwealth Transportation.....	$1,643,154	$1,779,084		
Enterprise.....	$7,479,910	$7,479,910		
Trust and Agency.....	$862,848,940	~~$803,708,947~~ *$889,879,655*		
Debt Service.....	$363,620,626	$363,620,626		
Dedicated Special Revenue.....	$18,969,569	$18,969,569		
Federal Trust.....	$1,439,280,862	$1,439,280,862		

ITEM 257.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

OFFICE OF FINANCE

§ 1-84. SECRETARY OF FINANCE (190)

257.	Administrative and Support Services (79900)			$1,229,925	$729,925
	General Management and Direction (79901)	$1,229,925	$729,925		
	Fund Sources: General	$1,229,925	$729,925		

Authority: Title 2.2, Chapter 2, Article 5; § 2.2-201, Code of Virginia.

A. The Secretary of Finance, in consultation with other affected secretaries, is hereby authorized to order the State Comptroller to transfer to the general fund a reasonable sum, as determined by the State Comptroller, from annual charges of internal service funds and enterprise funds that exceed the cost of providing services or that represent over-recoveries from the general fund.

B. The Secretary of Finance shall engage internal or third-party assistance to perform a risk assessment of executive branch agency internal controls for administering and disbursing federal pandemic relief funds, economic stimulus, or loan funds. Upon engaging internal or third-party assistance, the Secretary of Finance shall consult with the Auditor of Public Accounts and executive branch agencies conducting similar risk assessments or audits regarding the scope of work performed by the Auditor of Public Accounts and such executive branch agencies over federal funds. The Secretary of Finance shall provide oversight over any resulting contracts and compile the findings and provide a report to the Governor, the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee by November 1 of each year. Included in Item 486, $600,000 of the revenues received from the federal distributions of the Coronavirus State and Local Fiscal Recovery Funds program pursuant to the American Rescue Plan Act of 2021 is provided for this purpose.

C. Out of the appropriation in this item $500,000 in the first year from the general fund shall be used for activities related to the pursuit of grants offered by the federal Infrastructure Investment and Jobs Act. Such activities shall be in conjunction with entities identified by the Secretary of Finance including state agencies, local governments, and private sector representatives.

	Total for Secretary of Finance			**$1,229,925**	**$729,925**
	General Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General	$1,229,925	$729,925		

§ 1-85. DEPARTMENT OF ACCOUNTS (151)

258.	Financial Systems Development and Management (72400)			$3,685,099	$3,685,099
	Financial Systems Development (72401)	$905,441	$905,441		
	Financial Systems Maintenance (72402)	$765,044	$765,044		
	Computer Services (72404)	$2,014,614	$2,014,614		
	Fund Sources: General	$3,685,099	$3,685,099		

Authority: Title 2.2, Chapter 8, Code of Virginia.

259.	Accounting Services (73700)			$9,790,545	$9,790,545
	General Accounting (73701)	$4,373,636	$4,373,636		
	Disbursements Review (73702)	$1,091,155	$1,091,155		
	Payroll Operations (73703)	$1,340,350	$1,340,350		
	Financial Reporting (73704)	$2,985,404	$2,985,404		
	Fund Sources: General	$8,777,021	$8,777,021		

ITEM 259.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Special	$1,013,524	$1,013,524		

Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia.

A.1. There is hereby created on the books of the State Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions and payments due to the federal government are hereby appropriated from the fund. All remaining rebate revenue in the fund shall be deposited to the general fund by June 30 of each year.

2. The Department of Accounts is authorized to include the administrative costs estimated at $80,000 per year for executing entries in the Commonwealth's accounting system for Level III institutions as defined in Chapter 675, 2009 Acts of Assembly, in the program costs appropriated from the fund.

B. Notwithstanding the provisions of §§ 17.1-286 and 58.1-3176, Code of Virginia, the State Comptroller shall not make payments to the Circuit Court clerks on amounts directly deposited into the State Treasury by General District Courts, Juvenile and Domestic Relations General District Courts, Combined District Courts, and the Magistrates System. The State Comptroller shall continue to make payments, in accordance with §§ 17.1-286 and 58.1-3176, Code of Virginia, to the respective clerks on those amounts directly deposited into the state treasury by the Circuit Courts.

C.1. There is hereby created in the state treasury a special nonreverting fund that shall be known as the Federal Repayment Reserve Fund. The Fund shall be established on the books of the Comptroller and shall consist of such moneys as the State Comptroller determines will be required to repay the federal government its share of any rebates, Internal Service Fund profits, transfers to the general fund or amounts arising from other sources. 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 Comptroller shall hold all moneys in this Fund until such payment is required by the federal government.

2. On an ongoing basis, agencies shall coordinate with the State Comptroller to identify amounts due to be returned to the federal government. The State Comptroller shall transfer those amounts to the Fund on or before June 30 of each year.

D. The Department of Accounts is authorized to charge employees a mandatory fee of up to 15 cents for each payroll deduction administered under the Supplemental Insurance and Annuities program. Reimbursement by the employing agency is prohibited.

260.	Service Center Administration (82600)			$3,550,555	$3,656,456
	Payroll Service Bureau (82601)	$3,550,555	$3,656,456		
	Fund Sources: Internal Service	$3,550,555	$3,656,456		

Authority: Title 2.2, Chapter 8, Code of Virginia.

A. The appropriation for the Payroll Service Bureau is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B.1. The Department of Accounts shall operate the payroll service center to support the salaried and wage employees of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The payroll service center shall provide services to employees to include, but not be limited to, payroll, benefit enrollment and leave accounting. The Department of Accounts shall be responsible for all accounting reconciliations for these services; however, each employing agency shall remain fully responsible for certifying the accuracy of each payroll paid to its employees. This certification shall be in such form as the Comptroller directs.

2.a. The Department of Accounts shall recover the cost of services provided by the payroll

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service center through interagency transactions as determined by the State Comptroller.

b. The Department of Accounts is authorized to charge the following rates to agencies participating in the payroll service center based on the type and number of W-2 forms processed and how each customer agency reports employee leave to the department. Prior to the implementation of Cardinal Human Capital Management (HCM), the new Payroll Service Bureau Cardinal HCM rate category shall be assigned by the Comptroller to the category that most closely coincides with the prior rate.

Criteria	FY 2023	FY 2024
Wage employees with automatic leave processing	$130.99	$135.32
Wage employees with manual leave processing	$159.07	$164.32
Salaried employees with automatic leave processing	$140.35	$144.98
Salaried employees with manual leave processing	$187.13	$193.31

C.1. The Department of Accounts shall operate a fiscal service center to support the operations of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to agencies to include accounts payable processing, travel voucher processing, related reconciliations, and such other fiscal services as may be appropriate.

2. The Department of Accounts shall recover the cost of services provided by the fiscal service center through interagency transactions as determined by the State Comptroller.

3. The Department of Accounts is authorized to charge fees of up to twenty percent of revenues generated pursuant to non-tax debt collection initiatives to pay the administrative costs of supporting such initiatives. These fees are over and above any fees charged by outside collections contractors and/or enhanced collection revenues returned to the Commonwealth.

D. Nothing in this section shall prohibit additional agencies from using the services of the centers; however, such additions shall be subject to approval by the affected cabinet secretary and the Secretary of Finance.

261.	Information Systems Management and Direction (71100)		$49,633,077	$53,113,626
	Financial Oversight for Performance Budgeting System (71107)	$3,028,384	$3,098,852	
	Financial Oversight for Cardinal System (71108)	$46,604,693	$50,014,774	
	Fund Sources: Internal Service	$49,633,077	$53,113,626	

Authority: Title 2.2 Chapter 8, Code of Virginia

A. The appropriation for Financial Oversight for Performance Budgeting System and Financial Oversight for Cardinal System is sum sufficient and amounts shown are estimates from internal service funds for the Commonwealth's enterprise applications which shall be paid solely from revenues derived from charges for services. All users of the Commonwealth's enterprise applications shall be assessed a surcharge based on licenses, transactions, or other meaningful methodology as determined by the Secretary of Finance and the owner of the enterprise application, which shall be deposited in the fund. Additionally, the State Comptroller shall recover the cost of services provided for the administration of the fund through interagency transactions as determined by the State Comptroller.

1. Out of this appropriation, the Performance Budgeting System is appropriated $3,028,384 the first year and $3,098,852 the second year from internal service fund revenues.

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2. Out of this appropriation, the Cardinal Financial System is appropriated $21,912,934 the first year and $25,617,973 the second year from internal service fund revenues.

3. Out of this appropriation, the Cardinal Human Capital Management (HCM) system is appropriated $24,691,759 the first year and $24,396,801 the second year from internal service fund revenues.

4. The State Comptroller shall submit revised projections of revenues and expenditures for the internal service funds for the Commonwealth's enterprise applications and estimates of any anticipated changes to fee schedules in accordance with § 4-5.03 of this act.

5. In the event that expenses of the enterprise applications become due before costs have been fully recovered in the department's internal service fund, a treasury loan shall be provided to the department to finance these costs. This treasury loan shall be repaid from the proceeds collected in the funds.

B.1.a. The Department of Accounts, in coordination with the Department of Human Resource Management shall replace the Commonwealth Integrated Payroll/Personnel System (CIPPS) and the Personnel Management Information System and the Benefits Eligibility System (PMIS & BES) with an integrated Human Capital Management (HCM) system. In order to maximize the efficiencies and benefits of the current Commonwealth Enterprise Resource Planning system, Cardinal, along with establishing a single source of personnel and payroll information and to achieve greater security of sensitive personally identifiable information, such system shall be based on the HCM modules within the Cardinal Enterprise Resource Planning application currently serving as the Commonwealth's financial system.

b. A working capital advance of up to $142,734,000 shall be provided to the Department of Accounts to pay the costs of replacing CIPPS and PMIS & BES. This may include any costs necessary for the planning, development, configuration, and roll-out of the new HCM application, and any transitional post-production support operating costs prior to the full transition to the new system. These costs do not include costs necessary to ensure agencies are prepared for the implementation of the new application and the decommissioning of CIPPS and PMIS & BES, such as interfaces from agency based systems. An additional amount of up to $15,000,000 may be provided to be directed toward any unforeseen costs associated with the roll-out of the statewide Cardinal HCM system.

2. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of any approved drawdowns.

3. Repayment of the working capital advance and ongoing systems operation, maintenance and support costs for the statewide Human Capital Management system shall be funded through an internal service fund for the enterprise application pursuant to paragraph A. of this Item.

C. 1. In order to capitalize on the efficiencies and benefits of the successfully implemented Commonwealth Enterprise Resource Planning system, Cardinal, a Cardinal Governance Committee (CGC) shall be established to evaluate and recommend expansion options for the Cardinal Financials and Human Capital Management (HCM) applications. The CGC shall analyze expansion opportunities in both the financial and human resources arenas that will most benefit Commonwealth state agencies in meeting their agency missions and core objectives. Additionally, this evaluation will analyze opportunities that could possibly allow for the decommissioning of agency-based systems in favor of the Commonwealth's enterprise system to improve efficiency and cost effectiveness. Once these opportunities are evaluated and finalized, the CGC shall present recommendations to the Commonwealth's Secretary of Finance and Secretary of Administration for review. Upon their approval of any such recommendations, the Cardinal Program will have the authority to proceed with these projects, subject to available funding.

2. In order to support and maintain the Cardinal project initiative, a working capital advance (WCA) of up to $12,000,000 is provided to the Cardinal program as start-up funding in anticipation of final approved funding. No funds shall be drawn and expended from this WCA without the prior approval of the Secretary of Finance.

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262.	Administrative and Support Services (79900)			$1,595,560	$1,595,560
	General Management and Direction (79901)	$1,595,560	$1,595,560		
	Fund Sources: General	$1,595,560	$1,595,560		

Authority: Title 2.2, Chapter 8, Code of Virginia.

As a condition of the appropriation in this Item, the department shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within 48 hours of their initial run after the close of the business month.

263. In the event of default by a unit, as defined in § 15.2-2602, Code of Virginia, on payment of principal of or interest on any of its general obligation bonded indebtedness when due, the State Comptroller, in accordance with § 15.2-2659, Code of Virginia, is hereby authorized to make such payment to the bondholder, or paying agent for the bondholder, and to recover such payment and associated costs of publication and mailing from any funds appropriated and payable by the Commonwealth to the unit for any and all purposes.

264. In the event of default by any employer participating in the health insurance program authorized by § 2.2-1204, Code of Virginia, in the remittance of premiums or other fees and costs of the program, the State Comptroller is hereby authorized to pay such premiums and costs and to recover such payments from any funds appropriated and payable by the Commonwealth to the employer for any purpose. The State Comptroller shall make such payments upon receipt of notice from the Director, Department of Human Resource Management, that such payments are due and unpaid from the employer.

265. The State Comptroller shall make calculations of payments and transfers related to interest earned on federal funds, interest receivable on state funds advanced on behalf of federal programs, and direct cost reimbursements due from the federal government pursuant to Item 279 of this act.

Total for Department of Accounts			**$68,254,836**	**$71,841,286**
General Fund Positions	115.00	115.00		
Nongeneral Fund Positions	54.00	54.00		
Position Level	169.00	169.00		
Fund Sources: General	$14,057,680	$14,057,680		
Special	$1,013,524	$1,013,524		
Internal Service	$53,183,632	$56,770,082		

Department of Accounts Transfer Payments (162)

266.	Financial Assistance to Localities - General (72800) a sum sufficient, estimated at			$585,380,000	$585,380,000
	Distribution of Rolling Stock Taxes (72806)	$6,530,000	$6,530,000		
	Distribution of Recordation Taxes (72808)	$20,000,000	$20,000,000		
	Financial Assistance to Localities - Rental Vehicle Tax (72810)	$50,000,000	$50,000,000		
	Distribution of Sales Tax Revenues from Certain Public Facilities (72811)	$2,000,000	$2,000,000		
	Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812)	$1,250,000	$1,250,000		
	Distribution of the Virginia Communications Sales and Use Tax (72816)	$440,000,000	$440,000,000		

ITEM 266.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Distribution of Payments to Localities for Enhanced Emergency Communications Services (72817)	$37,000,000	$37,000,000		
Distribution of Sales Tax Revenues from Certain Tourism Projects (72819)	$600,000	$600,000		
Distribution of Historic Triangle Sales Tax Collections (72820)	$28,000,000	$28,000,000		
Fund Sources: General	$30,380,000	$30,380,000		
Trust and Agency	$50,000,000	$50,000,000		
Dedicated Special Revenue	$505,000,000	$505,000,000		

Authority: §§ 15.2-5914, 58.1-608.3, 58.1-662, 58.1-816, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of Virginia.

A.1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $440,000,000 in the first year and $440,000,000 in the second year equal to the revenues collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Item 286 of this act. For the purposes of the State Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and to the Department of Taxation for the costs of administering the Virginia Communications Sales and Use Tax Fund.

B. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $50,000,000 in the first year and $50,000,000 in the second year equal to the revenues collected pursuant to A. 2. of § 58.1-1736 Code of Virginia, from the Virginia Motor Vehicle Rental Tax.

C. In order to carry out the provisions of § 56-484:17 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $37,000,000 in the first year and $37,000,000 in the second year equal to the revenues collected pursuant to § 56-484.17:1, Code of Virginia, from the Virginia Wireless Tax.

D. In order to carry out the provisions of Chapter 850, 2018 Acts of Assembly, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $28,000,000 the first year and $28,000,000 the second year equal to the revenues collected pursuant to § 58.1-603.2, Code of Virginia, from the additional state sales and use tax in the Historic Triangle.

E.1. Out of this appropriation, amounts estimated at $20,000,000 the first year and $20,000,000 the second year from the general fund shall be deposited into the Hampton Roads Regional Transit Fund, as provided in § 33.2-2600.1, Code of Virginia, from revenues collected pursuant to § 58.1-816 B., Code of Virginia.

2. Notwithstanding the provisions of § 58.1-816, Code of Virginia, the appropriation in this Item for the distribution of recordation taxes is not subject to the sum sufficient provisions of this Item.

267.	Revenue Stabilization Fund (73500)			$1,127,733,028	$405,952,425
	Payments to the Revenue Stabilization Fund (73501)	$1,127,733,028	$405,952,425		
	Fund Sources: General	$1,127,733,028	$405,952,425		

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

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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, $1,127,733,028 the first year from the general fund attributable to actual tax collections for fiscal year 2021 shall be paid by the State Comptroller on or before June 30, 2023, 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 2021. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

C.1. Notwithstanding the provisions of subsection E of § 2.2-1829 and subsection F of § 2.2-1831.3, Code of Virginia, through June 30, 2024, the combined amount in the Revenue Stabilization Fund and the Revenue Reserve Fund shall not exceed 20 percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding.

2. The Secretary of Finance shall prepare a report to include recommendations for consideration of any adjustments to, or a removal of, the existing cap on the combined balance of the Revenue Stabilization Fund and the Revenue Reserve Fund, pursuant to subsection E of § 2.2-1829 and subsection F of § 2.2-1831.3, Code of Virginia, which shall be delivered to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by September 1, 2022.

D.1. Out of this appropriation, $405,952,425 the second year from the general fund attributable to actual tax collections for fiscal year 2022 shall be paid by the State Comptroller on or before June 30, 2024, into the Revenue Stabilization Fund pursuant to §2.2-1829, Code of Virginia.

2. Notwithstanding the provisions of §2.2-1831.3 and §2.2-1831.4, Code of Virginia, the State Comptroller shall transfer $498,700,000 from the Revenue Reserve Fund to the Revenue Stabilization Fund on or before June 30, 2024. This amount was provided in Chapter 1, 2022 Acts of Assembly, Special Session I, as an advanced reservation for the mandatory deposit to the Revenue Stabilization Fund required in fiscal year 2024.

3. The combined total of the actions authorized in this paragraph, $904,652,425, is based on the certification of the Auditor of Public Accounts of actual tax revenues for fiscal year 2022. These actions meet the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

Total for Department of Accounts Transfer Payments			**$1,713,113,028**	**$991,332,425**
Fund Sources: General	$1,158,113,028	$436,332,425		
Trust and Agency	$50,000,000	$50,000,000		
Dedicated Special Revenue	$505,000,000	$505,000,000		
267.1 Revenue Cash Reserve (23700)			*$0*	*$289,585,440*
Appropriated Revenue Reserve (23701)	*$0*	*$289,585,440*		
Fund Sources: General	*$0*	*$289,585,440*		

Out of this appropriation, $289,585,440 the second year from the general fund attributable to actual tax collections for fiscal year 2023 shall be paid by the State Comptroller on or before June 30, 2024, into the Revenue Reserve Fund pursuant to § 2.2-1831.3, Code of Virginia.

Total for Department of Accounts Transfer Payments			**$1,713,113,028**	**~~$991,332,425~~ *$1,280,917,865***
Fund Sources: General	$1,158,113,028	~~$436,332,425~~ *$725,917,865*		

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Trust and Agency	$50,000,000	$50,000,000		
Dedicated Special Revenue	$505,000,000	$505,000,000		

Department of Accounts Transfer Payments (162)

268.	Virginia Education Loan Authority Reserve Fund (73600)			$194,778	$194,778
	Loan Servicing Reserve Fund (73601)	$94,778	$94,778		
	Edvantage Reserve Fund (73602)	$100,000	$100,000		
	Fund Sources: Trust and Agency	$194,778	$194,778		

Authority: Chapter 384, Acts of Assembly of 1995; Chapter 39, Acts of Assembly of 1998.

A. The General Assembly hereby recognizes and reaffirms the provisions of such Declarations as may have been adopted by the Virginia Education Loan Authority pursuant to Chapter 384, 1995 Acts of Assembly, and dated June 30, 1996. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed $94,778, to be paid out by the State Comptroller consistent with the provisions of the Declarations. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed $100,000, to be paid out by the State Comptroller for the purpose of determining the validity and amount of any claims against the Fund. The State Comptroller is authorized to take such actions as may be necessary to effect the provisions of this paragraph.

B. Funds in the Edvantage Reserve Fund are hereby appropriated for disbursement by the State Comptroller, as provided for by law. All interest earned by the Edvantage Reserve Fund shall remain with the fund.

269.	Personnel Management Services (70400)			$281,359,934	$31,359,934
	Administration of Retirement and Insurance Programs (70415)	$250,000,000	$0		
	Employee Flexible Benefits Services (70420)	$31,359,934	$31,359,934		
	Fund Sources: General	$250,000,000	$0		
	Trust and Agency	$31,359,934	$31,359,934		

Authority: Title 2.2, Chapter 8, Code of Virginia.

Pursuant to the amounts contingently appropriated in Item 485, paragraph L of this act, on or before June 30, 2023, the State Comptroller shall deposit $250,000,000 from the general fund into the Virginia Retirement System trust fund. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with each plan:

1. An amount estimated at $73,052,105 to the state employee plan.

2. An amount estimated at $147,457,029 to the public school teacher plan.

3. An amount estimated at $3,652,605 to the State Police Officers' Retirement System.

4. An amount estimated at $6,628,802 to the Virginia Law Officers' Retirement System.

5. An amount estimated at $2,083,338 to the Judicial Retirement System.

6. An amount estimated at $2,840,915 to the health insurance credit plan for state employees.

7. An amount estimated at $4,004,338 to the health insurance credit plan for public school teachers.

8. An amount estimated at $10,146,126 to the group life insurance plan.

9. An amount estimated at $91,992 to the health insurance credit plan for Constitutional Officers and their employees.

10. An amount estimated at $40,585 to the health insurance credit plan for local social

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	services employees.				
	11. An amount estimated at $2,165 to health insurance credit plan for the Registrars and their employees.				
270.	Financial Assistance for Health Research (40700)...			$1,846,112	$1,846,112
	Health Research Grant Administration Services (40701).....	$1,846,112	$1,846,112		
	Fund Sources: Dedicated Special Revenue.....	$1,846,112	$1,846,112		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
	The Department of Accounts is authorized to disburse, as fiscal agent for the Commonwealth Health Research Board, funds received from the Virginia Retirement System pursuant to § 32.1-162.28, Code of Virginia.				
271.	Personal Property Tax Relief Program (74600).....			$950,000,000	$950,000,000
	Reimbursements to Localities for Personal Property Tax Relief (74601).....	$950,000,000	$950,000,000		
	Fund Sources: General.....	$950,000,000	$950,000,000		
	Authority: Discretionary Inclusion.				

A.1. Out of this appropriation, $950,000,000 the first year and $950,000,000 the second year from the general fund is provided to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this Item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at $950,000,000 pursuant Chapter 1, 2004 Acts of Assembly, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph D of this Item.

B. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, the determination of each county's, city's and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Title 58.1, Chapter 35.1, Code of Virginia, for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1, 2004 Acts of Assembly, Special Session I, this paragraph shall become effective upon the effective date of this act.

C. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Title 15.2, Chapter 25, Code of Virginia, or the provisions of a local government charter or Title 15.2, Chapter 4, 5, 6, 7 or 8, Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

D. The Secretary of Finance may authorize advance payment, from funds appropriated in this Item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1, 2004 Acts of Assembly, Special Session I, if

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the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006, (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004, (3) received reimbursements pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, between January 1 and June 30, 2004, (4) utilizes the cash method of accounting, and (5) would suffer fiscal hardship in the absence of such advance payment.

E. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, as it existed prior to the amendments effected by Chapter 1, 2004 Acts of Assembly, Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year.

Total for Department of Accounts Transfer Payments			**$1,233,400,824**	**$983,400,824**
Nongeneral Fund Positions	1.00	1.00		
Position Level	1.00	1.00		
Fund Sources: General	$1,200,000,000	$950,000,000		
Trust and Agency	$31,554,712	$31,554,712		
Dedicated Special Revenue	$1,846,112	$1,846,112		
Grand Total for Department of Accounts			**$3,014,768,688**	**~~$2,046,574,535~~** ***$2,336,159,975***
General Fund Positions	115.00	115.00		
Nongeneral Fund Positions	55.00	55.00		
Position Level	170.00	170.00		
Fund Sources: General	$2,372,170,708	~~$1,400,390,105~~ *$1,689,975,545*		
Special	$1,013,524	$1,013,524		
Internal Service	$53,183,632	$56,770,082		
Trust and Agency	$81,554,712	$81,554,712		
Dedicated Special Revenue	$506,846,112	$506,846,112		

§ 1-86. DEPARTMENT OF PLANNING AND BUDGET (122)

272. Planning, Budgeting, and Evaluation Services (71500)			$8,497,158	$8,497,158
Budget Development and Budget Execution Services (71502)	$6,013,867	$6,013,867		
Forecasting and Regulatory Review Services (71505)	$1,294,871	$1,294,871		
Program Evaluation Services (71506)	$664,826	$664,826		
Administrative Services (71598)	$523,594	$523,594		
Fund Sources: General	$8,497,158	$8,497,158		

Authority: Title 2.2, Chapter 15, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the plans and performance measures, and the processes used to develop and implement the plans and measures with the goal of improving the efficiency and

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effectiveness of state government operations.

C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or before December 20, the Department of Planning and Budget shall deliver to the presiding officer of each house of the General Assembly a copy of the budget document containing the explanation of the Governor's budget recommendations. This copy may be in electronic format.

2. The Department of Planning and Budget shall include in the budget document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

D. Notwithstanding any contrary provision of law, any school division may request the Department of Planning and Budget to assist in the coordination of a school efficiency review for the division. Such assistance shall be at the discretion of the Director of the Department of Planning and Budget. Each participating school division shall pay 100 percent of the cost of the review.

Total for Department of Planning and Budget.....			**$8,497,158**	**$8,497,158**
General Fund Positions.....	67.00	67.00		
Nongeneral Fund Positions.....	3.00	3.00		
Position Level.....	70.00	70.00		
Fund Sources: General.....	$8,497,158	$8,497,158		

§ 1-87. DEPARTMENT OF TAXATION (161)

273. Planning, Budgeting, and Evaluation Services (71500).....			$4,117,772	$4,117,772
Tax Policy Research and Analysis (71507).....	$2,042,991	$2,042,991		
Appeals and Rulings (71508).....	$1,286,819	$1,286,819		
Revenue Forecasting (71509).....	$787,962	$787,962		
Fund Sources: General.....	$4,117,772	$4,117,772		

Authority: §§ 2.2-1503, 15.2-2502, 58.1-202, 58.1-207, 58.1-210, 58.1-213, 58.1-816, and 58.1-3406, and Title 10.1, Chapter 14, Code of Virginia.

A. The Department of Taxation shall continue the staffing and responsibility for the revenue forecasting of the Commonwealth Transportation Funds, including the Department of Motor Vehicles Special Fund, as provided in § 2.2-1503, Code of Virginia. The Department of Motor Vehicles shall provide the Department of Taxation with direct access to all data records and systems required to perform this function. The Department of Planning and Budget shall effectuate the transfer of three full-time equivalent positions and sufficient funding to ensure the successful consolidation of this function.

B. Notwithstanding the provisions of § 58.1-202.2, Code of Virginia, no report on public-private partnership contracts shall be required in years following the final report upon the completion of contract or when no such contract is active.

C. The Department of Taxation shall report no later than September 1 on an annual basis, to the Chairmen of the House Appropriations, House Finance and Senate Finance and Appropriation Committees, on the amount of state sales and use tax revenues authorized to be remitted for the preceding fiscal year under the provisions of § 58.1-608.3, § 58.1-3851.1, and § 58.1-3851.2, of the Code of Virginia, as amended by the 2015 General Assembly.

D.1. The Department of Taxation shall conduct an assessment of the agency's Integrated Revenue Management System (IRMS). Specifically, the assessment shall include: an overview of IRMS and the role of each system and application; functionality requested by internal and external stakeholders, a blueprint of current functionality and gap analysis for

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each functional area; impact of any gaps or limitations on the agency's internal and external stakeholders; current system architecture and platform challenges and impact with the current technology state; impact of security limitations and risks; issues supporting the infrastructure including staff support; and a catalog of existing and future maintenance requirements.

2. Based on the findings from this assessment, the department shall develop guiding principles and potential options for addressing any identified shortcomings in IRMS, including but not limited to, refactoring and replacement. This portion of the assessment will address the department's goals and objectives for going forward with a potential modernization methodology and approach; benefits of modernization to the agency and stakeholders; a roadmap, and the project management and governance required to support any modernization effort.

3. The assessment shall include a cost and benefit analysis between the current and potential future state as well as the status of integrated tax solutions in other states. The department shall report its findings to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee no later than December 16, 2022.

274.	Revenue Administration Services (73200)		$64,669,857	~~$63,965,357~~ *$64,590,357*
	Tax Return Processing (73214)	$7,515,923	$6,811,423	
	Customer Services (73217)	$12,953,352	$12,953,352	
	Compliance Audit (73218)	$24,057,973	$24,057,973	
	Compliance Collections (73219)	$17,045,510	$17,045,510	
	Legal and Technical Services (73222)	$3,097,099	~~$3,097,099~~ *$3,722,099*	
	Fund Sources: General	$53,797,517	~~$53,093,017~~ *$53,718,017*	
	Special	$10,125,994	$10,125,994	
	Dedicated Special Revenue	$746,346	$746,346	

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.

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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 using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation.

G. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Items 266 and 286 of this act. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and for the costs of administering the Virginia Communications Sales and Use Tax.

H. Notwithstanding the provisions of § 58.1-478, Code of Virginia, effective July 1, 2011, every employer whose average monthly liability can reasonably be expected to be $1,000 or more and the aggregate amount required to be withheld by any employer exceeds $500 shall file the annual report required by § 58.1-478, Code of Virginia, and all forms required by § 58.1-472, Code of Virginia, using an electronic medium using a format prescribed by the Tax Commissioner. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the employer. All requests for waiver shall be submitted to the Tax Commissioner in writing.

I. Notwithstanding the provisions of § 58.1-214, Code of Virginia, the department shall not be required to mail its forms and instructions unless requested by a taxpayer or his representative.

J.1. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal, economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under § 58.1-609.10, Code of Virginia, shall be required after the completion of the final report in the first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11, Code of Virginia, by publishing such fiscal impact on its website.

2. Notwithstanding the provisions of § 58.1-202, Code of Virginia, no report detailing the total amount of corporate income tax relief provided in Virginia shall be required after the completion of such report due on October 1, 2013. The Department of Taxation shall satisfy the requirement of § 58.1-202 that it issue an annual report detailing the total amount of corporate income tax relief provided in Virginia by publishing its Annual Report on its website.

K. 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary,

a. Effective January 1, 2013, all corporations are required to file estimated tax payments and their annual income tax return and final payment using an electronic medium in a format prescribed by the Tax Commissioner .

b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478 and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format prescribed by the Tax Commissioner.

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c. Effective July 1, 2014, every employer shall file the annual report required by § 58.1-478 , not later than January 31 of the calendar year succeeding the calendar year in which wages were withheld from employees.

d. Effective January 1, 2015, for taxable years beginning on and after January 1, 2014, every pass-through entity shall file the annual return required by § 58.1-392, Code of Virginia, and make related payments using an electronic medium in a format prescribed by the Tax Commissioner.

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 $1,500, or if (ii) the taxpayer's total tax liability exceeds or can be reasonably expected to exceed $6,000 in any taxable year beginning on or after January 1, 2022. This requirement shall apply to any payments made on and after July 1, 2022. 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.

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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 electronic version of the form.

P. The Department of Taxation is hereby appropriated revenues from the E-911 Wireless Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 56-484.17:1, Code of Virginia.

Q. The Department of Taxation is hereby appropriated revenues from the assessment for expenses pursuant to §§ 38.2-400 and 38.2-403, Code of Virginia, to recover any costs related to the Insurance Premiums License Tax that are incurred by the Department of Taxation, as provided in § 58.1-2533, Code of Virginia.

R. The Department of Taxation is authorized to recover the administrative costs associated with debt collection initiatives under the U.S. Treasury Offset Program authorized by § 2.2-4809, not to exceed twenty percent of revenues generated pursuant to such debt collection initiatives. Such sums are in addition to any fees charged by outside collections contractors and/or enhanced collection revenues returned to the Commonwealth.

S.1. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective July 1, 2015, the Department of Taxation is hereby authorized to charge a fee of $5.00 per copy of a tax return requested by a taxpayer or a representative thereof.

2. The Tax Commissioner shall have the authority to waive such fee. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person requesting such copies. All requests for waiver shall be submitted to the Tax Commissioner in writing.

T. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective January 1, 2016, the Department of Taxation shall not provide to the local commissioners of the revenue or any other local officials copies of federal tax forms or schedules, including but not limited to, federal Schedules C (1040), C-EZ (1040), D (1040), E (1040), or F (1040), or federal Forms 4562 or 2106, or copies of Virginia Schedule 500FED, unless such schedules or forms are attached to a Virginia income tax return and submitted to the department in an electronic format by the taxpayer.

U.1. Notwithstanding any other provision of law, Vending Machine Dealer's Sales Tax, Motor Vehicle Rental Tax and Fee, Communications Taxes, and Tobacco Products Tax returns shall be filed using an electronic medium prescribed by the Tax Commissioner beginning with the July 2016 return, due August 2016, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2016.

2. Notwithstanding any other provision of law, Litter Tax returns shall be filed and any payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the first return required to be filed after January 1, 2018.

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.

V.1. Notwithstanding any other provision of law, effective July 1, 2017, the Department of Taxation shall charge a fee of $275 for each request, except those requested by the local assessing officer, for a letter ruling to be issued pursuant to § 58.1-203, Code of Virginia, or for an advisory opinion issued pursuant to §§ 58.1-3701 or 58.1-3983.1, Code of Virginia; $50 for each request for an offer in compromise with respect to doubtful collectability authorized by § 58.1-105, Code of Virginia; and $100 for each request for permission to change a corporation's filing method pursuant to § 58.1-442, Code of Virginia.

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2. The Tax Commissioner shall have the authority to waive such fees. Waivers shall be granted only if the Tax Commissioner finds that such fee creates an unreasonable burden on the person making such request. All requests for waiver shall be submitted to the Tax Commissioner in writing.

3. Revenues received from the above fees shall be deposited into the general fund in the state treasury.

W. Notwithstanding the provisions of § 38.2-5601, Code of Virginia, the Department of 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

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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 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.

BB.1. Notwithstanding § 58.1-1803 A, or any other provision of law, the Department of Taxation may appoint a collector in any county or city, including the treasurer thereof, to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.

2. Notwithstanding § 58.1-1803 B, or any other provision of law, the Department of Taxation may appoint collectors or contract with collection agencies to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.

275.	Tax Value Assistance to Localities (73400).....			$2,281,486	$2,281,486
	Training for Local Assessors (73401).....	$160,394	$160,394		
	Valuation and Assessment Assistance for Localities (73410).....	$2,121,092	$2,121,092		
	Fund Sources: General.....	$796,193	$796,193		
	Special.....	$1,485,293	$1,485,293		

Authority: Title 58.1, Chapters 32, 34, 35, 36, and 39 and §§ 58.1-202, subdivisions 6, 10, and 11, 58.1-206; §§ 58.1-2655, 58.1-3239, 58.1-3278, and 58.1-3374, Code of Virginia.

A. The department is hereby authorized to recover from participating localities, as special funds, the direct costs associated with assessor/property tax and local valuation and assessments training classes. In accordance with § 58.1-206, Code of Virginia, the assessing officers and board members attending shall continue to be reimbursed for the actual expenses incurred by their attendance at the programs.

B. In the expenditure of funds out of its appropriations for determination of true values of locally taxable real estate for use by the Board of Education in state school fund distributions, the Department of Taxation shall use a sufficiently representative sampling of parcels, in accordance with the classification system as established in § 58.1-208, Code of Virginia, to reflect actual true values; further, the department shall, upon request of any local school board, review its initial determination and promptly inform the Board of Education of corrections in such determination.

C. Notwithstanding any other provision of law, the requirement that the Department of Taxation print and distribute local tax forms, instructions, and property tax books shall be satisfied by the posting of such documents on the department's web site.

D.1. The Department of Taxation shall study and develop a proposal to require that all individuals who conduct local property tax assessments receive state certification and ongoing recertification to ensure more effective, consistent, and equitable assessments across all jurisdictions in the Commonwealth.

2. In conducting its study, the Department shall consult with the Virginia Association of Assessing Officers, the Commissioners of the Revenue Association, the Virginia

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Municipal League, and the Virginia Association of Counties.				
3. The Department shall report its findings to the Governor and the Chairs of the House Committee on Finance and the Senate Finance and Appropriations Committee by November 1, 2022.				
276. Administrative and Support Services (79900)			$51,677,147	~~$51,062,880~~ *$51,537,880*
General Management and Direction (79901)	$29,827,003	~~$29,212,736~~ *$29,687,736*		
Information Technology Services (79902)	$21,850,144	$21,850,144		
Fund Sources: General	$51,523,693	~~$50,909,426~~ *$51,384,426*		
Special	$153,454	$153,454		
Authority: §§ 58.1-200, 58.1-202, and 58.1-213, Code of Virginia.				
A. To defray the costs of administration for voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to five percent of the contributions made to each organization, not to exceed a total of $50,000 from all organizations in any taxable year.				
B. The Department is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a sales and use tax modification or other state or local tax imposed pursuant to Chapter 766, 2013 Acts of Assembly. The treasury loan shall be repaid for these costs from the tax revenues. The Department shall also retain sufficient revenues to recover its costs incurred administering these taxes.				
C. Notwithstanding the provisions of §§ 2.2-507 and 2.2-510, when the Tax Commissioner determines that an issue may have a major impact on tax policies, revenues or expenditures, he may request that the Attorney General appoint special counsel to render such assistance or representation as needed. The compensation for such special counsel shall be paid out of the funds appropriated for the administration of the Department of Taxation.				
D. The Department of Taxation is required to provide, at the beginning of an audit, detailed information on the audit process and tax policies that are being examined. Furthermore, the Department shall compile and make available on their website a list of common issues which are identified in a large number of audits.				
Total for Department of Taxation			**$122,746,262**	~~**$121,427,495**~~ ***$122,527,495***
General Fund Positions	907.00	907.00		
Nongeneral Fund Positions	56.00	56.00		
Position Level	963.00	963.00		
Fund Sources: General	$110,235,175	~~$108,916,408~~ *$110,016,408*		
Special	$11,764,741	$11,764,741		
Dedicated Special Revenue	$746,346	$746,346		
§ 1-88. DEPARTMENT OF THE TREASURY (152)				
277. Investment, Trust, and Insurance Services (72500)			$54,851,592	~~$48,336,155~~ *$50,171,610*
Debt Management (72501)	$1,205,383	$1,205,383		
Insurance Services (72502)	$49,014,108	$42,485,301		
Banking and Investment Services (72503)	$4,632,101	~~$4,645,471~~ *$6,480,926*		
Fund Sources: General	$10,387,709	~~$3,847,185~~ *$5,682,640*		
Special	$126,365	$126,365		
Commonwealth Transportation	$185,187	$185,187		

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Trust and Agency.....	$44,152,331	$44,177,418		

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

A. The Department of the Treasury shall take into account the claims experience of each agency and institution when setting premiums for the general liability program.

B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar.

C. Notwithstanding the provisions of § 33.2-1919 and § 33.2-1927, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Department of the Treasury's Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of § 8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.

D. By January 15 of each year the Department of the Treasury shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, in a unified report mutually agreeable to them, summarizing changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken or expected to be taken by the Commonwealth within the next twelve months.

E. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct cost incurred by the department in the administration of the Virginia Public School Authority programs.

F. The Department of the Treasury shall provide to the State Compensation Board the premiums, by local constitutional office and individual regional jail, required to fund the Constitutional Officer and Regional Jail Fund of the State Insurance Reserve Trust Fund. The premiums provided to the Department of the Treasury by the actuary shall be calculated using factors such as claims experience by local constitutional office and individual regional jail, each local constitutional office and individual regional jail's total number of positions, and local and regional jail average daily populations.

G. Notwithstanding §2.2-1836, Code of Virginia the Department of the Treasury, Division of Risk Management is authorized to initiate Cyber coverage for state agencies under the Property Plan after July 1, 2020.

H. Out of the amounts for this item shall be paid $1,076,115 the first year from the general fund for the relief of Mr. Lamar Barnes pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, $15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.

I. Out of the amounts for this item shall be paid $1,483,342 the first year from the general fund as a lump sum for the relief of Mr. Joseph Carter pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, $15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.

J. Out of the amounts for this item shall be paid $289,068 the first year from the general fund as a lump sum for the relief of Mr. Paul Jonas Crum, Jr. pursuant to § 8.01-195.11 of the Code of Virginia.

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K. Out of the amounts for this item shall be paid $1,247,973 the first year from the general fund for the relief of Mr. Bobbie James Morman, Jr. pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, $15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.

L. Out of the amounts for this item shall be paid $1,699,274 the first year from the general fund as a lump sum for the relief of Mr. Emerson Eugene Stevens pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, $15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.

M. Out of the amounts for this item shall be paid $408,205 the first year from the general fund for the relief of Mr. Jervon Tillman pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, $15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.

N. Out of the amounts for this item shall be paid $343,232 the first year from the general fund for the relief of Mr. Eric Weakley pursuant to § 8.01-195.11 of the Code of Virginia.

O. The Director, Department of Planning and Budget, shall ensure that funds are appropriated from the general fund of the state treasury for the relief of Mr. Michael Haas and Mr. David Wayne Kingrea, pursuant to § 8.01-195.11 of the Code of Virginia and consistent with Chapters 11, 12, and 13 of the 2023 Acts of Assembly.

278.	Revenue Administration Services (73200).....			$15,742,470	$14,931,551
	Unclaimed Property Administration (73207).....	$7,654,876	$7,654,876		
	Accounting and Trust Services (73213).....	$2,018,552	$2,057,633		
	Check Processing and Bank Reconciliation (73216)...	$3,251,610	$2,401,610		
	Administrative Services (73220).....	$2,817,432	$2,817,432		
	Fund Sources: General.....	$5,131,214	$4,320,295		
	Special.....	$426,581	$426,581		
	Trust and Agency.....	$9,535,311	$9,535,311		
	Dedicated Special Revenue.....	$649,364	$649,364		

Authority: Title 2.2, Chapter 18 and Title 55.1, Chapter 25, Code of Virginia.

A. Included in this Item is a sum sufficient nongeneral fund appropriation for personal services and other operating expenses to process checks issued by the Department of Social Services. The estimated cost, excluding actual postage costs, is $89,000 the first year and $89,000 the second year.

B. Included in this Item is a sum sufficient nongeneral fund appropriation for administrative expenses to process the Virginia Employment Commission (VEC) and Virginia Retirement System (VRS) checks. The estimated cost for VEC is $5,500 the first year and $5,500 the second year, and for VRS is $25,500 the first year and $25,500 the second year.

C.1. The amounts for Unclaimed Property Administration are for administrative and related support costs of the Uniform Disposition of Unclaimed Property Act, to be paid solely from revenues derived pursuant to the act.

2. The amounts also include a sum sufficient nongeneral fund amount estimated at $2,000,000 the first year and $2,000,000 the second year to pay fees for compliance services and securities portfolio custody services for unclaimed property administration.

3. Any revenue derived from the sale of the Department of the Treasury's new unclaimed property system is hereby appropriated to the department for use in unclaimed property customer service and system enhancements.

4. Notwithstanding § 55.1-2525.C of the Uniform Disposition of Unclaimed Property Act, the State Treasurer is not required to publish any item of less than $250.

D. The State Treasurer is authorized to charge institutions of higher education participating in the private college financing program of the Virginia College Building Authority an

ITEM 278.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

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. Revenue collected from this administrative fee shall be deposited to a special fund in the Department of the Treasury to compensate the department for direct and indirect staff time and expenses involved with this program.

E. The State Treasurer is authorized to sell any securities remitted as unclaimed demutualization proceeds of insurance companies at any time after delivery, pursuant to legislation enacted by the 2003 Session of the General Assembly. The funds derived from the sale of said securities shall be handled in accordance with § 55.1-2531, Code of Virginia.

F.1. The State Treasurer is authorized to charge qualified public depositories holding public deposits, as defined in § 2.2-4401, Code of Virginia, an annual administrative fee of not more than one-half of one basis point of their average public deposit balances over a twelve month period. The State Treasurer shall issue guidelines to effect the implementation of this fee. However, the total fees collected from all qualified depositories shall not exceed $200,000 in any one year.

2. Any regulations or guidelines necessary to implement or change the amount of the fee may be adopted without complying with the Administrative Process Act (§ 2.2-4000 et seq.) provided that input is solicited from qualified public depositories. Such input requires only that notice and an opportunity to submit written comments be given.

G. The State Treasurer shall work with universities and community colleges to develop policies and procedures which minimize the use of paper checks when issuing any reimbursements of student loan balances. These efforts should include reimbursement through debit cards, direct deposits, or other electronic means.

H. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct cost incurred by the department in the accounting and financial reporting of the Virginia Public School Authority programs.

279. 1. There is hereby appropriated to the Department of the Treasury a sum sufficient for the transfer to the federal government, in accordance with the provisions of the federal Cash Management Improvement Act of 1990 and related federal regulations, of the interest owed by the state on federal funds advanced to the state for federal assistance programs, where such funds are held by the state from the time they are deposited in the state's bank account until they are paid out to redeem warrants, checks or payments by other means. This sum sufficient appropriation is funded from the interest earned on federal funds deposited and invested by the state. The actual amount for transfer shall be established by the State Comptroller.

2. When permitted by applicable federal laws or administrative regulations, the State Comptroller shall first offset and reduce the amount to be transferred by any and all amounts of interest payments calculated to be received by the state from the federal government, where such payments are due to the state because the state was required to disburse its own funds for federal program purposes prior to the receipt of federal funds.

3. Should the interest payments calculated to be made by the federal government to the state exceed the interest calculated to be transferred from the state to the federal government, reduced by the federally approved direct cost reimbursement to the state, the State Comptroller shall then notify the federal government of the net amount of interest due to the state and shall record such net interest, upon its receipt, as interest revenue earned by the general fund.

Total for Department of the Treasury.....			**$70,594,062**	**~~$63,267,706~~** ***$65,103,161***
General Fund Positions.....	32.70	32.70		
Nongeneral Fund Positions.....	94.30	94.30		
Position Level.....	127.00	127.00		

ITEM 279.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: General	$15,518,923	~~$8,167,480~~ *$10,002,935*		
	Special	$552,946	$552,946		
	Commonwealth Transportation	$185,187	$185,187		
	Trust and Agency	$53,687,642	$53,712,729		
	Dedicated Special Revenue	$649,364	$649,364		

§ 1-89. TREASURY BOARD (155)

280.	Bond and Loan Retirement and Redemption (74300).			$991,805,056	$1,031,659,380
	Debt Service Payments on General Obligation Bonds (74301)	$56,028,916	$51,320,292		
	Debt Service Payments on Public Building Authority Bonds (74303)	$370,973,321	$377,655,887		
	Debt Service Payments on College Building Authority Bonds (74304)	$564,802,819	$602,683,201		
	Fund Sources: General	$954,233,341	$994,591,558		
	Higher Education Operating	$31,526,576	$31,526,576		
	Dedicated Special Revenue	$645,000	$645,000		
	Federal Trust	$5,400,139	$4,896,246		

Authority: Title 2.2, Chapter 18, Code of Virginia; Article X, Section 9, Constitution of Virginia.

A. The Director, Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

Series	**FY 2023**		**FY 2024**	
	General Fund	**Federal Funds**	**General Fund**	**Federal Funds**
2012 Refunding	$17,767,000	$0	$14,463,750	$0
2013 Refunding	$19,501,000	$0	$18,774,000	$0
2015B Refunding	$12,230,750	$0	$11,786,000	$0
2016B Refunding	$5,161,450	$0	$5,000,450	$0
2019C Refunding	$1,268,716	$0	$1,196,092	$0
Projected debt service & expenses	$100,000	$0	$100,000	$0
Total Service Area	**$56,028,916**	**$0**	**$51,320,292**	**$0**

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the authority for its various bond issues:

Series	**FY 2023**		**FY 2024**	
	General Fund	**Nongeneral Fund**	**General Fund**	**Nongeneral Fund**
2010B	$23,922,713	$2,696,461	$19,842,211	$2,459,268
2012A Refunding	$16,553,925	$0	$10,520,650	$0
2013A	$8,823,400	$0	$8,825,750	$0
2013B Refunding	$17,247,625	$0	$12,228,250	$0
2014A	$8,481,150	$645,000	$8,480,275	$645,000
2014B	$2,013,408	$0	$2,012,761	$0

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2014C Refunding	$17,370,525	$0	$22,389,650		$0
2015A	$17,342,870	$0	$17,343,745		$0
2015B Refunding	$11,268,775	$0	$11,264,525		$0
2016A	$14,387,675	$0	$14,384,800		$0
2016B Refunding	$17,811,525	$0	$32,051,025		$0
2016C	$11,655,625	$0	$11,656,125		$0
2016D	$906,532	$0	$904,132		$0
2017A Refunding	$19,100,475	$0	$6,088,100		$0
2018A	$11,748,844	$0	$11,747,344		$0
2018B	$1,233,290	$0	$1,230,990		$0
2019A	$13,437,750	$0	$13,437,625		$0
2019B	$10,155,400	$0	$10,157,150		$0
2019C	$5,326,052	$0	$5,197,302		$0
2020A	$15,723,325	$0	$15,723,825		$0
2020B Refunding	$26,566,625	$0	$33,499,500		$0
2020C	$6,621,668	$0	$6,618,510		$0
2021A	$38,485,750	$0	$38,486,250		$0
2021B Refunding	$1,183,232	$0	$1,185,309		$0
Projected debt service and expenses	$19,263,701	$0	$59,275,815		$0
Total Service Area	**$336,631,860**	**$3,341,461**	**$374,551,619**		**$3,104,268**

b. Out of this appropriation and in conjunction with any proposed disposition or transfer 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, and the Seafood Market Building located at 18555 Garey Road, Melfa, Virginia 23410, by the Virginia Department of Agriculture and Consumer Services as set forth in § 3-1.01 II, up to $6,000,000 the first year and $0 the second year from the general fund is provided for remediation available under federal law in order to maintain tax-advantaged status on bonds that financed the construction, improvement and equipping of such facilities.

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

Project	Commonwealth Share of Approved Capital Costs
Prince William - Manassas Regional Jail	$21,032,421
Middle River Regional Jail - Expansion and Renovation	$24,125,430
Henry County Jail	$18,759,878
Prince William - Manassas Regional Jail Expansion	$678,387
Riverside Regional Jail	$807,447
Fairfax County Adult Detention Center - Security and Mechanical Upgrades	$14,479,670
Total Approved Capital Costs	**$79,883,233**

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

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

D.1. Out of the amounts for Debt Service Payments on Virginia College Building

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Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

Series	**FY 2023**	**FY 2024**
2009E Refunding	$26,968,250	$18,611,250
2010B	$26,774,791	$26,507,791
2012B	$399,100	$399,100
2013 A	$13,340,250	$0
2014A	$15,938,850	$15,935,600
2014B Refunding	$195,400	$195,400
2015A	$24,058,450	$13,643,950
2015B Refunding	$27,425,391	$27,424,266
2015D	$16,311,785	$26,726,035
2016A	$19,476,100	$19,475,850
2016B Refunding	$1,972,000	$1,972,000
2016C	$4,428,901	$4,430,471
2017B Refunding	$22,352,250	$23,841,000
2017C	$31,464,000	$31,465,750
2017D	$11,318,456	$11,317,964
2017E Refunding	$54,799,500	$67,187,000
2019A	$31,124,100	$31,124,850
2019B	$9,982,750	$9,986,250
2019C Refunding	$29,062,500	$29,064,000
2020A & B	$22,690,545	$22,689,935
2020B Refunding	$7,867,830	$7,868,280
2021A	$32,911,050	$32,914,050
Projected 21st Century debt service & expenses	$44,114,110	$87,830,508
Subtotal 21st Century	**$474,976,358**	**$510,611,299**

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

Series	**FY 2023**	**FY 2024**
2016A	$11,067,000	$0
2017A	$14,939,000	$14,941,500
2018A	$12,866,750	$12,866,000
2019A	$12,568,750	$12,571,750
2020A	$12,061,250	$12,063,750
2021A	$12,516,000	$12,514,000
Projected debt service & expenses	$13,807,710	$27,114,901
Subtotal Equipment	$89,826,460	$92,071,901
Total Service Area	**$564,802,818**	**$602,683,200**

3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at seven years, which is consistent with the useful life of the equipment.

4. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:

Institution	**FY 2023**	**FY 2024**

ITEM 280.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
George Mason University	$2,804,490			$2,804,490
Old Dominion University	$1,108,899			$1,108,899
University of Virginia	$5,006,754			$5,006,754
Virginia Polytechnic Institute and State University	$5,192,295			$5,192,295
Virginia Commonwealth University	$2,359,266			$2,359,266
College of William and Mary	$1,639,845			$1,639,845
Christopher Newport University	$131,508			$131,508
University of Virginia's College at Wise	$48,330			$48,330
James Madison University	$2,843,787			$2,843,787
Norfolk State University	$420,789			$420,789
Longwood University	$106,149			$106,149
University of Mary Washington	$234,834			$234,834
Radford University	$300,486			$300,486
Virginia Military Institute	$400,470			$400,470
Virginia State University	$773,577			$773,577
Richard Bland College	$10,830			$10,830
Virginia Community College System	$3,301,665			$3,301,665
TOTAL	**$26,683,974**			**$26,683,974**

5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:

	FY 2023		FY 2024	
Institution	**General Fund**	**Nongeneral Fund**	**General Fund**	**Nongeneral Fund**
College of William & Mary	$3,521,190	$259,307	$3,991,903	$259,307
University of Virginia	$14,736,611	$1,088,024	$16,021,183	$1,088,024
Virginia Polytechnic Institute and State University	$16,492,798	$992,321	$16,776,273	$992,321
Virginia Military Institute	$879,579	$88,844	$894,058	$88,844
Virginia State University	$1,357,553	$108,886	$1,379,234	$108,886
Norfolk State University	$1,518,993	$108,554	$1,672,023	$108,554
Longwood University	$740,819	$54,746	$756,993	$54,746
University of Mary Washington	$1,514,252	$97,063	$1,744,813	$97,063
James Madison University	$2,449,435	$254,504	$2,779,889	$254,504
Radford University	$986,8077	$135,235	$992,742	$135,235
Old Dominion University	$3,739,565	$374,473	$3,296,742	$374,473
Virginia Commonwealth University	$9,556,313	$401,647	$9,437,485	$401,647
Richard Bland College	$172,947	$2,027	$185,534	$2,027
Christopher Newport	$860,248	$17,899	$818,586	$17,899

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University					
University of Virginia's College at Wise	$248,072	$19,750	$263,446		$19,750
George Mason University	$4,632,155	$205,665	$4,638,315		$205,665
Virginia Community College System	$19,875,309	$633,657	$19,776,368		$633,657
Virginia Institute of Marine Science	$588,799	$0	$597,435		$0
Roanoke Higher Education Authority	$84,809	$0	$86,063		$0
Southwest Virginia Higher Education Center	$87,527	$0	$88,821		$0
Institute for Advanced Learning and Research	$299,553	$0	$303,982		$0
Southern Virginia Higher Education Center	$104,658	$0	$107,326		$0
New College Institute	$35,745	$0	$38,640		$0
Eastern Virginia Medical School	$500,126	$0	$581,448		$0
TOTAL	**$84,983,859**	**$4,842,602**	**$87,229,300**		**$4,842,602**

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

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

G. Notwithstanding the provisions of 2.2-1156, Code of Virginia, if tax-exempt bonds were used by the Commonwealth or its authorities, boards, or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the subsequent sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law in order to maintain the tax-exempt status of such bonds.

H. Included in the appropriation for this item is an amount not to exceed $25,000,000 in the first year from the general fund for defeasance of all outstanding bonds of the Central Virginia Training Center.

281. A. There is hereby appropriated to the Treasury Board a sum sufficient from the general fund to pay obligations incurred pursuant to Article X, Sections 9 (a), 9 (c), and 9 (d), of the Constitution of Virginia, as follows:

1. Section 9 (a) To meet emergencies and redeem previous debt obligations.

2. Section 9 (c) Debt for certain revenue-producing capital projects.

3. Section 9 (d) Debt for variable rate obligations secured by general fund appropriations and a payment agreement with the Treasury Board.

4. For payment of the principal of and the interest on obligations, issued in accordance with the cited Sections 9 (c) and 9 (d), in the event pledged revenues are insufficient to meet the obligation of the Commonwealth.

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B. There is hereby appropriated to the Treasury Board a sum sufficient to pay debt service expected at the time of issuance to be paid from subsidies under federal programs and for arbitrage rebate amounts and other penalties to the United States Government for bonds issued by the Commonwealth pursuant to Article X, Sections 9 (a), 9 (b), 9 (c), and 9 (d) (obligations secured by General Fund appropriations to Treasury Board) of the Constitution of Virginia.				
Total for Treasury Board			**$991,805,056**	**$1,031,659,380**
Fund Sources: General	$954,233,341	$994,591,558		
Higher Education Operating	$31,526,576	$31,526,576		
Dedicated Special Revenue	$645,000	$645,000		
Federal Trust	$5,400,139	$4,896,246		
§ 1-90. BOARD OF ACCOUNTANCY (226)				
282. Regulation of Professions and Occupations (56000)			$2,767,913	$2,767,913
Accountant Regulation (56001)	$2,767,913	$2,767,913		
Fund Sources: Dedicated Special Revenue	$2,767,913	$2,767,913		
Authority: Title 54.1, Chapter 44, Code of Virginia.				
Total for Board of Accountancy			**$2,767,913**	**$2,767,913**
Nongeneral Fund Positions	15.00	15.00		
Position Level	15.00	15.00		
Fund Sources: Dedicated Special Revenue	$2,767,913	$2,767,913		
TOTAL FOR OFFICE OF FINANCE			**$4,212,409,064**	~~**$3,274,924,112**~~ ***$3,567,445,007***
General Fund Positions	1,125.70	1,125.70		
Nongeneral Fund Positions	223.30	223.30		
Position Level	1,349.00	1,349.00		
Fund Sources: General	$3,461,885,230	~~$2,521,292,634~~ *$2,813,813,529*		
Special	$13,331,211	$13,331,211		
Higher Education Operating	$31,526,576	$31,526,576		
Commonwealth Transportation	$185,187	$185,187		
Internal Service	$53,183,632	$56,770,082		
Trust and Agency	$135,242,354	$135,267,441		
Dedicated Special Revenue	$511,654,735	$511,654,735		
Federal Trust	$5,400,139	$4,896,246		

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OFFICE OF HEALTH AND HUMAN RESOURCES				
§ 1-91. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)				
283. Administrative and Support Services (79900).....			$1,653,270	$903,270
General Management and Direction (79901).....	$1,653,270	$903,270		
Fund Sources: General.....	$1,653,270	$903,270		

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

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

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

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

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

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

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Corrections, the Department of Planning and Budget, staff of the House Appropriations and Senate Finance and Appropriations Committees, and other agencies as deemed appropriate by the respective Secretaries. The purpose of the workgroup shall be to evaluate common business requirements for electronic health records to ensure consistency and interoperability with other partner state and local agencies and public and private health care entities to the extent allowed by federal and state law and regulations. The goal of the workgroup is to develop an integrated EHR which may be shared as appropriate with other partner state and local agencies and public and private health care entities. The workgroup shall evaluate the DBHDS statement of work developed for its EHR system and the DBHDS platform for potential adaption and/or use by state agencies in order to develop an integrated statewide EHR.

2. The workgroup may consider and evaluate other EHR systems that may be more appropriate to meet specific agency needs and evaluate the cost-effectiveness of pursing a separate EHR system as compared to a statewide integrated EHR. However, the workgroup shall ensure that standards are developed to ensure that EHRs can be shared as appropriate with public and private partner agencies and health care entities.

3. The workgroup shall also develop an implementation timeline, cost estimates, and assess other issues that may need to be addressed in order to implement an integrated statewide EHR system. The timeline and cost estimates shall be used by the respective agencies to coordinate implementation. The workgroup shall report on its activities and any recommendations to the Joint Subcommittee on Heath and Human Resources Oversight by November 1 of each year.

D.1. The Secretary of Health and Human Resources shall develop a state innovation waiver under Section 1332 of the federal Patient Protection and Affordable Care Act (42 U.S.C. 18052) to implement a state reinsurance program to help stabilize the individual insurance market by reducing individual insurance premiums and out-of-pocket costs while preserving access to health insurance. The Secretary shall convene stakeholders to include representatives of health insurers, the State Corporation Commission Bureau of Insurance, consumer advocates, and others deemed necessary to assist in developing the reinsurance program.

2. The State Corporation Commission Bureau of Insurance shall provide technical assistance to the Secretary of Health and Human Resources as requested.

E. The Secretary of Health and Human Resources, in collaboration with the Virginia Department of Health and appropriate stakeholders, shall continue to support the efforts of the Virginia Task Force on Primary Care. The Secretary shall assist the Task Force to enhance the financing, quality and delivery of primary care in the Commonwealth. The Secretary of Health and Human Resources, in collaboration with the Virginia Department of Health, shall report on task force activities to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.

F.1. The Secretary of Health and Human Resources shall establish a workgroup to review the current structure of the Department of Behavioral Health and Developmental Services (DBHDS) and make recommendations on modifications to the department's structure that improves the delivery of behavioral health and developmental disability services to the citizens of the Commonwealth. The workgroup shall include representatives of DBHDS, the Department of Medical Assistance Services, the Department of Planning and Budget, the Behavioral Health Commission and other entities as deemed necessary by the Secretary to complete the tasks of the workgroup. Specifically, the workgroup shall evaluate: (i) whether responsibility for developmental disability services is more appropriate in another state agency or a new state agency; (ii) whether community-based behavioral health services and the operations of the state mental health hospitals should be divided into separate entities; (iii) whether a different structure or model, such as public-private partnerships, is appropriate for the operation of state mental health hospitals; and (iv) whether the current structure for community-based services can be enhanced to better deliver services.

2. Out of this appropriation, $750,000 from the general fund the first year shall be provided for the Secretary of Health and Human Resources to contract for a feasibility analysis to transform the Catawba Hospital Campus into a state-of-the-art campus at

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which a continuum of substance abuse treatment and recovery services, including long-term, short-term, acute, and outpatient services, is provided in addition to the array of behavioral health services currently provided to individuals in need of behavioral health care services. This analysis shall be completed for consideration of the workgroup in its recommendations on the structure and delivery of behavioral health and developmental disability services.

3. The workgroup shall report its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.

G. The Secretary of Health and Human Resources, or his designee, shall continue the workgroup previously established and shall add one member from the House of Delegates appointed by the Speaker, one member from the Senate, appointed by the Committee on Rules, one representative from the Commonwealth Council on Aging, and one representative with a professional or academic background in gerontology, selected by the workgroup, to join the one representative from the Department for Aging and Rehabilitative Services, three representatives from Area Agencies on Aging, one representative from the Virginia Association of Area Agencies on Aging, one representative from the Department of Planning and Budget, one representative each from the appropriate staff of the House Appropriations and Senate Finance and Appropriations Committees. The workgroup shall seek outside expertise, as necessary. A Chair and Vice-Chair shall be elected by the members of the workgroup at the first meeting. The workgroup shall develop a plan that establishes a new structure that elevates the provision of aging services in the Commonwealth to be effective July 1, 2023. Such plan shall: (i) define how aging services and programs should fit into the overall state organizational structure; (ii) include the necessary statutory and appropriation act changes to reflect the proposed structure; (iii) include an operational plan that reflects the necessary allocation of staff and funding at the appropriate agencies; and (iv) include an analysis of the necessary costs and funding needs to elevate aging services in a new structure. The workgroup shall evaluate all state aging services and programs and determine how they should fit in the new structure. The workgroup shall submit the plan by December 1, 2022, to the Governor, the Department of Planning and Budget, and the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

H.1. The Secretary of Health and Human Resources shall establish a Task Force on Eligibility Redetermination to ensure that the Commonwealth redetermines eligibility for Medicaid in the most efficient and prudent manner possible to meet the unwinding requirement associated with the end of the federal Public Health Emergency and the provisions of the maintenance of eligibility requirement in Medicaid pursuant to the Families First Coronavirus Response Act (P.L. 166-127). The Task Force shall include representatives from the Department of Medical Assistance Services, the Department of Social Services, the Department of Planning and Budget, and staff from the House Appropriations and Senate Finance and Appropriations Committees. The Task Force shall: (i) assess the current status of the shift of eligibility for individuals to the appropriate aid category that was assumed in the November 2021 forecast; (ii) evaluate the current plan, including the timeline, of the Department of Medical Assistance Services and the local departments of social services to redetermine Medicaid eligibility in the most efficient manner after the expiration of the maintenance of eligibility requirement; (iii) assess the resources and operational capabilities of the agencies to handle the increased workload efficiently; and (iv) make recommendations as appropriate to improve the unwinding process until its conclusion.

2. At the direction of the Secretary of Health and Human Resources, the Department of Medical Assistance Services is authorized to utilize federal American Rescue Plan Act funds allocated for this purpose to help address operational challenges in addressing eligibility redeterminations for Medicaid that may include providing additional funds to support overtime costs at local departments of social services and/or issuing emergency contracts to hire contractors to assist in the efforts.

3. The Secretary shall provide an update to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022, and every 90 days thereafter through the end of fiscal year 2023, on the efforts and challenges related to eligibility redetermination efforts.

Total for Secretary of Health and Human Resources...			**$1,653,270**	**$903,270**

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General Fund Positions	5.00	5.00		
Position Level	5.00	5.00		
Fund Sources: General	$1,653,270	$903,270		

Children's Services Act (200)

284.	Protective Services (45300)			$385,591,773	$385,591,773
	Financial Assistance for Child and Youth Services (45303)	$385,591,773	$385,591,773		
	Fund Sources: General	$327,959,444	$327,959,444		
	Federal Trust	$57,632,329	$57,632,329		

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, $269,287,579 the first year and $269,287,579 the second year from the general fund and $57,632,329 the first year and $57,632,329 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 $31,214,350 the first year and $31,214,350 the second year from the general fund and $48,212,331 the first year and $48,212,331 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 $238,073,229 the first year and $238,073,229 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 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

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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 and Appropriations Committees on utilization rates and average lengths of stays statewide and for each locality.

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.

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.

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.

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 and Appropriations 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.

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.

8. The State Executive Council shall require a uniform assessment instrument.

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 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

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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 and Appropriations 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 $2,560,000 the first year and $2,560,000 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" 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

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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.

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

M. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $36,100,000 from the FY 2023 surplus balances of this program.

285.	Administrative and Support Services (49900).....			$2,739,989	$2,700,324
	General Management and Direction (49901).....	$2,739,989	$2,700,324		

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Fund Sources: General	$2,739,989	$2,700,324		

Authority: Title 2.2, Chapter 26, Code of Virginia.

A. The Office of Children's Services may enter into a memorandum of understanding with the Department of Social Services for the provision of routine administrative support services.

B. ~~Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided to the Office of Children's Services for a contract to assist in implementing rate setting for private day special education rates. The Office of Children's Services shall use the first year funding to develop a fiscal impact estimate of the rate changes on expenditures for private day special education services. The Office of Children's Services shall implement statewide rates for private day special education services effective July 1, 20~~23. *Out of this appropriation, $100,000 the second year from the general fund shall be provided to the Office of Children's Services (OCS) to contract with the Virginia Department of Education's Office of Special Education to conduct a review of private day placement decisions in those localities with higher than average placements and make recommendations to the local education agency. OCS shall, on its website by October 1 of each year, (i) show the number of students in private day placements by locality; (ii) calculate the ratio of children in private day placements to the number of students in the local education agency (LEA); and (iii) identify the LEAs that exceed the statewide average of private day placements compared to the LEA's enrollment.*

C. The Office of Children's Services shall collect annually from each local Children's Services Act program the number of program staff by full- and part-time status and the administrative budget broken out by state and local funding to understand local program resources and target technical assistance to the most under-sourced local programs.

Total for Children's Services Act			**$388,331,762**	**$388,292,097**
General Fund Positions	16.00	16.00		
Position Level	16.00	16.00		
Fund Sources: General	$330,699,433	$330,659,768		
Federal Trust	$57,632,329	$57,632,329		
Grand Total for Secretary of Health and Human Resources			**$389,985,032**	**$389,195,367**
General Fund Positions	21.00	21.00		
Position Level	21.00	21.00		
Fund Sources: General	$332,352,703	$331,563,038		
Federal Trust	$57,632,329	$57,632,329		

§ 1-92. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)

286. Social Services Research, Planning, and Coordination (45000)			$3,916,606	$3,877,656
Technology Services for Deaf and Hard-of-Hearing (45004)	$2,362,346	$2,362,346		
Consumer, Interpreter, and Community Support Services (45005)	$1,106,229	$1,067,279		
Administrative Services (45006)	$448,031	$448,031		
Fund Sources: General	$1,320,862	$1,320,862		
Special	$2,381,294	$2,381,294		
Federal Trust	$214,450	$175,500		

Authority: Title 51.5, Chapter 13, Code of Virginia.

A. Up to $48,529 the first year and up to $48,529 the second year from the general fund is provided to the Department of Deaf and Hard-of-Hearing (DDHH) to contract with the

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Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DDHH and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.

B. Out of this appropriation, an amount estimated at $1,656,000 the first year and $1,656,000 the second year from special funds shall be used to cover the cost of providing telecommunications relay service as defined in §51.5-115, Code of Virginia.

C.1. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund.

2. Out of this appropriation, $500,000 the first year and $500,000 the second year from special funds shall be used for the Technology Assistance Program.

D. Out of this appropriation, $40,000 the first year and $40,000 the second year from the general fund shall be used to contract with a provider for the provision of equipment distribution and community services to deaf and hard-of-hearing individuals in the southwest Virginia region.

E. Out of this appropriation, $238,200 the first year and $238,200 the second year from the general fund shall be used to support the cost of a deaf mentor program for children.

Total for Department for the Deaf and Hard-Of-Hearing			**$3,916,606**	**$3,877,656**
General Fund Positions	8.37	8.37		
Nongeneral Fund Positions	2.63	2.63		
Position Level	11.00	11.00		
Fund Sources: General	$1,320,862	$1,320,862		
Special	$2,381,294	$2,381,294		
Federal Trust	$214,450	$175,500		

§ 1-93. DEPARTMENT OF HEALTH (601)

287. Higher Education Student Financial Assistance (10800)			$6,860,000	~~$6,860,000~~ *$11,360,000*
Scholarships (10810)	$6,860,000	~~$6,860,000~~ *$11,360,000*		
Fund Sources: General	$5,175,000	~~$5,175,000~~ *$9,675,000*		
Dedicated Special Revenue	$85,000	$85,000		
Federal Trust	$1,600,000	$1,600,000		

Authority: §§ 23.1-614 and 32.1-122.5:1 through 32.1-122.10, Code of Virginia.

A. This appropriation shall only be used for the provision of loans or scholarships in accordance with regulations promulgated by the Board of Health, or for the administration, management, and reporting thereof. The department may move appropriation between scholarship or loan repayment programs as long as the scholarship or loan repayment is in accordance with the regulations promulgated by the Board of Health.

B.1. ~~The~~*Out of this appropriation, $1,600,000 the first year and $3,100,000 the second year from the general fund shall be provided to the* Virginia Department of Health ~~shall establish~~ *for* the Virginia Behavioral Health Loan Repayment Program. Eligible practitioners include: psychiatrists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors, child and adolescent psychiatrists, psychiatric physician assistants, psychiatric pharmacists, and psychiatric nurse practitioners. The program shall include a

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tiered incentive system as follows: (i) Tier I providers: child and adolescent psychiatrists, psychiatric nurse practitioners, and psychiatrists; and (ii) Tier II providers: licensed clinical psychologists, licensed clinical social workers, and licensed professional counselors.

2. For each eligible year of service provided, the practitioner shall receive a year of applicable loan repayment award in return. Loan repayment checks will be submitted at the end of each year of service. Payments will be made directly to the lender. Practitioners must agree to a minimum of two years of practice for the behavioral health provider with the ability for two one-year renewals. The program shall require preference be given to applicants choosing to practice in underserved areas which must be a federally designated mental Health Professional Shortage Area or Medically Underserved Area within the Commonwealth. Practitioners are required to practice at Community Services Boards, behavioral health authorities, state mental health facilities, free clinics, federally qualified health centers, stand-alone inpatient psychiatric facilities that serve uninsured or mediclly underserved populations and/or communities, and other similar health safety net organizations in order to be eligible for the program. The award amount is up to 25 percent of student loan debt, not to exceed $30,000 per year for Tier I professionals or $20,000 per year for Tier II professionals. In no instance shall the loan repayment exceed the total student loan debt.

3. No match contribution from practice sites or the community is required. Loan repayment awards shall be tax exempt.

4. The program shall have an Advisory Board, composed of representatives from stakeholder organizations and community members as determined by the department. The Advisory Board will meet annually and provide guidance regarding effective outreach and feedback on both programmatic processes and impact. The department shall provide an annual report to the Advisory Board on successes, challenges and opportunities with the program.

5. The Board of Health shall develop regulations consistent with this language in order for the department to administer the program.

C.1. Out of this appropriation, $500,000 the first year and ~~$500,000~~*$3,500,000* the second year from the general fund shall be provided to the Virginia Department of Health to establish a Nursing Preceptor Incentive Program. The department shall collaborate with the State Council of Higher Education for Virginia, the Virginia Nurses Association, the Virginia Healthcare and Hospital Association, and other relevant stakeholders on ~~an advanced practice~~*a* nursing student preceptor grant program. The program shall offer ~~a $1,000~~ *up to a $5,000* incentive for any Virginia licensed physician, physician's assistant, *licensed practical nurse, registered nurse,* or advanced practice registered nurse (APRN) who, in conjunction with a licensed and accredited Virginia public or private not-for-profit school of nursing, provides a clinical education rotation of 250 hours, which is certified as having been completed by the school. The amount of the incentive may be adjusted based on the actual number of hours completed during the clinical education rotation. The program shall seek to reduce the shortage of ~~APRN~~*registered nurse* clinical education opportunities and establish new preceptor rotations for ~~advanced practice~~ nursing students, especially in high demand fields such as psychiatry.

2. The Virginia Health Workforce Development Authority shall develop the process for the consideration of requests for funding from the Nursing Preceptor Incentive Program.

D. Out of this appropriation, $35,000 the first year and $35,000 the second year from the general fund is provided for the Nurse Loan Repayment Program to provide loan repayments for certified nurse aides. The total loan repayment allowed per certified nurse aide is limited to no more than $1,000.

E.1. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund shall be used to fund nursing scholarship and loan repayment programs to recruit and retain nurses and nurse faculty, consistent with § 32.1-122.6:01 of the Code of Virginia, the Nursing Preceptor Incentive Program established in Chapter 552, 2021 Special Session I, Acts of Assembly, the Virginia Nurse Practitioner/Nurse Midwife scholarship program, the Nurse Educator Scholarship Program pursuant to 12VAC5-545-

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10, the Nurse Loan Repayment Program authorized in § 32.1-122.6:04, Code of Virginia, and the Long-Term Facility Nursing Scholarship Program, authorized in § 54.1-3011.2, Code of Virginia.

2. Of the appropriation in paragraph E.1., $64,000 the first year and $64,000 the second year from the general fund shall be provided to fund the Long-Term Facility Nursing Scholarship, authorized in § 54.1-3011.2, Code of Virginia. The program shall offer a scholarship for any Virginia student accepted for enrollment or enrolled in an approved education program in the Commonwealth of Virginia to become a certified nurse aide, licensed practical nurse, or registered nurse, and who commits to work in a long-term care facility after graduation. For each year of scholarship money received, the participant agrees to engage in the equivalent of one year of full-time nursing practice in a long-term care facility in the Commonwealth.

3. Of the remaining appropriation in paragraph E.1., $936,000 the first year and $936,000 the second year from the general fund shall be provided for nursing scholarship, loan repayment and incentive programs based on priorities as identified by the Commissioner of Health and the ability of the department to expedite funding to recipients.

4. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated.

F. No later than August 1, 2022, the Virginia Department of Health shall publish on its website information about all health and behavioral health care scholarship and loan repayment programs so that information is readily available to the public. In addition, the department shall notify nursing schools and nursing programs throughout the Commonwealth of the availability of nursing scholarship and loan repayment program funding, including information about the Nursing Preceptor Incentive Program, prior to each academic year in a timely manner to accept applications and process them.

288.	Emergency Medical Services (40200)		$49,997,611	$49,997,611
	Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203)	$33,446,098	$33,446,098	
	State Office of Emergency Medical Services (40204)	$16,551,513	$16,551,513	
	Fund Sources: Special	$20,589,681	$20,589,681	
	Dedicated Special Revenue	$29,000,789	$29,000,789	
	Federal Trust	$407,141	$407,141	

Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia.

A. Out of this appropriation, $25,000 the first year and $25,000 the second year from special funds shall be provided to the Department of State Police for administration of criminal history record information for local volunteer fire and rescue squad personnel (pursuant to § 19.2-389 A 11, Code of Virginia).

B. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations. The Virginia Department of Health shall develop and implement a plan to ensure timely quarterly distributions of $4.25 for Life funding to the Virginia Association of Volunteer Rescue Squads beginning quarterly in May 2021.

C. Out of this appropriation, $1,045,375 the first year and $1,045,375 the second year from the Virginia Rescue Squad Assistance Fund and $2,052,723 the first year and $2,052,723 the second year from the special emergency medical services fund shall be provided to the Department of State Police for aviation (med-flight) operations.

D. The State Health Commissioner shall review current funding provided to trauma centers to offset uncompensated care losses, report on feasible long-term financing mechanisms, and examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system.

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E. Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.

F. Notwithstanding any other provision of law or regulation, funds from the $0.25 of the $4.25 for Life fee shall be provided for the payment of the initial basic level emergency medical services certification examination provided by the National Registry of Emergency Medical Technicians (NREMT). The Board of Health shall determine an allocation methodology upon recommendation by the State EMS Advisory Board to ensure that funds are available for the payment of initial NREMT testing and distributed to those individuals seeking certification as an Emergency Medical Services provider in the Commonwealth of Virginia.

G. Out of this appropriation, $190,000 the first year and $190,000 the second year from the Virginia Rescue Squad Assistance Fund shall be provided for national background checks on persons applying to serve as a certified or non-certified provider in a licensed emergency medical services agency. The Office of Emergency Medical Services may transfer funding to the Office of State Police for national background checks as necessary. The Virginia Department of Health shall continue to allow local EMS agencies to submit fingerprint cards for background checks on volunteers applying to be a member of local EMS agencies. The cost of the criminal background shall be paid from funds available to the Office of Emergency Medical Services.

H. The Virginia Department of Health shall make at least one annual distribution from the Trauma Center Fund, established pursuant to § 18.2-270.01, Code of Virginia, to eligible hospitals based on the available funding at the time of distribution.

289.	Medical Examiner and Anatomical Services (40300)		$17,754,161	~~$17,754,161~~ *$18,500,136*
	Anatomical Services (40301)	$712,685	$712,685	
	Medical Examiner Services (40302)	$17,041,476	~~$17,041,476~~ *$17,787,451*	
	Fund Sources: General	$14,901,991	~~$14,901,991~~ *$15,647,966*	
	Special	$1,431,231	$1,431,231	
	Federal Trust	$1,420,939	$1,420,939	

Authority: §§ 32.1-277 through 32.1-304, Code of Virginia.

290.	Vital Records and Health Statistics (40400)		$8,676,912	$8,676,912
	Health Statistics (40401)	$1,112,716	$1,112,716	
	Vital Records (40402)	$7,564,196	$7,564,196	
	Fund Sources: Special	$8,033,233	$8,033,233	
	Federal Trust	$643,679	$643,679	

Authority: §§ 8.01-217, 32.1-249 through 32.1-276, Code of Virginia; and P.L. 93-353, as amended, Federal Code.

A. Effective July 1, 2004, the standard vital records fee shall be $12.00 and the fee for the expedited record search shall be $48.00.

B. Notwithstanding § 32.1-273.D, Code of Virginia, the revenues generated from the sale of birth, marriage, or divorce records in state administered health districts shall be distributed between the districts that issue the records and the Division of Vital Records. The revenues will be split with 65 percent remaining in the district to support the costs of that district and 35 percent to be transferred to the Division of Vital Records to support ongoing infrastructure costs associated with the collection, retention and issuance of the Commonwealth's vital records.

C. The state teaching hospitals shall work with the Department of Health and Division of

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Vital Records to fully implement use of the Electronic Death Registration System (EDRS) for all deaths occurring within any Virginia state teaching hospital's facilities.				
D. Notwithstanding § 32.1-273.1., Code of Virginia, two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller to the Virginia Vital Statistics Automation Fund.				
291. Communicable Disease Prevention and Control (40500)			$468,799,929	$246,001,145
Immunization Program (40502)	$42,336,171	$62,336,171		
Tuberculosis Prevention and Control (40503)	$2,282,896	$2,282,896		
Sexually Transmitted Disease Prevention and Control (40504)	$4,603,141	$4,603,141		
Disease Investigation and Control Services (40505)	$327,680,833	$85,032,049		
HIV/AIDS Prevention and Treatment Services (40506)	$89,218,326	$89,068,326		
Pharmacy Services (40507)	$2,678,562	$2,678,562		
Fund Sources: General	$14,569,348	$14,569,348		
Special	$2,744,383	$2,744,383		
Federal Trust	$451,486,198	$228,687,414		

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 Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, with incomes meeting the VA MAP's current requirements and who are Medicare prescription drug coverage beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia Medication Assistance Program (VA MAP), formerly 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 VA MAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance and Appropriations 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 § 32.1-92.2, 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

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department shall report the information by letter to the Chairmen of the House Appropriations and Senate Finance and Appropriations 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.

L. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund shall be used to purchase opioid reversal drugs.

M. The Virginia Department of Health shall work with the Department of Behavioral Health and Developmental Services (DBHDS) to ensure that adequate funding, estimated at $2,685,312 the first year, is provided for COVID-19 testing and surveillance at DBHDS state-operated facilities. Any amount not expended in the first year may be appropriated in the second year to continue services. The Virginia Department of Health shall include such activity in its plan to the Centers for Disease Control and Prevention for the use of the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-260). The Virginia Department of Health shall transfer such funds to the Department of Behavioral Health and Developmental Services as necessary for such activities.

292. Health Research, Planning, and Coordination (40600)			$38,397,213	$23,041,547
Health Research, Planning and Coordination (40603)	$19,705,131	$4,065,770		
Regulation of Health Care Facilities (40607)	$16,111,899	$16,395,594		
Certificate of Public Need (40608)	$1,716,056	$1,716,056		
Cooperative Agreement Supervision (40609)	$864,127	$864,127		
Fund Sources: General	$5,664,511	$5,348,206		

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Special	$3,351,243	$3,351,243		
Dedicated Special Revenue	$626,798	$626,798		
Federal Trust	$28,754,661	$13,715,300		

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 one month's operational needs in case of revenue shortfalls in 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 $690,000 the first year and $690,000 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 this appropriation, $278,000 the first year and $278,000 the second year shall be 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. The Virginia Department of Health shall provide administrative and technical support to the Virginia Partners in Prayer Program through its Office of Health Equity. The cost of this support is estimated to be approximately $20,000 per year and shall be funded within its existing appropriation.

G. The provisions of § 32.1-102.4 (B), Code of Virginia, shall not apply to nursing homes.

H.1. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund shall be transferred to the Virginia Health Workforce Development Authority for operational costs.

2. Out of this appropriation, $600,000 the first year from the general fund shall be transferred to the Virginia Health Workforce Development Authority to establish a workgroup to conduct a study on addressing primary care workforce issues and potential solutions, including but not limited to the feasibility of loan forgiveness programs. The workgroup shall be comprised of relevant stakeholders including representatives of the State Council of Higher Education for Virginia (SCHEV), Virginia Community College System (VCCS), the Secretary of Health and Human Resources, the Secretary of Education, the Secretary of Labor, the Virginia Department of Health, and the Department of Health Professions. All agencies of the Commonwealth, including institutions of higher education, shall lend assistance to the workgroup as called upon. Such workgroup shall review current and projected nursing shortages, as well as clinical and preceptor shortages, and offer recommendations to address

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these issues, including but not limited to alternative educational approaches to preparing and retaining nurses and nurse educators. An initial report shall be submitted to the Governor, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by November 1, 2022. A final report shall be submitted to the Governor, Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, detailing findings and recommendations by October 1, 2023.

I. Out of this appropriation, $60,000 the first year and $60,000 the second year from the general fund shall be provided to contract with the Virginia Telehealth Network to provide consultation to advisory groups, track implementation and facilitate changes to the Statewide Telehealth Plan.

293.	State Health Services (43000)			$163,699,331	$164,139,331
	Child and Adolescent Health Services (43002)	$12,001,037	$12,001,037		
	Women's and Infant's Health Services (43005)	$11,879,886	$11,879,886		
	Chronic Disease Prevention, Health Promotion, and Oral Heath (43015)	$12,259,308	$12,699,308		
	Injury and Violence Prevention (43016)	$4,372,904	$4,372,904		
	Women, Infants, and Children (WIC) and Community Nutrition Services (43017)	$123,186,196	$123,186,196		
	Fund Sources: General	$7,359,330	$7,799,330		
	Special	$3,149,688	$3,149,688		
	Dedicated Special Revenue	$59,343,095	$59,343,095		
	Federal Trust	$93,847,218	$93,847,218		

Authority: §§ 32.1-11, 32.1-77, 32.1-89, and 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.

A. Out of this appropriation, $999,804 the first year and $999,804 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005, and Chapter 531, 2018 Acts of Assembly. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.

B. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.).

C. Out of this appropriation, $305,000 the first year and $305,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.

D. It is the intent of the General Assembly that the State Health Commissioner continue providing services through child development clinics and access to children's dental services.

E. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the federal TANF block grant shall be provided to the Department of Health for the operation of the Resource Mothers program.

F.1. Out of this appropriation, $124,470 the first year and $124,470 the second year from the general fund and $82,980 the first year and $82,980 the second year from nongeneral funds shall be provided for the Virginia Department of Health to establish and administer a Perinatal Quality Collaborative. The Perinatal Quality Collaborative shall work to improve pregnancy outcomes for women and newborns by advancing evidence-based clinical practices and processes through continuous quality improvement with an initial focus on pregnant women with substance use disorder and infants impacted by neonatal abstinence syndrome.

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2. Out of this appropriation, $315,000 the first year and $315,000 the second year from the general fund shall be provided to support efforts by the Virginia Neonatal Perinatal Collaborative (VNPC) to decrease maternal mortality and morbidity. Funding shall be used for a coordinator position for community engagement, training and education; the development of a pilot program of the Centers for Disease Control's levels of care assessment (LOCATe) tool in the Richmond metropolitan region and Tidewater region; and development of a Project ECHO tele-education model for education and training. Funding shall also be used to assist the VNPC with expanding capacity to address these issues through the use of software to advance data analytics.

G. Out of this appropriation, $805,000 the first year and $805,000 the second year from the general fund is provided for a comprehensive adult program for sickle cell disease.

294.	Community Health Services (44000)		$322,671,697	~~$303,690,401~~ *$305,332,579*
	Local Dental Services (44002)	$3,950,748	$3,950,748	
	Restaurant and Food Safety, Well and Septic Permitting and Other Environmental Health Services (44004)	$42,527,646	$42,527,646	
	Local Family Planning Services (44005)	$32,376,152	$32,376,152	
	Support for Local Management, Business, and Facilities (44009)	$78,554,841	~~$81,416,217~~ *$83,058,395*	
	Local Maternal and Child Health Services (44010)	$39,917,243	$39,917,243	
	Local Immunization Services (44013)	$45,911,353	$24,068,681	
	Local Communicable Disease Investigation, Treatment, and Control (44014)	$30,406,268	$30,406,268	
	Local Personal Care Services (44015)	$4,706,329	$4,706,329	
	Local Chronic Disease and Prevention Control (44016)	$11,455,698	$11,455,698	
	Local Nutrition Services (44018)	$30,719,493	$30,719,493	
	Population Health (44019)	$2,145,926	$2,145,926	
	Fund Sources: General	$124,928,907	~~$127,778,727~~ *$128,722,583*	
	Special	$116,731,929	~~$116,743,485~~ *$117,441,807*	
	Dedicated Special Revenue	$3,695,163	$3,695,163	
	Federal Trust	$77,315,698	$55,473,026	

Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act.

A.1. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $425.00, for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

2. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $350.00, for the certification letter for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

3. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $225.00, for a construction permit for an onsite sewage system designed for less than 1,000 gallons per day when the application is supported with certified work from a licensed onsite soil evaluator.

4. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $320.00, for the certification letter for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

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5. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $300.00, for a construction permit for a private well.

6. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $1,400.00, for a construction permit or certification letter designed for more than 1,000 gallons per day.

7. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $425.00, for a permit to repair an onsite sewage system or an alternative discharging system designed for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

8. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $225.00, for a permit to repair or voluntarily upgrade an onsite sewage system or alternative discharging system designed for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

9. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $150.00, to provide written authorizations pursuant to § 32.1-165 not supported with certified work from a qualified professional.

10. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $100.00, to provide written authorizations pursuant to § 32.1-165 supported with certified work from a qualified professional.

11. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $1,400.00, for a permit to repair or voluntarily upgrade an onsite sewage system designed for more than 1,000 gallons per day.

B. The State Health Commissioner shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of Onsite Soil Engineers.

C. The State Health Commissioner is authorized to develop, in consultation with the regulated entities, a hotel, campground, and summer camp plan and specification review fee, not to exceed $40.00, a restaurant plan and specification review fee, not to exceed $40.00, an annual hotel, campground, and summer camp permit renewal fee, not to exceed $40.00, and an annual restaurant permit renewal fee, not to exceed $40.00 to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia. However, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed the fee amount listed in this paragraph. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources.

D. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals who participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of $40.00 provided the event is held only one time each calendar year and the event takes

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place within the locality where the individual resides.

E. The State Health Commissioner shall work with public and private dental providers to develop options for delivering dental services in underserved areas, including the use of public-private partnerships in the development and staffing of facilities, the use of dental hygiene and dental students to expand services and enhance learning experiences, and the availability of reimbursement mechanisms and other public and private resources to expand services.

F.1. 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 shall be provided for the purpose of expanding access to long acting reversible contraceptives (LARC). The Virginia Department of Health shall establish and manage memorandums of understanding with qualified health care providers who will provide access to LARCs to patients whose income is below 250 percent of the federal poverty level, the Title X family planning program income eligibility requirement. Providers shall be reimbursed for the insertion and removal of LARCs at Medicaid rates. As part of the pilot program, the department, in cooperation with the Department of Medical Assistance Services and stakeholders, shall develop a plan to improve awareness and utilization of the Plan First program and include outreach efforts to refer women who have a diagnosis of substance use disorder and who seek family planning services to the Plan First program or participating providers in the pilot program.

2. The Virginia Department of Health shall report on metrics to measure the effectiveness of the program such as impacts on morbidity, reduction in abortions and unplanned pregnancies, and impacts on maternal health such as an increase in the length of time between births, among others. In addition, the department shall collect data on the number of women served who also sought treatment for substance use disorder. The department shall submit a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources, and the Director, Department of Planning and Budget, that describes the program, and metrics used to measure results, actual program expenditures, and projected expenditures by September 1 of each year.

3. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be made available to supplement the funding provided under paragraph F.1. of this Item to expand access to FDA-approved contraceptives, that are not long acting reversible contraceptives. The Virginia Department of Health shall establish and manage memoranda of understanding with qualified health care providers who have existing contracts pursuant to paragraph F.1. of this Item or to new ones if funding is available. Providers shall be reimbursed for the cost of the contraceptives, as provided under this paragraph, at Medicaid rates.

4. The appropriation as described under paragraphs F.1. and F.3. of this Item shall be used to expand access to both LARC and non-LARC contraceptives and the Virginia Department of Health is authorized to use funds in either paragraph to supplement the funds in the other paragraph for the purposes described.

G. Out of this appropriation, $5,671,392 the first year and $8,507,088 the second year from the general fund shall be provided to address revisions to the JLARC rate formula for the Cooperative Health Budget. These revisions and the changes in the local match rates shall be phased in over a three-year and shall be fully phased in by fiscal year 2024.

H.1. The Department of Health, in cooperation with the Department of Environmental Quality, shall work with the Middle Peninsula Planning District Commission to initiate a three-year pilot program to analyze an engineered septic unit that houses and treats all sewage effluent in a vertically elevated, self-contained unit suitable for areas with high water tables and flooding in Coastal Virginia. Such vertically elevated septic system, including holding tank and treatment unit, shall have no physical contact with land; shall be vertically elevated on columns, piers, or other structures that provide for the flow of surface water underneath the septic unit; shall be elevated above the storm surge and flood inundation levels; and shall be designed to meet pollution removal standards of the Department of Health and Department of Environmental Quality. The treated sewage discharge from the vertically elevated septic system may include surface, engineered wetland, or other appropriate discharge approaches that comply with regulations for alternative onsite sewage systems (12VAC5-613 et seq.). Such vertically elevated septic system shall be installed in an upland location in the Middle

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Peninsula outside of any designated Resource Protection Area or floodplain.

2. By December 1 of each year, the Middle Peninsula Planning District Commission shall submit a report to the Governor and General Assembly with the following information: (i) the feasibility of elevating the parts of septic systems vulnerable to rising sea levels; (ii) optimal system design, or range of designs, for vertically elevated septic systems capable of withstanding sea level rise and chronic flooding that meets effluent standards; (iii) recommendations for legal or regulatory changes, if any, to authorize the use of vertically elevated septic systems; (iv) recommendations for amending current septic system permit requirements to allow for the use of vertically elevated septic systems; (v) recommendations for financing the installation of vertically elevated septic systems; (vi) the expected date of completion of the pilot program; (vii) installation and projected average annual maintenance costs for a vertically elevated septic system over 10 years; and (viii) any other pertinent information.

I. The Virginia Department of Health shall prepare a request for funding the state share of new or escalated rent increases at local health departments and submit the request for inclusion in the Governor's introduced budget annually.

295.	Financial Assistance to Community Human Services Organizations (49200)		$26,932,423	~~$25,015,423~~ *$26,265,423*
	Payments to Human Services Organizations (49204)	$26,932,423	~~$25,015,423~~ *$26,265,423*	
	Fund Sources: General	$24,532,423	~~$22,615,423~~ *$23,865,423*	
	Federal Trust	$2,400,000	$2,400,000	

Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, $832,946 the first year and $832,946 the second year from the general fund and $2,400,000 the first year and $2,400,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be used to contract with Families Forward. In the event that the Families Forward changes its name; the provisions of this item shall apply to the successor organization provided that the required program purposes outlined in paragraph A.2. through A.4. are still achieved.

2. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.

3. The general fund appropriation in this Item for the Families Forward projects shall not be used for administrative costs.

4. Families Forward shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the Families Forward program increases its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.

5. Of this appropriation, from the amounts in paragraph A.1., $24,679 the first year and $24,679 the second year from the general fund shall be used to contract with CHIP of Roanoke and shall be used as matching funds to support three full-time equivalent public health nurse positions to services in the Roanoke Valley and Allegheny Highlands.

B. Out of this appropriation $53,241 the first year and $53,241 the second year from the general fund shall be used to contract with the Alexandria Neighborhood Health Services, Inc. to promote the health of women in Alexandria, Arlington, Fairfax County, and Falls Church, to prevent illness and injury and provide early treatment for serious health conditions. The contract with Alexandria Neighborhood Health Services Inc. (ANHSI) shall require that ANHSI provide comprehensive women's health care with a focus on preventative health services and screenings to low income, uninsured women. Women's health care services shall focus on preventative screenings. Blood pressure screening and

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body mass index shall be performed at each visit. The organization shall pursue raising funds and in-kind contributions from the local community.

C. Out of this appropriation $5,982 the first year and $5,982 the second year from the general fund shall be used to contract with the Louisa County Resource Council to promote, develop, and encourage activities to deliver community-based services to disadvantaged Louisa County residents. The contract with Louisa County Resource Council shall require that the council provide assistance to income-eligible residents in meeting various needs of the clients including medication assistance, outreach assistance, and medical care referrals by exploring affordable options. The council shall continue to pursue raising funds and in-kind contributions from the local community.

D. Out of this appropriation, $7,837 the first year and $7,837 the second year from the general fund shall be used to contract with the Olde Towne Medical Center. The contract with Olde Towne Medical Center shall require that the center provide cost effective, comprehensive primary and preventive health care (including obstetrical care) and oral health care to the uninsured, Medicaid, and Medicare residents in the City of Williamsburg, James City County, and York County. The population served shall include adults and children.

E.1. Out of this appropriation, $433,750 the first year and $433,750 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association (VCHA). The contract with VCHA shall require that the association purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association expand access to care provided through community health centers.

3. Out of this appropriation, $2,800,000 the first year and $2,800,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

F.1. Out of this appropriation, $1,321,400 the first year and $1,321,400 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable

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Clinics (VAFCC). The contract with VAFCC shall require the organization to expand access to health care services.

3. Out of this appropriation, $5,300,000 the first year and $5,300,000 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization support free clinic operating costs for services provided to uninsured clients. The amount allocated to each free clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the free clinics are able to serve the needs of the greatest number of uninsured persons. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

G. Out of this appropriation, $29,303 the first year and $29,303 the second year from the general fund shall be used to contract with HealthWorks of Herndon. The contract with HealthWorks of Herndon (HWH) shall require that HWH provide treatment and prevention services, including health care services and mental health counseling, to low income and uninsured adults and children residing in the communities of Herndon, Reston, Chantilly, and Centreville in Fairfax County. These services shall include comprehensive primary health care with integrated behavioral health care to adult and children, prescription medications, diagnostic and lab testing, specialty referrals, and preventive screenings. Children's services shall include school physicals and sports physicals. Patients will also have access to oral health care through HealthWorks Dental Program.

H. Out of this appropriation, $164,758 the first year and $164,758 the second year from the general fund shall be used to contract with the Southwest Virginia Graduate Medical Education Consortium. The contract with Southwest Virginia Graduate Medical Education (GMEC) shall require GMEC to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.

I. Out of this appropriation, $355,555 the first year and $355,555 the second year from the general fund shall be used to contract with the regional AIDS resource and consultation centers and one local early intervention and treatment center.

J. Out of this appropriation, $57,963 the first year and $57,963 the second year from the general fund shall be used to contract with the Arthur Ashe Health Center in Richmond. The contract with the Arthur Ashe Health Center shall require that the center provide HIV early intervention and treatment for HIV infected patients who reside within the City of Richmond.

K. Out of this appropriation, $10,663 the first year and $10,663 the second year from the general fund shall be used to contract with the Health Brigade for AIDS related services. The contract with the Health Brigade shall require that the clinic provide financial assistance and support groups and conduct an education and outreach program for HIV positive clients in Central Virginia.

L.1. Out of this appropriation, $4,630,571 the first year and $4,630,571 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation. The contract with the Virginia Health Care Foundation (VHCF) shall require that the general fund shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on the foundation's initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.

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2. The contract with the Virginia Health Care Foundation shall require that 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 and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.

3. Of this appropriation, from the amounts in paragraph L.1., $125,000 the first year and $125,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be provided to the foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

4. Of this appropriation, from the amounts in paragraph L.1., $155,000 the first year and $155,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be used to contract with the foundation for the Rx Partnership to improve access to free medications for low-income Virginians.

5. Of this appropriation, from the amounts in paragraph L.1., $2,350,000 the first year and $2,350,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund be provided to the foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) $850,000 the first year and $850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) $1,350,000 the first year and $1,350,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) $150,000 the first year and $150,000 the second year shall be made available for locations with existing medication assistance programs.

M.1. Out of this appropriation, $1,272,313 the first year and $1,272,313 the second year from the general fund shall be used to support the administration of the patient level data base, including the outpatient data reporting system. The department shall establish a contract for this service.

2. Out of this appropriation from the amounts in paragraph M.1., $1,025,000 the first year and $1,025,000 the second year from the general fund the second year shall be used to contract with the Virginia All Payer Claims Database.

3. The Virginia Department of Health shall amend its contracts with Virginia Health Information requiring the organization to develop a strategic plan to expand the Emergency Department Care Coordination Program to a statewide comprehensive health information exchange making pertinent data available to all verified providers and the state including the Virginia Department of Health, the Department of Medical Assistance Services, and the Department of Behavioral Health and Developmental Services. The plan shall address how to appropriately and securely share data in order to facilitate care, improve continuity, and reduce costly duplicate testing and procedures. The plan shall prioritize connection to the Virginia Department of Health for hospital admission data as soon as possible to contribute to accurate COVID reporting and response.

N. Out of this appropriation, $402,712 the first year and $402,712 the second year from the general fund shall be used to contract with the Health Wagon. The contract with the Health Wagon shall require the organization to provide summer outreach programs to low-income and uninsured individuals living in southwest Virginia.

O. Out of this appropriation, $105,000 the first year and $105,000 the second year from the general fund shall be used to contract with the Statewide Sickle Cell Chapters of Virginia (SSCCV). The contract with SSCCV shall require that the general fund shall be used to provide for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The SSCCV shall develop criteria for distributing these funds including specific goals and outcome

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measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees detailing program outcomes by October 1 of each year.

P. Out of this appropriation, $141,280 the first year and $141,280 the second year from the general fund shall be used to contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project. The contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project shall require the Foundation to conduct Mission of Mercy (M.O.M) Projects that provide no cost dental services in identified underserved areas.

Q. Out of this appropriation, $32,559 the first year and $32,559 the second year from the general fund shall be used to contract with the Community Health Center of the Rappahannock Region to provide medical, dental, and behavioral health services to low income and/or uninsured residents in the Rappahannock region. The contract with the center shall require the center to include acute and chronic disease management services, lab and diagnostic services, medication assistance, physical examinations, diagnosis and treatment of sexually transmitted infections, immunizations, women's health services (including family planning and pap smears), preventive and restorative dental services, and behavioral health services.

R. Out of this appropriation, $1,571,750 the first year and $1,571,750 the second year from the general fund shall be used to contract with the Hampton Roads Proton Beam Therapy Institute at Hampton University, LLC. The contract with Hampton Roads Proton Beam Therapy Institute shall require that the institute support efforts for proton therapy in the treatment of cancerous tumors with fewer side effects.

S.1. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund shall be provided to Special Olympics Virginia for the Special Olympics Healthy Athlete Program.

2. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund shall be provided to Special Olympics Virginia for Unified Champion Schools.

T. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be provided to contract with the Riverside Shore Memorial Hospital (RSMH) for obstetrical healthcare services. The contract shall require that the RSMH provide obstetrical services to the residents of the Eastern Shore of Virginia.

U. Out of this appropriation, $393,801 the first year and $393,801 the second year from the general fund shall be provided to develop a new data collection program to address prescription drug price transparency, pursuant to the provisions of House Bill 2007, 2021 Special Session I. The department shall establish a contract for this service.

V. Out of this appropriation, $2,000,000 the first year from the general fund shall be used to contract with Edmarc Hospice for Children to expand pediatric hospice and palliative care program services. The contract shall include, but not be limited to implementing or expanding a telemedicine program.

W. Out of this appropriation, $700,289 the first year and $700,289 the second year from the general fund shall be used to contract with the ASK Childhood Cancer Foundation to facilitate the provision of pediatric cancer support services by pediatric cancer treatment centers in Virginia.

X. Out of this appropriation, $225,000 from the general fund the first year shall be provided to the Southwest Virginia Health Authority.

Y. The Virginia Department of Health shall contract with the Virginia Center for Health Innovation for actions necessary to facilitate and continue the work of the Virginia Task Force on Primary Care. The purpose of the task force is to enhance the financing, quality and delivery of primary care in the Commonwealth. The task force shall continue work on: (i) building stakeholder coalitions; (ii) advancing the use of data/communication systems; (iii) defining payment models; (iv) describing primary care infrastructure; (v) identifying markers of high value care; and (vi) promoting innovations in telehealth.

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

AA. Out of this appropriation, $500,000 from the general fund the second year shall be provided to Samaritan House to support services to victims of domestic and sexual violence, human trafficking, and homelessness in Southeast Virginia.

296.	Drinking Water Improvement (50800).....		$42,071,518	~~$39,511,518~~ *$134,749,280*
	Drinking Water Regulation (50801).....	$14,110,477	$14,610,477	
	Drinking Water Construction Financing (50802).....	$27,414,312	~~$24,414,312~~ *$119,652,074*	
	Public Health Toxicology (50805).....	$546,729	$486,729	
	Fund Sources: General.....	$11,048,376	~~$10,321,881~~ *$13,695,462*	
	Special.....	$8,233,501	$6,399,996	
	Dedicated Special Revenue.....	$19,539,712	$19,539,712	
	Federal Trust.....	$3,249,929	~~$3,249,929~~ *$95,114,110*	

Authority: §§ 32.1-163 through 32.1-176.7, 32.1-246, 32.1-246.1, and 62.1-44.18 through 62.1-44.19:9, Code of Virginia; and P.L. 92-500, P.L. 93-523 and P.L. 95-217, Federal Code.

A. It is the intent of the General Assembly that the Virginia Department of Health be the agency designated to receive and manage general and nongeneral funds appropriated pursuant to the federal Safe Drinking Water Act of 1996.

B. The fee schedule for charges to community waterworks shall be adjusted to the level necessary to cover the cost of operating the Waterworks Technical Assistance Program, consistent with § 32.1-171.1, Code of Virginia, and shall not exceed $3.00 per connection to all community waterworks.

C. Any positions necessary for the Office of Drinking Water to perform regulatory functions in dispersing federal State and Local Recovery Funds (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA) for drinking water infrastructure shall be restricted positions and shall expire at the end of the grant period.

D. Out of this appropriation, $1,000,000 the first year and $1,500,000 the second year from the general fund shall be provided to the Virginia Department of Health to implement a Water Sampling Verification Program. The program shall ensure sampling is valid and representative of the actual water quality and conditions at the waterworks.

E. Out of this appropriation, $3,000,000 the first year from the general fund *and $3,373,581 the second year* is provided as state match for additional federal awards for the Drinking Water State Revolving Fund from the Infrastructure Investment and Jobs Act (P.L. 117-58).

F. Out of this appropriation, $1,833,505 from indirect cost recoveries the first year and $1,833,505 from the general fund the second year is provided to cover the operational costs of the Office of Drinking Water.

2. The Virginia Department of Health and the Department of Planning and Budget shall evaluate the budget for the Office of Drinking Water to: (i) determine the reasons behind the budget shortfall for the office beginning in fiscal year 2022; (ii) identify and explore funding opportunities in order to maximize nongeneral fund sources that can be used to support the office; (iii) analyze the office's budget to determine cost efficiencies, including consideration of merging the office with another appropriate office in the department to achieve cost savings; and (iv) report findings and recommendations on the budget shortfall, funding opportunities and cost efficiencies to the Governor, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2022.

ITEM 297.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
297.	Environmental Health Hazards Control (56500).....			$14,730,847	$14,690,956
	State Office of Environmental Health Services (56501).....	$6,075,052	$6,035,161		
	Shellfish Sanitation (56502).....	$3,391,564	$3,391,564		
	Bedding and Upholstery Inspection (56503).....	$876,622	$876,622		
	Radiological Health and Safety Regulation (56504)	$4,387,609	$4,387,609		
	Fund Sources: General.....	$7,973,272	$7,933,381		
	Special.....	$3,353,587	$3,353,587		
	Dedicated Special Revenue.....	$2,056,969	$2,056,969		
	Federal Trust.....	$1,347,019	$1,347,019		

Authority: §§ 2.2-4002 B 16; 28.2-800 through 28.2-825; and 32.1-212 through 32.1-245, Code of Virginia.

A. Out of this appropriation, $12,500 the first year and $12,500 the second year from the general fund shall be provided for the activities of the Sewage Appeals Review Board.

B. Out of this appropriation, $1,038,611 the first year and $1,013,720 the second year from the general fund shall be provided to establish, operate, and develop necessary databases for a Chesapeake Bay Septic Pilot program. The pilot program, through local health departments, shall provide oversight of the septic tank pump out and inspection programs in the Eastern Shore, Middle Peninsula, and Northern Neck regions of Virginia.

298.	Emergency Preparedness (77500).....			$34,835,757	$34,835,757
	Emergency Preparedness and Response (77504).....	$34,835,757	$34,835,757		
	Fund Sources: Federal Trust.....	$34,835,757	$34,835,757		

Authority: §§ 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.

299.	Administrative and Support Services (49900).....			$31,595,283	$29,095,283
	General Management and Direction (49901).....	$17,311,030	$14,811,030		
	Information Technology Services (49902).....	$5,209,438	$5,209,438		
	Accounting and Budgeting Services (49903).....	$4,514,063	$4,514,063		
	Human Resources Services (49914).....	$2,646,917	$2,646,917		
	Procurement and Distribution Services (49918).....	$1,913,835	$1,913,835		
	Fund Sources: General.....	$21,469,221	$18,969,221		
	Special.....	$8,516,726	$8,516,726		
	Federal Trust.....	$1,609,336	$1,609,336		

Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.

A. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund shall be provided for agency costs related to onboarding to ConnectVirginia, transition costs to convert the agency's node on ConnectVirginia to the state agency node, and provide support to other state agencies in their onboarding efforts.

B.1. The Emergency Department Care Coordination Advisory Council (ED Council), under the department's governance and direction shall: advise the State Health Commissioner regarding the operation of, changes to, and outcome measures for the Emergency Department Care Coordination Program (EDCC) for the purpose of improving the quality of patient care services. The ED Council shall include representatives from the following, as required in the ED Council Bylaws; the Commonwealth, hospitals & health systems, health plans, and providers.

2. Neither the department nor its contractor shall be obligated to enhance or expand the program without HITECH Act funds or alternative funds.

3. The department, in coordination with the ED Council, shall report annually to the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on progress, including, but not

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limited to: (i) the participation rate of hospitals and health systems, providers and subscribing health plans; (ii) strategies for sustaining the program and methods to continue to improve care coordination; and (iii) the impact on health care utilization and quality goals such as reducing the frequency of visits by high-volume Emergency Department utilizers and avoiding duplication of health care services.

C.1. Inpatient hospitals shall report the admission source of any individuals meeting the criteria for voluntary or involuntary psychiatric commitment as outlined in § 16.1-338, 16.1-339, 16.1-340.1, 16.1-345, 37.2-805, 37.2-809, or 37.2-904, Code of Virginia, to the Board of Health. The Board shall collect and share any and all data regarding the admission source of individuals admitted to inpatient hospitals as a psychiatric patient, pursuant to § 32.1-276.6, Code of Virginia, with the Department of Behavioral Health and Developmental Services.

2. The Virginia Department of Health shall promulgate these emergency regulations to become effective within 280 days or less from the enactment of this act.

D. Notwithstanding § 32.1-73.11, Code of Virginia, the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) and Pediatric Acute-onset Neuropsychiatric Syndrome (PANS), established by Chapter 466 of the 2017 Acts of Assembly, is hereby continued.

E. The Virginia Department of Health 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.

F. The State Health Commissioner shall establish a task force to assist with the promulgation of regulations and the certification process of doulas, as well as to serve as an informational resource for policy related matters for the Virginia Department of Health (VDH). The task force will include private provider organizations such as Birth in Color RVA, Urban Baby Beginnings, Motherhood Collective and any other organization or agency representatives deemed appropriate by VDH.

G. Out of this appropriation, $2,500,000 the first year from the general fund shall be used to continue the current contract for no more than one year for an integrated e-referral system.

H. Out of this appropriation, $200,000 the first year and $200,000 the second year from nongeneral funds shall be provided to the Virginia Department of Health for central office administrative functions for the Opioid Abatement Authority.

Total for Department of Health			**$1,227,022,682**	**~~$963,310,045~~** ***$1,066,685,960***
General Fund Positions	1,605.50	1,605.50		
Nongeneral Fund Positions	2,273.00	2,273.00		
Position Level	3,878.50	3,878.50		
Fund Sources: General	$237,622,379	~~$235,412,508~~ *$246,225,920*		
Special	$176,135,202	~~$174,313,253~~ *$175,011,575*		
Dedicated Special Revenue	$114,347,526	$114,347,526		
Federal Trust	$698,917,575	~~$439,236,758~~ *$531,100,939*		

§ 1-94. DEPARTMENT OF HEALTH PROFESSIONS (223)

300.	Higher Education Student Financial Assistance (10800)			$65,000	$65,000
	Scholarships (10810)	$65,000	$65,000		
	Fund Sources: Special	$65,000	$65,000		

ITEM 300.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Authority: § 54.1-3011.2, Chapter 30, Code of Virginia.				
301.	Regulation of Professions and Occupations (56000)			$37,784,871	$38,153,945
	Technical Assistance to Regulatory Boards (56044)	$37,784,871	$38,153,945		
	Fund Sources: Trust and Agency	$1,450,565	$1,450,565		
	Dedicated Special Revenue	$36,334,306	$36,703,380		
	Authority: Title 54.1, Chapter 25, Code of Virginia.				
	A. 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.				
	B. Notwithstanding any other provision of this Act or any other provision of law, a pharmaceutical processor license shall permit such licensee to cultivate and manufacture out of a single establishment location, except that a cannabis establishment changing its cultivation and manufacturing location may operate at both the former and new location during the site transition process which shall last no more than the life of this Act. Prior to operating an additional cultivation and manufacturing establishment at a different location, a licensee shall be inspected by the Board of Pharmacy in accordance with this Act.				
	C. That the regulations the Board of Dentistry is required to promulgate pursuant to Chapter 413, 2023 Acts of Assembly, shall be promulgated to be effective within 280 days of its enactment.				
	Total for Department of Health Professions			**$37,849,871**	**$38,218,945**
	Nongeneral Fund Positions	288.00	294.00		
	Position Level	288.00	294.00		
	Fund Sources: Special	$65,000	$65,000		
	Trust and Agency	$1,450,565	$1,450,565		
	Dedicated Special Revenue	$36,334,306	$36,703,380		
	§ 1-95. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)				
302.	Pre-Trial, Trial, and Appellate Processes (32100)			$15,654,501	~~$15,654,501~~ *$15,404,501*
	Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107)	$15,654,501	~~$15,654,501~~ *$15,404,501*		
	Fund Sources: General	$15,654,501	~~$15,654,501~~ *$15,404,501*		
	Authority: § 37.2-809, Code of Virginia.				
	A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 45, 46, 47, and 302 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
	B. Out of this appropriation, payments may be made to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia.				
	C. 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), Medicaid Program Services (45600), and Medical Assistance Services for Low Income Children (46600), if available, into this Item.				

ITEM 303.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
303.	Children's Health Insurance Program Delivery (44600)			$316,304,616	~~$331,516,495~~ *$336,473,568*
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602)	$314,560,653	~~$330,632,584~~ *$335,589,657*		
	CHIP Health Services Initiatives for Family Access to Medical Insurance Security Medical Services (44636)	$1,743,963	$883,911		
	Fund Sources: General	$94,180,970	~~$99,772,611~~ *$99,450,657*		
	Dedicated Special Revenue	$14,065,627	$14,065,627		
	Federal Trust	$208,058,019	~~$217,678,257~~ *$222,957,284*		

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.

G. 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.

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H. The Department of Medical Assistance Services shall amend the Virginia Family Access to Medical Insurance Security (FAMIS) State Plan to allow for the payment of prenatal, labor and delivery, and postpartum care pursuant to provisions in Title XXI of the federal 2009 CHIP Reauthorization Act that includes care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens. The Department shall have the authority to implement this change effective July 1, 2021, or 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.

I. 1. 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.

2. 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.

3. 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.

304.	Medicaid Program Services (45600)		$19,756,373,008	~~$20,261,485,218~~ *$22,082,853,471*
	Payments for Graduate Medical Education Residencies (45606)	$8,700,000	$8,700,000	
	Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607)	$53,851,250	$61,635,858	
	Reimbursements for Behavioral Health Services (45608)	$49,580,190	$48,618,266	
	Reimbursements for Medical Services (45609)	$11,183,440,208	~~$11,654,367,028~~ *$13,413,233,399*	
	Reimbursements for Long-Term Care Services (45610)	$2,256,075,926	~~$2,341,528,396~~ *$2,404,030,278*	
	Payments for Healthcare Coverage for Low-Income Uninsured Adults (45611)	$6,204,725,434	$6,146,635,670	
	Fund Sources: General	$5,540,834,071	~~$5,948,390,913~~ *$5,733,696,500*	
	Dedicated Special Revenue	$1,658,810,460	$1,691,933,452	
	Federal Trust	$12,556,728,477	~~$12,621,160,853~~ *$14,657,223,519*	

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, $26,925,625 the first year and $30,817,929 the second year from the general fund and $26,925,625 the first year and $30,817,929 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 $2,032,933 the first year and $3,689,923 the second year from the general fund and $21,221,692 the first year and $22,878,682 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 $32,489,625 the first year and $35,204,906 the second year from the general fund and $47,204,403 the first year and $49,919,684 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

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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.

5. Effective July 1, 2022, any hospitals acquired by or that become fully-owned by designated Type One hospitals shall be considered Type Two facilities for reimbursement including, but not limited to: Indirect Medical Education payments, Graduate Medical Education Payments, Direct Medical Education payments, Disproportionate Share Hospital payments, hospital rate-setting purposes, aggregated cost settlements, and physician supplemental payments. Facilities acquired prior to July 1, 2022, by Type One hospitals shall continue to be designated as Type One hospitals for reimbursement purposes.

C.1. The estimated revenue for the Virginia Health Care Fund is $626,102,702 the first year and ~~$653,561,390~~*$696,209,925* 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.

4. The state share, not including hospital assessment dollars, of any repayment by managed care organizations resulting from exceeding their profit caps for not meeting the medical loss ratios pursuant to their contracts with the Department of Medical Assistance Services, shall be deposited to the 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 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.

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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 (MCO) 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, 2022, the Department of Medical Assistance Services shall have the authority to include modifications to the Cardinal Care Managed Care Contract as necessary to implement actions specifically authorized through language included in this Act.

3. 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.

4. The Department of Medical Assistance Services shall modify its contracts with managed care organizations to require annual reporting with regard to Medicaid Community Mental Health Rehabilitation Services on: (i) the number of providers in their network and their geographic locations; (ii) the total number of provider terminations by year since fiscal year 2018 and the number terminated with and without cause; (iii) the localities the terminated providers served; and (iv) the number of Medicaid members the providers were serving prior to termination of their provider contract. The department shall report this data annually, not later than November 1, to the Joint Subcommittee for Health and Human Resources Oversight.

5. Cardinal Care Managed Care (formerly CCC Plus) plans shall upgrade their Medicare Dual Special Needs Plans (D-SNPs) to Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPS), unless otherwise prohibited to do so by federal rule.

6. The Department of Medical Assistance Services shall amend the managed care contract(s) effective July 1, 2022 to create a blended rate model to merge capitation rates for those with third-party liability and those with no third party liability. The rate model shall be developed in a rate neutral and actuarial sound manner during the annual capitation calculation process. This change is subject to CMS rate approval.

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 and Appropriations 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.

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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.

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.

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.

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.

J.1.a. As of July 1, 2021, the Community Living (CL) waiver authorizes 12,006 slots.

b. As of July 1, 2021, the Family and Individuals Support (FIS) waiver authorizes 4,533 slots.

c. As of July 1, 2021, the Building Independence (BI) waiver authorizes 400 slots.

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.

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.

4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 100 slots effective July 1, 2023 *and 70 slots effective January 1, 2024*. An amount estimated at ~~$3,798,050~~ *$6,726,806* the second year from the general fund and ~~$3,798,050~~ *$6,939,467* the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.

b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 500 slots effective July 1, 2023 *and 430 slots effective January 1, 2024*. An amount estimated at ~~$9,036,000~~*$16,607,241* the second year from the general fund and ~~$9,036,000~~*$17,139,763* the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.

c. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs associated with the additional slots added in paragraphs J.4.a. and J.4.b. above. By December 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.

K. 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.

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L. 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 Pharmacy Liaison Committee shall include a representative from the Virginia Community Healthcare Association to represent pharmacy operations and issues at federally qualified health centers in Virginia. 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 and Appropriations Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

M.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 M.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.

N. 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 Assistance Services, shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors by November 1 each year.

O. 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.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.

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

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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.

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.

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.

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 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

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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.

Q.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 providers to contest the listed specialty drugs and rates.

5. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

R.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.

3. The Department shall amend the State Plan for Medical Assistance to allow payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the State Plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

S. In the event that the Department of Medical Assistance Services decides to contract for

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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.

T. 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.

U.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.

V.1. The Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. 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. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this Act, and prior to the completion of any

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regulatory process undertaken in order to effect such change.

3. In every June, the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

W. The Department of Medical Assistance Services shall impose an assessment equal to 6.0 percent of revenue on all ICF-ID providers. The department shall determine procedures for collecting the assessment, including penalties for non-compliance. The department shall have the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.

X.1. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to revise per diem rates paid to psychiatric residential treatment facilities (PRTF) using the provider's audited cost per day from the facility's cost report for provider fiscal years ending in state fiscal year 2018. New Virginia-based residential psychiatric facilities must submit proforma cost report data, which will be used to set the initial per diem rate for up to two years. After this period, the department shall establish a per diem rate based on an audited cost report for a 12-month period within the first two years of operation. Providers that do not submit cost reports shall be paid at 75% of the established rate ceiling. If necessary to enroll out-of-state providers for network adequacy, the department shall negotiate rates. If there is sufficient utilization, the department may require out-of-state providers to submit a cost report to establish a per diem rate. In-state and out-of-state provider per diem rates shall be subject to a ceiling based on the statewide weighted average cost per day from fiscal year 2018 cost reports. The department shall have the authority to implement these changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall have the authority to establish rebasing of PRTF rates every three years. The first rebasing of rates shall take effect July 1, 2023. All PRTF and Addiction and Rehabilitation Treatment Services (ARTS) providers who offer qualifying services under 12VAC30-70-418(C) shall be required to submit cost reports as a part of rebasing. Out of state providers with more than 1,500 paid days for Virginia Medicaid members in the most recently completed state fiscal year shall also be required to submit a cost report. A rate ceiling shall be established based on a statewide weighted average cost per day. Rate ceilings shall be established independently for PRTFs and participating ARTS residential services. The department shall have the authority to implement these changes effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.

3. DMAS shall also establish inflation increases for each non-rebasing fiscal year for both PRTF and qualifying ARTS providers. Inflation rates shall be tied to the Nursing Facility Moving Average as established by IHS Markit (or its successor). The most recent four quarters will be averaged to create the PRTF inflation rate. The department shall have the authority to implement these changes effective July 1, 2023, and prior to the completion of any regulatory process to effect such change.

4. Effective July 1, 2022, the department shall adjust PRTF rates by 8.89% to account for inflation since the last audited cost report of fiscal year 2018. The rate ceiling shall increase to $460.89 per day. The department shall have the authority to implement these changes effective July 1, 2022, and prior to the completion of any regulatory process to effect such change.

Y. 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 merge the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs, effective July 1, 2022, into a single, streamlined managed care program that links seamlessly with the fee-for-service program, ensuring an efficient and well-coordinated Virginia Medicaid delivery system that provides high-quality care to

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its members and adds value for providers and the Commonwealth. 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. 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.

Z. 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.

AA. 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 and Appropriations Committees and the Department of Planning and Budget no later than October 1 each year.

BB.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.

2. The department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. 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.

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 (PPACA) and (2) begin the process of implementing a § 1115 demonstration project to transform the Medicaid

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program for newly eligible individuals and eligible individuals enrolled in the existing Medicaid program. DMAS shall submit the § 1115 demonstration waiver application to the Centers for Medicare and Medicaid Services (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 and Appropriations 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 State Plan amendments and demonstration waiver applications in a timely manner.

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.

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.

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.

CC. The Disproportionate Share Hospital (DSH) per diem for Type One hospitals shall be 17 times the DSH per diem for Type Two hospitals. 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.

DD.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

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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 payment shall be made without approval from CMS.

c. Funding for the state share for these Medicaid payments is authorized in Item 247.

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

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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 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.

b. Funding for the state share for these Medicaid payments is authorized in Item 247 and Item 4-5.03.

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.

7.a. 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, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Chesapeake Regional Hospital consistent with the approved managed care directed percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. 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.

b. The department shall also amend the State Plan for Medical Assistance to implement supplemental physician payments for practice plans employed by or under contract with Chesapeake Regional Hospital to the maximum allowed by the Centers for Medicare and Medicaid Services. The department shall increase payments to Medicaid managed care organizations for the purpose of providing higher rates to physicians employed by or under contract with Chesapeake Regional Hospital based on the maximum allowed by CMS. The department shall revise its contracts with managed care organizations to incorporate these managed care directed payments, subject to approval by CMS. The

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department shall have the authority to implement these reimbursement changes effective July 1, 2022, and prior to completion of any regulatory process undertaken in order to effect such change.

c. 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).

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.

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.

9. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient payment for Lake Taylor Transitional Care Hospital based on the difference between Medicaid reimbursement and the inpatient Upper Payment Limit for non-state government owned hospitals, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Lake Taylor Transitional Care Hospital consistent with the approved managed care directed fee for service supplemental payment percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. 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, Lake Taylor Transitional Care 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). The originating funding for this program will come entirely from Lake Taylor.

10.a. The Department of Medical Assistance Services shall develop a State Plan for Medical Assistance amendment to make supplemental payments to private hospitals and related health systems who intend to execute affiliation agreements with public entities that are capable of transferring funds to the department for purposes of covering the non-federal share of the authorized payments. Such public entities would enter into an Interagency Agreement with the department for this purpose. The department shall develop a plan, that could take effect July 1, 2023, for making managed care directed payments or supplemental payments as follows: Physician fee-for-service (FFS) supplemental payments through a state plan

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amendment and physician managed care directed payments through managed care contracts up to the Average Commercial Rate for practice plans that are a component of the participating hospitals or health system. The plan shall identify the public entity who will transfer funds to the department, the amount and duration of such transfers, the purpose and amount of any supplemental payment or managed care direct payments made to private hospitals and related health systems, and the impact, if any, on other supplemental payment programs currently in effect. The plan shall also include the appropriate references that provide authority for such payments.

b. The Department of Medical Assistance Services shall report the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2022.

c. The department shall have the authority to amend the State Plan for Medical Assistance and managed care contracts to make supplemental payments and managed care directed payments to private hospitals for physician services effective July 1, 2024. Reimbursement changes shall be effective prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS and an Interagency Agreement with a public entity capable of transferring the non-federal share of authorized payments to the department. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with public entities that are in excess of fair market value or that alleviate pre-existing financial burdens of such public entities. Public entities are authorized to use general fund dollars to accomplish this transfer. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this item to attest to compliance with applicable CMS criteria. Upon notification by the Department of any deferral or disallowance issued by CMS regarding the supplemental payment arrangement, the hospital provider will return the entire balance of the supplemental payment to the Department within 30 days of notification. If the hospital does not return the entire balance of the supplemental payment to the Department within the specified timeframe, a judgement rate of interest set forth in Title 6.2-302 will be applied to the entire balance, regardless of whatever portion has been repaid. In addition, the non-federal share of the agency's administrative costs directly related to administration of the programs authorized in this paragraph, including staff and contractors, shall be funded by participating public entities. These funds shall be deposited into a special fund created by the Comptroller and used to support the administrative costs associated with managing this program. Any funds received for this purpose but unexpended at the end of the fiscal year shall remain in the fund for use in accordance with this provision.

d. The purposes to which the additional payments authorized in paragraph DD.10.c. of this item shall be applied include: (i) sustaining and enhancing access to outpatient care for Medicaid recipients; (ii) stabilizing and supporting critical healthcare workforce needs; and (iii) advancing the department's overall quality improvement goals. The department, with the assistance of the participating organizations, shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the impact of this initiative.

11. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to make supplemental payments through an adjustment to the formula for indirect medical education (IME) reimbursement for an acute care hospital chain with a level one trauma center in the Tidewater Metropolitan Statistical Area (MSA) in 2020, upon the execution of affiliation agreements with public entities that are capable of transferring funds to the department for purposes of covering the non-federal share of the authorized payments. Such public entities would enter into an Interagency Agreement with the department for this purpose. Public entities are authorized to use general fund dollars to accomplish this transfer. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this item to attest to compliance with applicable CMS criteria. Total payments for IME in combination with other payments may

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not exceed the federal uncompensated care cost limit that disproportionate share hospital payments are subject to. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

EE. 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. 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.

FF. 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.

GG.1. Out of this appropriation, $4,350,000 the first year and $4,350,000 the second year from the general fund and $4,350,000 the first year and $4,350,000 the second year from nongeneral funds shall be used for supplemental payments to fund graduate medical education for 5 residents who began their residencies in July 2018; 16 residents who began their residencies in July 2019; 30 residents who began their residencies in July 2020; 22 residents who began their residencies in July 2021; 20 residents who began their residencies in July 2022, and 10 psychiatric residents who began their residencies in July 2022.

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 GG.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, 2018, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: to Carilion Medical Center for 2 psychiatric residencies and to Sentara Norfolk General for 1 OB/GYN residency and 2 psychiatric residencies.

b. Effective July 1, 2019, 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), Carilion Medical Center (6 residencies), Centra Health (2 residencies), and Riverside Regional Medical Center (1 residencies). The department shall make supplemental payments to Inova Fairfax Hospital for 1 General Surgery residency and to Carilion Medical Center for 2 psychiatric residencies. The department shall make supplemental payments to Sentara Norfolk General 1 OB/GYN residency and 1 urology residency.

c. Effective July 1, 2020, the department shall make supplemental payments for a primary care residency to Riverside Regional Medical Center. The department shall make supplemental payments to Sentara Norfolk General for 2 psychiatric residencies and 1 urology residency. In addition, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (3 residencies), Maryview Hospital (1 residency), Carilion Medical Center (7 residencies), and Centra Health (2 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental

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payments to Riverside Regional Medical Center for 8 emergency medicine residencies. The department shall make supplemental payments to Children's Hospital of King's Daughters for 2 general pediatrics residencies.

d. Effective July 1, 2021, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (7 residencies) and Centra Health (3 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and 1 emergency medicine residency. The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental payments to Riverside Regional Medical Center for 8 emergency medicine residencies.

e. Effective July 1, 2022, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion (5 Internal Medicine residencies), Centra (3 Family Medicine residencies), and Riverside (1 Family Medicine residency). The department shall make supplemental payments to Carilion for 2 Psychiatry residencies. The department shall make supplemental payments to Children's Hospital of the King's Daughters for 2 Pediatric residences. The department shall make supplemental payments to Sentara Norfolk General for 2 Psychiatry residencies. The department shall make supplemental payments to Riverside for 4 Emergency Medicine and 1 OB/GYN residencies.

5. Preference shall be given for residency slots located in underserved areas. Applications for slots that involve multiple medical care providers collaborating in training residents and that involve providing residents the opportunity to train in underserved areas are encouraged. A majority of the new residency slots funded each year shall be for primary care. The department shall adopt criteria for primary care, high need specialties and underserved areas as developed by the Virginia Health Workforce Development Authority. Beginning July 1, 2018, the department shall also review and consider applications from non-hospital sponsoring institutions, such as Federally Qualified Health Centers (FQHCs).

6. If the number of qualifying residency slots exceeds the available number of supplemental payments, the Virginia Health Workforce Development Authority shall determine which new residency slots to fund based on priorities developed by the authority.

7. The sponsoring institution will be eligible for the supplemental payments as long as it maintains the number of residency slots in total and by category as a result of the increase. The sponsoring institutions must certify by June 1 each year that they continue to meet the criteria for the supplemental payments and report any changes during the year to the number of residents.

8. The department shall require all sponsoring institutions receiving Medicaid medical education funding to report annually by September 15 on the number of residents in total and by specialty/subspecialty. Medical education funding includes payments for graduate medical education (GME) and indirect medical education (IME).

HH.1. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall amend the State Plan for medical assistance and/or seek federal authority through an 1115 demonstration waiver, as soon as feasible, to provide coverage of inpatient detoxification, inpatient substance abuse treatment, residential detoxification, residential substance abuse treatment, and peer support services to Medicaid individuals in the Fee-for-Service and Managed Care Delivery Systems.

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

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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 HH.1., HH.2., and HH.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 and Appropriations Committees.

II.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.

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.

JJ.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 disproportionate share hospital (DSH) payments. The formula for these hospitals for IME 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 DSH 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

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completion of any regulatory process undertaken in order to effectuate such change.

KK. For the period beginning September 1, 2016 until 180 days after publication and 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.

LL. 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 and Appropriations Committees by September 1 each year.

MM.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.

2. The department shall have authority to implement these changes to be effective July 1, 2022. 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 date 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 and Appropriations Committees 30 days prior to implementation of such changes.

NN. 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.

OO. 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.

PP.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

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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 July 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. 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.

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 and Appropriations 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.

QQ. Effective July 1, 2021, 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, as necessary, to provide continuous coverage to enrollees for the duration of pregnancy and through 12 months 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. The department shall have authority to implement these amendments upon federal approval and prior to the completion of any regulatory process.

RR. Effective July 1, 2021, 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.

SS. Effective on and after July 1, 2021, 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, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

TT. 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

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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.

UU. 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, 2021 and prior to the completion of the regulatory process.

VV. Effective July 1, 2022, the department shall amend the State Plan for Medical Assistance to establish a new direct and indirect care peer group for nursing facilities operating with at least 80% of the resident population having 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% Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall utilize the data from the most recent rebasing to make this change effective for fiscal year 2023 and subsequent rate years until this change is incorporated into the next scheduled rebasing. This change shall not affect rates established in the most recent rebasing for facilities in any other direct and indirect care peer groups. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change. To the extent federal approval requires alternative approaches to achieve the same general results, the department shall have the authority to follow the federal guidance effecting this change.

WW. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish Specialized Care operating rates for fiscal years 2021, 2022 and 2023 by inflating the fiscal year 2020 rates using Virginia nursing home inflation. After fiscal year 2023, the department shall revert to the existing prospective methodology. The department has the authority to implement this change notwithstanding current regulations and consistent with the approved State Plan amendment.

XX. 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, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

YY. 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 and Appropriations Committees by December 1, 2022.

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ZZ. 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.

AAA. 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 opportunities do 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.

BBB.1. Effective May 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 6.4 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.

2. Effective January 1, 2022, 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 12.5 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.

CCC. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for anesthesiologists to reflect the equivalent of 70 percent of the 2019 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 any regulatory process undertaken in order to effect such changes.

DDD. 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 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, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.

EEE. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance or any waiver under Title XIX of the Social Security Act to increase the income eligibility for participation in the Medicaid Works program to 138 percent of the Federal Poverty Level. The department shall have the authority to implement this change prior to the completion of the regulatory process necessary to implement such change.

FFF. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates for skilled and private duty nursing services to 80 percent of the benchmark rate developed by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of

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any regulatory process to effect such changes.

GGG. Effective, January 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any necessary waivers, to authorize time and a half up to eight hours and effective July 1, 2021, up to 16 hours for a single attendant who works more than 40 hours per week for attendants providing Medicaid-reimbursed consumer-directed (CD) personal assistance, respite and companion services. The department shall have authority to implement this provision prior to the completion of any regulatory process undertaken in order to effect such change.

~~*HHHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to allow the pending, reviewing and the reducing of fees for avoidable emergency room claims for codes 99282, 99283 and 99284, both physician and facility. The department shall utilize the avoidable emergency room diagnosis code list currently used for Managed Care Organization clinical efficiency rate adjustments. If the emergency room claim is identified as a preventable emergency room diagnosis, the department shall direct the Managed Care Organizations to default to the payment amount for code 99281, commensurate with the acuity of the visit. 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.*~~

HHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to implement a modified emergency room utilization program, consistent with the requirements necessary for approval by the Centers for Medicare and Medicaid Services, effective January 1, 2024. The department shall have the authority to implement this change effective January 1, 2024, and prior to the completion of any regulatory process undertaken in order to effect such change.

III. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services under Title XIX to modify the definition of readmissions to 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.

JJJ. 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 cost 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.

KKK.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

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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 behavioral health service utilization. Managed care experience shall be utilized as the basis for the establishment of the capitation rates and the risk adjustment.

3. The risk adjustment model and differential capitation rates in these paragraphs shall be implemented such that the impact is budget neutral.

LLL. 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.

MMM. Effective 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 have authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this act.

NNN. 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

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use of such programs to provide assistance to Medicaid enrollees.

OOO.1. 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, and by $15 per day effective July 1, 2021. Such adjustment shall be made through existing managed care capitation rates as a mandated specified rate increase. DMAS shall adjust capitation rates to account for the 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.

2.a. The Department of Medical Assistance Services (DMAS) shall work with appropriate nursing facility (NF) stakeholders and the CCC Plus managed care organizations (MCOs) to develop a unified, value-based purchasing (VBP) program that includes enhanced funding for facilities that meet or exceed performance and/or improvement thresholds as developed, reported, and consistently measured by DMAS in cooperation with participating facilities. The methodology and timing for the Virginia nursing facility VBP program, including structures for nursing facility performance accountability and disbursement of earned financial incentives, shall be completed no later than December 31, 2021, with the program targeted to begin no later than July 1, 2022. Nursing facility performance evaluation under the program shall prioritize maintenance of adequate staffing levels and avoidance of negative care events, such as hospital admissions and emergency department visits. The program may also consider performance evaluation in the areas of preventive care, utilization of home and community-based services, including community transitions, and other relevant domains of care.

b. During the first year of this program, half of the available funding shall be distributed to participating nursing facilities to be invested in functions, staffing, and other efforts necessary to build their capacity to enhance the quality of care furnished to Medicaid members. This funding shall be administered as a Medicaid rate add-on in the same manner as in paragraph 1. above. The remaining funding shall be allocated based on performance criteria as designated under the nursing facility VBP program. The amount of funding devoted to nursing facility quality of care investments shall be 25 percent of available funding in the second year of the program before the program transitions to payments based solely on nursing facility performance criteria in the third year of the program. In the third year of this program, such funds as appropriated for this purpose shall be fully disbursed according to the aforementioned unified VBP arrangement to participating nursing facilities that qualify for the enhanced funding.

c. The department shall convene the stakeholders no less than annually through at least the first two years of the program to review program progress and discuss potential modifications to components of the arrangement, including, but not limited to, timing of enhanced payments, performance metrics, and threshold determinations. The department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate changes to the State Plan or relevant waivers thereof, and prior to the completion of any regulatory process undertaken to effect such change.

PPP. 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. 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 seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the definition of durable medical equipment per 42 CFR 440.70 (b)(3), so that the definition is no longer limited to items primarily used in the home but also

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extends to any setting where normal activities take place. 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. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

RRR. The Department of Medical Assistance Services (DMAS) is authorized to amend the State Plan for Medical Assistance Services to implement a supplemental Medicaid payment for Department of Veterans Services (DVS) state government-owned nursing facilities. The total supplemental Medicaid payment for DVS state government owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR 447.272, as approved by the Centers for Medicare and Medicaid Services (CMS), and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall not submit any State Plan amendment to CMS that implements this payment until DMAS enters into an intergovernmental agreement with DVS. This agreement shall include the following provisions: 1) DVS shall transfer funds to DMAS for use as the state share of the full cost of the supplemental Medicaid payment for which each nursing home is entitled; 2) DVS must demonstrate that it has the authority and ability to transfer the necessary funds to DMAS; and, 3) DVS shall attest that any funds provided for state match will comply with federal law for use as the state share for the supplemental Medicaid payment. If DVS is unable to enter into or comply with the provisions of such an intergovernmental agreement, then DMAS shall immediately modify the Medicaid State Plan and adjust any supplemental payments accordingly. DMAS shall have the authority to implement the reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

SSS. The Department of Medical Assistance Services shall update its regulations to reflect the Department of Behavioral Health and Developmental Services licensing criteria for the American Society of Addiction Medicine (ASAM) Level of Care 4.0. 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. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

TTT. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize the reimbursement, using a budget neutral methodology, of pharmacy-administered immunizations for all vaccinations covered under the medical benefit for Medicaid members. Reimbursement for fee-for-service members shall be the cost of the vaccine plus an administration fee not to exceed $16. Reimbursement for pharmacy-administered vaccinations for pediatric Medicaid members eligible for free vaccinations through the Vaccines For Children (VFC) program shall include only the administration fee. The department is authorized to set the administration fee for COVID-19 vaccines at the same level as Medicare reimbursement for such vaccines. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

UUU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for clinically appropriate audio-only services, provider-to-provider consultations, store-and-forward, and virtual check-ins with patients. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

VVV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage of community doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care.

WWW. The Department of Medical Assistance Services (DMAS) shall have the authority to make necessary changes to waivers and/or the Medicaid State Plan to ensure that all adult Medicaid members have access to COVID-19 vaccinations. The department shall have the authority to implement such changes effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such changes.

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XXX. The Department of Medical Assistance Services shall amend the Medicaid and CHIP State Plans to authorize prescriptions of contraceptives up to a 12 month supply for eligible beneficiaries in the Medicaid and CHIP programs. 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.

YYY. 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 the current procedural terminology (CPT) codes for Applied Behavioral Analysis that were added to the CPT list in January 2019, or any future updates to these CPT codes. The department shall have the authority to implement related programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the Behavioral Therapy Program. The department shall have the authority to implement these changes effective December 1, 2021, and prior to completion of any regulatory process to effect such changes.

ZZZ. The Department of Medical Assistance Services, in coordination with the Department of Behavioral Health and Developmental Services, shall submit a request to the Centers for Medicare and Medicaid Services to amend its 1915(c) Home & Community-Based Services (HCBS) waivers to allow telehealth and virtual and/or distance learning as a permanent service option and accommodation for individuals on the Community Living, Family and Individual Services and Building Independence Waivers. The amendment, at a minimum, shall include all services currently authorized for telehealth and virtual options during the COVID-19 pandemic. The departments shall actively work with the established Developmental Disability Waiver Advisory Committee and other appropriate stakeholders in the development of the amendment including service elements and rate methodologies. The department shall have the authority to implement these changes prior to the completion of the regulatory process.

AAAA. The Department of Medical Assistance Services shall defer the next scheduled nursing facility rate rebasing for one year in order to utilize the calendar year 2021 cost reports as the base year. The deferred year's rates would reflect the prior year rates inflated according to the existing reimbursement regulations. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

BBBB. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to adjust the formula for indirect medical education (IME) reimbursement for managed care discharges for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 by increasing the case mix adjustment factor to the greater of 3.2962 or the most recent rebasing. Total payments for IME in combination with other payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 may not exceed the hospital's Medicaid costs. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

CCCC. The Director of the Department of Planning and Budget shall have the authority to appropriate additional federal Medicaid revenue for current services as provided for in the American Rescue Plan Act of 2021 (ARPA). However, no expansion of Medicaid programs or services shall be implemented with ARPA funds unless specifically authorized by the General Assembly. Any state funds offset by this additional federal revenue shall remain unspent and shall be retained until expenditure of such funds is reauthorized and appropriated by the General Assembly.

DDDD. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase the rates for agency- and consumer-directed personal care, respite and companion services by 7.5 percent to reflect additional increases in the state minimum wage while maintaining the existing differential between consumer-directed and agency-directed rest-of-state rates as well as the northern Virginia and rest-of-state rates. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

EEEE. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act, and any

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waivers thereof as necessary to add coverage of the preventive services provided pursuant to the Patient Protection and Affordable Care Act (PPACA) for adult, full Medicaid individuals who are not enrolled pursuant to the PPACA. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

FFFF. The Department of Medical Assistance Services shall amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof as necessary to remove co-payments for enrollees. Such change shall be effective April 1, 2022, or upon expiration of the federal public health emergency related to the Coronavirus Disease 2019 (COVID-19) pandemic, whichever is earlier. The department shall have the authority to implement this change prior to the completion of any regulatory process to effect such changes.

GGGG. The Department of Medical Assistance Services shall seek federal authority through a State Plan amendment to exclude excess resources accumulated by individuals receiving long-term supports and services (LTSS) during the federal Public Health Emergency (PHE) for a period of 12 months beginning at the end of the federal PHE. The department shall have the authority to implement this exclusion upon the signing of the Appropriations Act, and prior to the completion of any regulatory process to effect such change.

HHHH. Freestanding children's hospitals with more than 50 percent Medicaid utilization in fiscal year 2009 shall not have to reimburse the Commonwealth of Virginia for the non-federal share of any refunds of disproportionate share hospitals (DSH) payments for the period of June 2, 2017 through June 30, 2020. This action is limited to refunds required under federal court decisions in connection to calculation of members with dual eligibility or third-party liability.

IIII. 1. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for dental services by 30 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

2. The Department of Medical Assistance Services (DMAS), in consultation with the appropriate stakeholders, shall review Medicaid and FAMIS dental benefits to determine any issues related to access. The department shall report its findings to the Chairmen of the House Appropriations and Senate Appropriations and Finance Committees and the Director, Department of Planning and Budget by October 15, 2022.

JJJJ. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for physician primary care services, excluding those provided in emergency departments, to 80 percent of the federal FY 2021 Medicare equivalent as calculated by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

KKKK.1. Out of this appropriation, $175,793,045 the first year and $201,197,348 the second year from the general fund and $182,060,495 the first year and $208,539,425 the second year from matching federal Medicaid funds and other nongeneral funds shall be provided to increase Developmental Disability (DD) waiver rates set forth in the following paragraph.

2. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to update the rates for DD waiver services using the most recent rebasing estimates, based on their review of the model assumptions as appropriate and consistent with efficiency, economy, quality and sufficiency of care and reported no later than July 1, 2022. Rates shall be increased according to Tiered payments contained in the rebasing model, where appropriate for the type of service provided. Rates shall be increased for Group Homes, Sponsored Residential, Supported Living, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Therapeutic Consultation, Private Duty and Skilled Nursing, Group Day Support, Group Supported Employment, Workplace Assistance, Community Guide, DD Case Management and Benefits Planning. The department shall have the authority to implement these changes prior to completion of any regulatory process to

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effect such change.

LLLL. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for obstetrics and gynecology covered services by 15 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

MMMM. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase reimbursement rates for children's covered vision services for Medicaid Title XIX and CHIP XXI programs by 30 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

NNNN. 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 allow enrollment in a Medicaid managed care plan for individuals who are Medicaid eligible 30 days prior to release from incarceration. The department shall modify its contracts with managed care organizations to require a video or telephone conference with incarcerated individuals that are enrolled in a managed care plan in order to create a transition plan during the 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.

OOOO.1. Effective September 1, 2022, the Department of Medical Assistance Services (DMAS) shall revise its Medicaid and Family Access to Medical Insurance Security (FAMIS) managed care organization (MCO) contracts to require MCOs to include provider agreements for mobile vision services provided to eligible children on school grounds in localities where local school divisions or schools have written agreements with mobile vision providers.

2. Mobile vision providers, subject to such agreements, shall provide comprehensive vision services including, at a minimum, a comprehensive vision exam in compliance with recognized clinical standards to include the use of a binocular indirect ophthalmoscope and/or a wide-angle retinal imaging system, lenses, frames, and fittings.

3. The Department of Medical Assistance Services shall require the Medicaid MCOs to expedite the enrollment and credentialing of the mobile vision providers in the MCO networks and shall work with managed care organizations to ensure that a variety of lens and frames are available to children receiving vision services in any setting. The department shall have authority to implement these provisions prior to the completion of any regulatory process undertaken in order to effect such change.

PPPP. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for medically necessary general anesthesia and hospitalization or facility charges of a facility licensed to provide outpatient surgical procedures for dental care provided to a Medicaid enrollee who is determined by a licensed dentist in consultation with the enrollee's treating physician to require general anesthesia and admission to a hospital or outpatient surgery facility to effectively and safely provide dental care to an enrollee age ten or younger. The department shall have the authority to implement this change effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.

QQQQ. Effective July 1, 2022, the Department of Medical Assistance Services shall increase Medicaid rates for peer recovery and family support services in private and public community-based recovery services settings from $6.50 to $13.00 per 15 minutes for individuals and from $2.70 to $5.40 per 15 minutes for groups.

RRRR. Out of this appropriation, $56,640,476 from nongeneral funds the first year and $43,489,163 from the general fund and $64,983,275 from nongeneral funds the second year shall be provided, effective July 1, 2022, for the Department of Medical Assistance Services to increase rates by 12.5%, relative to the rates in effect prior to July 1, 2021, for: (i) adult day health care; (ii) consumer-directed facilitation services; (iii) crisis supervision, crisis stabilization and crisis support services; (v) transition coordinator

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services; (vi) mental health and early intervention case management services; and (vii) community behavioral health and habilitation services. In addition to the funds included in this Item, $38,057,684 the first year is provided for the state match for this purpose in Item 486 out of the revenues received from federal distributions of the American Rescue Plan Act of 2021. However, if ARPA funds cannot be used for this purpose the department is authorized to use the available cash balance or excess revenue in the Health Care Fund that is in excess of the estimates included for the first year in this act or additional general fund dollars in excess of the Official Medicaid Forecast made available due to changes in the federal match rate. The department shall have the authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such change. *The department shall include any and all Early Periodic Screening Diagnosis and Treatment (EPSDT) Therapeutic Group Homes in such rate increase effective January 1, 2024, regardless of the number of providers and whether or not such facilities were previously included in the list of eligible procedure and revenue codes provided in the Medicaid Bulletin to Providers of Home and Community Based Services Waivers (HCBS) and EPSDT services participating in Virginia Medical Assistance Programs and Medicaid Managed Care Organizations (MCOs) dated October 16, 2021. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change."*

~~PPPP.~~*SSSS.* Contingent on approval by the Centers for Medicare and Medicaid Services (CMS), the Department of Medical Assistance Services (DMAS) shall allow legally responsible individuals (parents of children under age 18 and spouses) to provide personal care/personal assistance services and be paid for those services when circumstances prevent an individual from being cared for by a non-parent caregiver. Any legally responsible individual who is a paid aide or attendant for personal care/personal assistance services shall meet all the same requirements as other aides or attendants. The department shall have the authority to implement these changes effective July 1, 2022 and prior to completion of any regulatory process to effect such change.

TTTT. Effective for dates of service on or after January 1, 2024, the Department of Medical Assistance Services shall increase the reimbursement rates for Early Intervention services, excluding case management, by 12.5 percent for all children under age three enrolled in Early Intervention in Virginia Medicaid.

UUUU.The Department of Medical Assistance Services shall implement managed care directed payments for physician services for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid utilization in fiscal year 2009 for $11,050,000 million annually but not to exceed the average commercial rate. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such changes. The agency shall implement this by determining at the beginning of each year the percent of Medicaid that will result in estimated payments of $11,050,000 million annually.

VVVV.1. Effective January 1, 2024, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Intensive In-Home, Mental Health Skill Building, Psychosocial Rehabilitation, Therapeutic Day Treatment, Outpatient Psychotherapy, Peer Recovery Support Services -- Mental Health.

2. Effective January 1, 2024, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Comprehensive Crisis Services (which include 23-hour Crisis Stabilization, Community Stabilization, Crisis Intervention, Mobile Crisis Response, and Residential Crisis Stabilization), Assertive Community Treatment, Mental Health - Intensive Outpatient, Mental Health - Partial Hospitalization, Family Functional Therapy and Multisystemic Therapy.

WWWW. The Department of Medical Assistance Services shall increase the rates for mental health partial hospitalization from a per diem rate of $250.62 to $500.00 and shall increase the rate for mental health intensive outpatient programs from a per diem of $159.20 to $250.00. The department shall have the authority to implement this reimbursement change effective January 1, 2024, and prior to the completion of any regulatory process undertaken in order to effect such change.

XXXX. Effective January 1, 2024, the Department of Medical Assistance Services is

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

YYYY. Effective January 1, 2024, the Department of Medical Assistance Services shall have the authority to increase the rates for agency and consumer-directed personal care, respite and companion services by five percent. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

ZZZZ.1. The Department of Medical Assistance Services shall amend its regulations and guidance on weight loss drugs to require service authorization for all weight loss drugs to ensure appropriate utilization. The regulations shall be consistent with the appropriate clinical criteria generally used in the health insurance industry. The department shall have authority to implement these provisions prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall require service authorization for newer diabetic drugs to ensure appropriate utilization and adherence to clinical guidelines. The service authorization shall require evidence of a diagnosis of diabetes and the ineffectiveness of traditional drug treatments. The department shall have authority to implement these provisions prior to the completion of any regulatory process undertaken in order to effect such change.

3. The Department of Medical Assistance Services shall report Medicaid expenditures for diabetic and weight loss drugs each quarter, by no later than 60 days after the end of each quarter, to the Chairs of House Appropriations and Senate Finance and Appropriations Committees. The report shall breakout the expenditures by drug.

AAAAA. Effective January 1, 2024, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act to provide reimbursement for the provision of behavioral health services that are classified by a Current Procedural Terminology code as collaborative care management services.

305.	Medical Assistance Services (Non-Medicaid) (46400)		$821,702	$821,702
	Insurance Premium Payments for HIV-Positive Individuals (46403)	$556,702	$556,702	
	Reimbursements from the Uninsured Medical Catastrophe Fund (46405)	$265,000	$265,000	
	Fund Sources: General	$781,702	$781,702	
	Dedicated Special Revenue	$40,000	$40,000	

Authority: §32.1-330.1 and §32.1-324.3, Code of Virginia.

A. Out of this appropriation, $556,702 the first year and $556,702 the second year from the general fund shall be provided for insurance payment assistance to HIV-infected persons in accordance with § 32.1-330.1, Code of Virginia, except that the eligibility threshold for assistance shall allow a maximum income of no more than 250 percent of the federal poverty threshold.

B. Out of this appropriation, $225,000 the first year and $225,000 the second year from

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the general fund shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia.				
306. Medical Assistance Services for Low Income Children (46600)			$248,907,357	~~$271,519,009~~ *$269,332,249*
Reimbursements for Medical Services Provided to Low-Income Children (46601)	$248,907,357	~~$271,519,009~~ *$269,332,249*		
Fund Sources: General	$84,680,147	~~$93,072,041~~ *$90,251,044*		
Federal Trust	$164,227,210	~~$178,446,968~~ *$179,081,205*		

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.

307. Medical Assistance Management Services (Forecasted) (49600)			$48,921,627	$47,421,627
Medicaid payments for enrollment and utilization related contracts (49601)	$46,336,320	$44,836,320		
CHIP payments for enrollment and utilization related contracts (49632)	$2,585,307	$2,585,307		
Fund Sources: General	$14,392,754	$14,392,754		
Dedicated Special Revenue	$5,104,941	$3,604,941		
Federal Trust	$29,423,932	$29,423,932		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

Amounts appropriated in this Item shall fund administrative expenditures associated with contracts between the department and companies providing dental benefit services, consumer-directed payroll services, claims processing, behavioral health management services and disease state/chronic care programs for Medicaid and FAMIS recipients.

308. Administrative and Support Services (49900)			$295,873,698	$288,261,699
General Management and Direction (49901)	$276,561,140	$269,574,963		
Administrative Support for the Family Access to Medical Insurance Security Plan (49932)	$16,812,558	$16,186,736		
CHIP Health Services Initiatives (49936)	$2,500,000	$2,500,000		
Fund Sources: General	$74,373,559	$72,923,062		
Special	$7,329,800	$7,329,800		
Dedicated Special Revenue	$8,969,112	$8,781,954		
Federal Trust	$205,201,227	$199,226,883		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

A.1.a. Notwithstanding any other provision of law, by November 1 of each year, the Department of Medical Assistance Services (DMAS) shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Director, Department of Planning and Budget (DPB) and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

b. The forecast shall be based on current state and federal laws and regulations.

c. The forecast shall reflect only expenditures for medical services provided in Program

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45600 and shall exclude service area 45606, service area 45607, and administrative expenditures.

d. Rebasing and inflation estimates that are required by existing law or regulation for any Medicaid provider shall be included in the forecast.

e. The forecast shall include a projection of the increases or decreases in managed care costs, including the rates that will be reflected in the upcoming July 1 contracts as well as changes in managed care rates for a three-year period including the current year.

f. In preparing for each year's forecast of the managed care portions of the budget, DMAS shall submit to its actuarial contractor a letter of request, with a copy sent to the Director, DPB and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This letter shall document the department's request for a point estimate of managed care rates and changes in rates, based on the application of actuarial principals and methodologies and information available at the time of the forecast. The letter also shall require that the contractor reflect the years being forecasted, and shall specify the population groupings for which estimates are requested. The department shall request that the contractor reply in writing with a copy to all parties copied on the department's letter of request.

2. In addition to the November 1 forecast submission, DMAS shall provide: 1) a separate accounting of forecasted expenditures by caseload/utilization, inflation and policy changes; and 2) an enrollment forecast for the same period of the forecast.

3. In the development and execution of the official forecast, DMAS shall collaborate with staff from the Department of Planning and Budget (DPB), House Appropriations Committee and Senate Finance and Appropriations Committee. Further, DMAS shall consult with DPB and money committee staff throughout the year, as necessary, to review any issues that may influence the current or upcoming forecasts. Upon request from such staff, DMAS shall provide the information necessary to evaluate factors that may affect the Medicaid forecast; including, but not limited to, program utilization, enrollment, lump sum payments, and rate changes. At a minimum, DMAS shall provide such staff with program updates within 30 days after the end of each General Assembly session and fiscal year. By October 15 of each year, DMAS shall make a preliminary forecast of Medicaid expenditures available for review to staff from DPB and the House Appropriations and Senate Finance and Appropriations Committees. DMAS shall consider feedback generated from this review in the official November 1 forecast.

B.1. The Department of Medical Assistance Services (DMAS) shall submit monthly expenditure reports of the Medicaid program by service that shall compare expenditures to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The monthly report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 20 days after the end of each month.

2. The Department of Medical Assistance Services shall prepare a quarterly report summarizing managed care expenditures by program and service category through the most recent quarter with three months of runout. The report shall summarize the data by service date for each quarter in the current fiscal year and the previous two fiscal years and update prior quarter expenditures. The department shall publish the report on the department's website no later than 30 days after the end of each quarter and shall notify the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

3. The Department of Medical Assistance Services shall track expenditures for the prior fiscal year that ended on June 30, that includes the expenditures associated with changes in services and eligibility made in the Medicaid and FAMIS programs adopted by the General Assembly in the past session(s). Expenditures related to changes in services and eligibility adopted in a General Assembly Session shall be included in the report for five fiscal years beginning from the first year the policy impacted expenditures in the Medicaid and FAMIS programs. The department shall report the expenditures of each funding change separately and show the impact by fiscal year. The report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and

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Senate Finance and Appropriations Committees by December 1 of each year.

4. The Department of Medical Assistance Services shall convene a meeting each quarter with the Secretary of Finance, Secretary of Health and Human Resources, or their designees, and appropriate staff from the Department of Planning and Budget, House Appropriations and Senate Finance and Appropriations Committees, and Joint Legislative Audit and Review Commission to explain any material differences in expenditures compared to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The main purpose of each meeting shall be to review and discuss the most recent Medicaid expenditures to determine the program's financial status. If necessary, the department shall provide options to bring expenditures in line with available resources. At each quarterly meeting, the department shall provide an update on any changes to the managed care programs, or contracts with managed care organizations, that includes detailed information and analysis on any such changes that may have an impact on the capitation rates or overall fiscal impact of the programs, including changes that may result in savings. In addition, the department shall report on utilization and other trends in the managed care programs. During each fiscal year, the meetings for each quarter shall be held in July, October, December, and April to review the previous three month period.

C. The Department of Medical Assistance 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.

D. The Department of Medical Assistance Services shall, within 15 days of receiving a deferral of federal grant funds, or release of a deferral, or a disallowance letter, notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of such deferral action or disallowance. The notice shall include the amount of the deferral or disallowance and a detailed explanation of the federal rationale for the action. Any federal documentation received by the department shall be attached to the notification.

E.1. It is the intent of the General Assembly that the Department of Medical Assistance Services provide more data regarding Medicaid and other programs operated by the department on their public website. The department shall create a central website that consolidates data and statistical information to make the information more readily available to the general public. At a minimum the information included on such website shall include monthly enrollment data, expenditures by service, and other relevant data.

2. The department shall make Medicaid and other agency data stored in the agency's data warehouse available through the department's website that includes, at a minimum, interactive tools for the user to select, display, manipulate and export requested data.

3. The Department of Medical Assistance Services shall post on its website the complete State Plan for Medical Assistance along with all amendments in an easily searchable format to be accessible to the public.

4. Within five days of any submission of a State Plan amendment to the Centers for Medicare and Medicaid Services, the Department of Medical Assistance Services shall post such submission on its website. The department shall also post any federal approval documents once the State Plan amendment is approved.

5. The department shall publish a document on its website, updated annually, that lists all policy changes, including their fiscal impact, for the Medicaid program for the preceding fiscal year.

F. The Department of Medical Assistance Services shall notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees at least 30 days prior to any change in capitated rates for managed care companies. The notification shall include the amount of the rate increase or decrease, and the projected impact on the state budget.

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G.1. Effective January 1, 2018, the Department of Medical Assistance Services shall include in all its contracts with managed care organizations (MCO) the following:

a. A provision requiring the MCOs to return one-half of the underwriting gain in excess of three percent of Medicaid premium income up to 10 percent. The MCOs shall return 100 percent of the underwriting gain above 10 percent.

b. A requirement for detailed financial and utilization reporting. The reported data shall include: (i) income statements that show expenses by service category; (ii) balance sheets; (iii) information about related-party transactions; and (iv) information on service utilization metrics.

c. Upon the inclusion of behavioral health care in managed care, behavioral health-specific metrics to identify undesirable trends in service utilization.

d. Upon the inclusion of behavioral health care in managed care, a report on their policies and processes for identifying behavioral health providers who provide inappropriate services and the number of such providers that are disenrolled.

2. For rate periods effective January 1, 2018 and thereafter, the Department of Medical Assistance Services shall direct its actuary as part of the rate setting process to:

a. Identify potential inefficiencies in the Medallion program and adjust capitation rates for expected efficiencies. The department is authorized to phase-in this adjustment over time based on the portion of identified inefficiencies that MCOs can reasonably reduce each year.

b. Monitor medical spending for related-party arrangements and adjust historical medical spending when deemed necessary to ensure that capitation rates do not cover excessively high spending as compared to benchmarks. Related-party arrangements shall mean those in which there is common ownership or control between the entities, and shall not include Medicaid payments otherwise authorized in this Item.

c. Adjust capitation rates in the Medallion program to account for a portion of expected savings from required initiatives.

d. Allow negative historical trends in medical spending to be carried forward when setting capitation rates.

e. Annually rebase administrative expenses per member per month for projected enrollment changes.

f. Annually incorporate findings on unallowable administrative expenses from audits of MCOs into its calculations of underwriting gain and administrative loss ratios for the purposes of ongoing financial monitoring, including enforcement of the underwriting gain cap.

g. Adjust calculations of underwriting gain and medical loss ratio by classifying as profit medical spending that is excessively high due to related-party arrangements.

3. The Department of Medical Assistance Services shall report to the General Assembly on spending and utilization trends within Medicaid managed care, with detailed population and service information and include an analysis and report on the underlying reasons for these trends, the agency's and MCOs' initiatives to address undesirable trends, and the impact of those initiatives. The report shall be submitted each year by September 1.

4. The Department of Medical Assistance Services shall develop a proposal for cost sharing requirements based on family income for individuals eligible for long-term services and supports through the optional 300 percent of Supplemental Security Income eligibility category and submit the proposal to the Centers for Medicare and Medicaid Services to determine if such a proposal is feasible. No cost sharing requirements shall be implemented unless approved by the General Assembly.

H. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Behavioral Health and

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Developmental Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, intellectual disability and substance abuse services, and any new or expanded mental health, intellectual disability retardation and substance abuse services that are covered by the State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, intellectual disability and substance abuse services.

I. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall convene a stakeholder workgroup, to meet at least once annually, with representatives of the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Association of Centers for Independent Living, Virginia Association of Community Rehabilitation Programs (VaACCSES), the disAbility Law Center of Virginia, the ARC of Virginia, and other stakeholders including representative family members, as deemed appropriate by the Department of Medical Assistance Services. The workgroup shall: (i) review data from the previous year on the distribution of the SIS levels and tiers by region and by waiver; (ii) review the process, information considered, scoring, and calculations used to assign individuals to their levels and reimbursement tiers; (iii) review the communication which informs individuals, families, providers, case managers and other appropriate parties about the SIS tool, the administration, and the opportunities for review to ensure transparency; and (iv) review other information as deemed necessary by the workgroup. The department shall report on the results and recommendations of the workgroup to the General Assembly by October 1 of each year.

J. The Department of Medical Assistance Services (DMAS) shall collect and provide to the Office of Children's Services (OCS) all information and data necessary to ensure the continued collection of local matching dollars associated with payments for Medicaid eligible services provided to children through the Children's Services Act. This information and data shall be collected by DMAS and provided to OCS on a monthly basis.

K. The Departments of Medical Assistance Services (DMAS) and Social Services (DSS) shall collaborate with the League of Social Services Executives, and other stakeholders to analyze and report data that demonstrates the accuracy, efficiency, compliance, quality of customer service, and timeliness of determining eligibility for the Medicaid and CHIP programs. Based on this collaboration, the departments shall develop meaningful performance metrics on data in agency systems that shall be used to monitor eligibility trends, address potential compliance problem areas and implement best practices. DMAS shall maintain on its website a public dashboard on eligibility performance that includes performance metrics developed through collaborative efforts as well as the performance of local departments of social services and any centralized eligibility-processing unit. Effective August 1, 2018 this dashboard shall be updated for the previous quarter and 30 days following the end of each quarter thereafter.

L. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.

M. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall require Medicaid eligibility workers to search for unreported assets at the time of initial eligibility determination and renewal, using all currently available sources of electronic data, including local real estate property databases and the Department of Motor Vehicles for all Medicaid applicants and recipients whose assets are subject to an asset limit under Medicaid eligibility requirements.

N.1. The Department of Medical Assistance Services shall require eligibility workers to verify income, using currently available Virginia Employment Commission data, for applicants and recipients who report no earned or unearned income. The Department shall require all Medicaid eligibility workers to apply the same protocols when verifying income for all applicants and recipients, including those who report no earned or unearned income.

2. The Department shall amend the Virginia Medicaid application, upon approval of the federal Centers for Medicare and Medicaid Services, to require a Medicaid applicant to opt out if such applicant does not want to grant permission to the state to use his federal tax

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returns for the purposes of renewing eligibility. The department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate State Plan changes, and prior to the completion of any regulatory process undertaken in order to effect such change.

O.1. The Department of Medical Assistance Services shall report on the operations and costs of the Medicaid call center (also known as the Cover Virginia Call Center). This report shall include the number of calls received on a monthly basis, the purpose of the call, the number of applications for Medicaid submitted through the call center, and the costs of the contract. The department shall submit the report by August 15 of each year to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. Out of this appropriation, $3,283,004 the first year and $3,283,004 the second year from the general fund and $9,839,000 the first year and $9,839,000 the second year from nongeneral funds is provided for the enhanced operation of the Cover Virginia Call Center as a centralized eligibility processing unit (CPU) that shall be limited to processing Medicaid applications received from the Federally Facilitated Marketplace, telephonic applications through the call center, or electronically submitted Medicaid-only applications. The department shall report the number of applications processed on a monthly basis and payments made to the contractor to the Director, Department of Planning and Budget and the Chairman of the House Appropriations and Senate Finance and Appropriations Committees. The report shall be submitted no later than 60 days after the end of each quarter of the fiscal year.

P. Out of this appropriation, $15,462,264 the first year and $15,462,264 the second year from the general fund and $62,407,632 the first year and $62,407,632 the second year from nongeneral funds shall be provided to maintain and operate the Medicaid Enterprise System.

Q.1. Out of this appropriation, $6,035,000 the first year and $6,035,000 the second year from special funds is appropriated to the Department of Medical Assistance Services (DMAS) for the disbursement of civil money penalties (CMP) levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.

2. Of the amounts appropriated in Q.1. of this Item, up to $225,000 the first year and $225,000 the second year from special funds may be used for the costs associated with administering CMP funds.

3. Of the amounts appropriated in Q.1. of this Item, up to $2,310,000 the first year and $2,310,000 the second year from the special funds may be used for special projects that benefit residents and improve the quality of nursing Facilities.

4. Out of the amounts appropriated in Q.1. of this item, $3,500,000 the first year and $3,500,000 the second year from special funds shall be used for a quality improvement program addressing nursing facility capacity building. The program design may be based on the results of the Virginia Gold Quality Improvement Program pilot project, to include

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peer mentoring, job-related and interpersonal skills training, and work-related benefits. The Department of Medical Assistance Services shall seek approval from the Centers for Medicare & Medicaid Services (CMS) to implement the program.

5. By October 1 of each year, the department shall provide an annual report of the previous fiscal year that includes the amount of revenue collected and spending activities to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.

6. No spending or activity authorized under the provisions of paragraph Q. of this Item shall necessitate general fund spending or require future obligations to the Commonwealth.

7. The department shall maintain a CMP special fund balance of at least $1.0 million to address emergency situations in Virginia's nursing facilities.

8. The Department of Medical Assistance Services is authorized to administratively request up to $2,000,000 of additional special fund appropriation for special projects if 1) the appropriated amounts in Q.3. are insufficient; and 2) such projects and costs are approved by the Centers for Medicare and Medicaid Services (CMS) for the Civil Money Penalty Reinvestment State Plan. The Department of Planning Budget shall approve such requests provided the required conditions are met.

R. 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 the Virginia Center for Health Innovation for research, development and tracking of innovative approaches to healthcare delivery.

S. The Department of Medical Assistance Services shall, prior to the end of each fiscal quarter, determine and properly reflect in the accounting system whether pharmacy rebates received in the quarter are related to fee-for-service or managed care expenditures and whether or not the rebates are prior year recoveries or expenditure refunds for the current year. The state share of pharmacy rebates for the quarter determined to be prior year revenue shall be deposited to the Virginia Health Care Fund before the end of the fiscal quarter. The department shall create and use a separate revenue source code to account for pharmacy rebates in the Virginia Health Care Fund.

T. Out of this appropriation, $87,500 the first year and $87,500 the second year from the general fund and $262,500 the first year and $262,500 second year from nongeneral funds shall be provided for support of the All Payer Claims Database operated by Virginia Health Information. This appropriation is contingent on federal approval of an Operational Advanced Planning Document.

U. Out of this appropriation, $875,000 the first year and $875,000 the second year from the general fund and $1,625,000 the first year and $1,625,000 the second year from nongeneral funds is provided for the Department of Medical Assistance Services to amend the State Plan and any waivers under Title XXI to fund $2,500,000 annually for three Poison Control centers serving Virginia as part of a Health Services Initiative. 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.

V. Notwithstanding any other provision of law, the Department of Medical Assistance Services (DMAS) shall have the authority to adjust the date of any agency payments should doing so allow the agency to maximize federal reimbursement. This language shall only apply to the extent that any impacted payments or reimbursements are allowable and appropriate under state and federal rules.

W.1. Out of amounts appropriated in the items for this agency, $598,763 the first year and $598,763 the second year from the general fund and $823,476 the first year and $823,476 the second year from nongeneral funds is provided to support seven appeals staff positions that will respond to additional appeals and ensure regulatory compliance.

2. The Department of Medical Assistance Services shall amend regulations to clarify (i) the burden of proof in client appeals; (ii) the scope of review for de novo hearings in client appeals, and (iii) the timeframes for submission of documents and decision deadlines for de novo client hearings. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of

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this Act.

X. Out of this appropriation, $447,700 the first year and $447,700 the second year from the general fund and $1,212,666 the first year and $1,212,666 the second year from nongeneral funds is provided to implement the Virginia Facilitated Enrollment Program.

Y. Out of this appropriation, $1,319,515 the first year and $1,319,515 the second year from the general fund and $3,798,129 the first year and $3,798,129 the second year from federal funds is provided to support the Emergency Department Care Coordination Program (EDCC) as allowed by the Centers for Medicare and Medicaid Services. The Department of Medical Assistance Services, in cooperation with the Virginia Department of Health, shall establish a work group comprised of the EDCC contractor, the Virginia Health Information, Medicaid and commercial managed care organizations, health systems with emergency departments and emergency department physicians to optimize the use of the system and any enhancements to the system to facilitate communication and collaboration among physicians, other healthcare providers and other clinical and care management personnel about patients receiving services in hospital emergency departments for the purpose of improving the quality of care.

Z. Effective July 1, 2021, the Department of Medical Assistance Services shall implement an orientation program for Doula service providers.

AA. Out of this appropriation, $90,000 the first year and $90,000 the second year from the general fund and $90,000 the first year and $90,000 the second year from federal funds shall be used by the agency to hire a full time employee in the provider reimbursement division. This employee shall have the actuarial and accounting experience necessary to provide ongoing expertise on nursing facility reimbursement and rate methodology issues.

BB. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund and $300,000 the first year and $300,000 the second year from federal funds shall be used by the agency to hire five additional full-time employees to augment existing staff in the agency's finance division. Specifically, the Department of Medical Assistance Services shall hire three additional positions in the budget division, one additional position in the fiscal division and one additional position in the provider reimbursement division. The agency shall inform the Director, Department of Planning and Budget once these positions are hired. In addition, these positions shall be highlighted in the agency's annual organizational report.

CC.1. The Department of Medical Assistance Services, in conjunction with relevant stakeholders, shall convene a workgroup to develop a plan for a neurobehavioral science unit and a waiver program for individuals with brain injury and neuro-cognitive disorders. The neurobehavioral science unit shall be considered as one of the alternative institutional placements for individuals needing these waiver services. The workgroup shall make recommendations in the plan related to relevant service definitions, administrative structure, eligibility criteria, reimbursement rates, evaluation, and estimated annual costs to reimburse for neurobehavioral institutional care and administration of the waiver program. The department shall include a rate methodology that supports institutional costs and waiver services.

2. The department shall submit a report which outlines the recommendations for a neurobehavioral science unit, waiver program, and the service methodology to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.

DD. The Department of Medical Assistance Services and the Department of Planning and Budget shall evaluate the impact of merging the Commonwealth Care Coordinated Plus and Medallion 4.0 managed care programs to identify administrative cost savings and efficiencies that will result from combining the two programs and contracts. The departments shall develop a plan to achieve savings of at least $1.0 million a year and shall report that plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by no later than October 1, 2022.

EE.1. The Department of Medical Assistance Services is authorized to begin the reprocurement of the Commonwealth's managed care service delivery system with an

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implementation date no earlier than July 1, 2024.

2. In development of a single managed care contract with the selected managed care organizations, the department shall not include the following services, which shall remain in fee-for-service: (i) dental services; (ii) developmental disability waiver services; (iii) and other services currently excluded from the managed care contracts. DMAS shall not include any new services in the contract unless explicitly authorized by the General Assembly.

3. The department shall ensure that the cost of any programmatic and/or contractual changes are fully accounted for in the Appropriation Act. Contract and program changes associated with this reprocurement shall not create any future funding commitments unless authorized by the General Assembly.

4.The department shall have its contracted actuary review the new managed care contract and report on all program changes as compared to the existing contract and estimate any fiscal impact of such changes no later than 30 days prior to the effective date of the contract.

Total for Department of Medical Assistance Services.			**$20,682,856,509**	**~~$21,216,680,251~~** ***$23,040,568,817***
General Fund Positions	266.02	263.52		
Nongeneral Fund Positions	276.98	~~274.48~~ *279.48*		
Position Level	543.00	~~538.00~~ *543.00*		
Fund Sources: General	$5,824,897,704	~~$6,244,987,584~~ *$6,026,900,220*		
Special	$7,329,800	$7,329,800		
Dedicated Special Revenue	$1,686,990,140	$1,718,425,974		
Federal Trust	$13,163,638,865	~~$13,245,936,893~~ *$15,287,912,823*		

§ 1-96. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)

309.	Regulation of Public Facilities and Services (56100)			$11,501,803	$11,501,803
	Regulation of Health Care Service Providers (56103)	$11,501,803	$11,501,803		
	Fund Sources: General	$7,420,610	$7,420,610		
	Special	$3,317,612	$3,317,612		
	Federal Trust	$763,581	$763,581		

Authority: Title 37.2, Chapter 4, Code of Virginia.

The department shall post on its Web site information concerning (i) any application for initial licensure of or renewal of a license, denial of an application for an initial license or renewal of a license, or issuance of provisional licensure of for any residential facility for children located in the locality and (ii) all inspections and investigations of any residential facility for children licensed by the department, including copies of any reports of such inspections or investigations. Information concerning inspections and investigations of residential facilities for children shall be posted on the department's Web site within seven days of the issuance of any report and shall be maintained on the department's website for a period of at least six years from the date on which the report of the inspection or investigation was issued.

310. A. It is the intent of the General Assembly that the Department of Behavioral Health and Developmental Services proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care. Amounts authorized

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herein, and in related legislation, shall be used to support the transformation of the system of care and to promote the provision of behavioral health and developmental services in the most efficient and appropriate setting. The Department of Behavioral Health and Developmental Services may consider the use of public-private partnerships to deliver behavioral health and intellectual disability services as part of the comprehensive behavioral health and intellectual disability system of care, in facilities that are being planned for renovation or replacement. These partnerships may include contracts with private entities for facility operations, unless the Department of Behavioral Health and Developmental Services can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity.

B. Notwithstanding any law to the contrary, on July 1, of each year, the State Comptroller shall transfer to the general fund any special revenue fund balance accumulated by the Department of Behavioral Health and Developmental Services in excess of $25,000,000. Any special fund revenue alloted for the implementation of electronic health records shall not be counted in the balance.

C.1. Notwithstanding §4-5.10, §4-5.09 of this Act and paragraph C. of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

2. Expenditures from the Behavioral Health and Developmental Services Trust Fund shall be subject to appropriation through an appropriations bill passed by the General Assembly.

3. Any remaining appropriation at year end in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year.

D.1. Any funds appropriated in this act for the purpose of complying with the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG that remain unspent at the end of each fiscal year shall be reported by the Department of Behavioral Health and Developmental Services to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 1 after the close of each fiscal year. The department shall include in its report each item and the amount of funding for such item that remains unspent, with an explanation for the remaining balance at year end.

2. The Department of Behavioral Health and Developmental Services shall report on the status of compliance with the provisions of the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG and shall: (i) list each noncompliant provision; (ii) the status of meeting the provision; (iii) the department's planned actions to achieve compliance; and (iv) the date the department expects to achieve compliance with the provision. The department shall report such information to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees quarterly, with each report due 30 days after the end of each quarter.

E. The Department of Behavioral Health and Developmental Services shall, in its guidance, regulations and policies for Certified Prescreener Clinicians, related to educational and supervisory qualifications, ensure compliance with the process to allow experienced staff who do not meet the enhanced requirements to continue to practice as a Certified Prescreener Clinician as outlined in the 2016 memos and guidance from the department. The department shall not alter such requirements until July 1, 2023, or after a comprehensive review of Certified Prescreener Clinicians has been conducted.

311.	Administrative and Support Services (49900).....		$129,607,903	~~$128,262,769~~ *$146,512,769*

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General Management and Direction (49901)	$22,884,269	~~$19,871,519~~ *$20,371,519*		
Information Technology Services (49902)	$46,101,030	$49,069,136		
Architectural and Engineering Services (49904)	$2,776,224	$2,776,224		
Collection and Locator Services (49905)	$3,427,387	$3,427,387		
Human Resources Services (49914)	$682,230	$682,230		
Planning and Evaluation Services (49916)	$3,626	$3,626		
Program Development and Coordination (49933)	$53,733,137	~~$52,432,647~~ *$70,182,647*		
Fund Sources: General	$83,189,309	~~$77,440,300~~ *$95,690,300*		
Special	$14,544,137	$17,276,798		
Dedicated Special Revenue	$2,000,378	$3,671,592		
Federal Trust	$29,874,079	$29,874,079		

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 within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, $730,788 the first year and $730,788 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H.1. Out of this appropriation, $554,975 the first year and $554,975 the second year from the general fund shall be provided for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment

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2. Out of this appropriation, $4,207,356 the first year and $4,659,066 the second year from the general fund shall be provided for conditional release services, including treatment, and costs associated with contracting with Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released as provided by the Department of Corrections, outlined in the Memorandum of Understanding between the two agencies and pursuant to §37.2-912 of the Code of Virginia.

I. Out of this appropriation, $146,871 the first year and $146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen 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 operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or Community Services Boards (CSB) services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

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. 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.

M. 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 use of the knowledge center, an on-line training system.

N. 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.

O. 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.

P. 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

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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.

Q. 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.

R.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 Boards and of those how many are accessing services. The report shall be provided on the department's website.

S.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 Appropriations and Senate Finance and Appropriations Committees on a quarterly basis on the number of additional individuals who have applied.

T. 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.

U. 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 and Appropriations Committees by November 1, of each year.

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V. 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.

W. The Department of Behavioral Health and Developmental Services shall ~~lease~~ *cause the conveyance of* 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.

X. 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.

Y. 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 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.

Z. 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 appropriate, 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.

AA. 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.

BB.1. The Department of Behavioral Health and Developmental Services shall preserve historic microfiche records at Central State Hospital and work with interested partners to digitize such records to be added to the Central State Hospital Digital Library and Archives Project in order to make such information publicly available to researchers or

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other interested parties.

2. Out of this appropriation, $150,000 the first year from the general fund shall be provided to digitize historic microfiche records of Central State Hospital to be added to the Central State Hospital Digital Library and Archives Project. The Department of Behavioral Health and Developmental Services shall coordinate with the Library of Virginia for the preservation efforts and future storage of such records.

CC. Out of this appropriation, $3,012,750 the first year from the general fund is provided for a contract with the Virginia Health Care Foundation for a pilot to remove barriers to the mental health workforce, including the payment of supervisory hours for those individuals seeking degrees in social work and counseling.

DD. 1.Out of this appropriation $900,000 the second year from the general fund shall be provided for underage marijuana use prevention initiatives.

2. Of the amounts provided in DD.1. $900,000 is appropriated the second year for a contract with the Virginia Foundation for Healthy Youth to create a statewide marijuana and cannabis use prevention campaign to prevent underage use.

EE. Out of this appropriation, $1,026,000 the first year and $1,026,000 the second year from the general fund is provided for dementia behavioral specialists to provide training and consultative services and support.

FF. Out of this appropriation, $1,671,214 the first year and $1,671,214 the second year from the Crisis Call Center Fund is appropriated for costs associated with the establishment and operation of the 988 Crisis Call Center.

GG.1. Out of this appropriation, $101,970 the first year and $101,970 the second year shall be used to increase the number of tobacco retailer compliance inspections to be performed pursuant to a contract with the Virginia Alcoholic Beverage Control Authority.

2. The Department of Behavioral Health and Developmental Services, in consultation with the Virginia Alcoholic Beverage Control Authority, shall develop a plan to further increase the number of tobacco retailer compliance inspections to be completed annually for the purpose of reducing the retailer violation rate. The plan shall include identification of additional resources needed, alternative options for the provision of compliance checks, and any necessary legislative changes. The Department shall identify and pursue any applicable federal grants that may be used for the costs of implementing the plan. Agencies in the executive branch shall provide assistance as needed in development of the plan. The Department shall submit the plan by September 1, 2022 to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

HH. Out of this appropriation, $2,500,000 the first year *and $7,500,000 the second year* from the general fund is provided for: (i) the Department of Behavioral Health and Developmental Services and partners to provide technical assistance to school divisions seeking guidance on integrating mental health services; and (ii) grants to school divisions to contract for community-based mental health services for students from public or private community-based providers. The department shall require the pilot programs to report back to the department on the success factors for integrating behavioral health in education settings and identify funding recommendations and resources needed to continue these efforts. The department shall report such information *annually* to the Behavioral Health Commission by September 1~~, 2023~~.

II. The Department of Behavioral Health and Developmental Services shall, in any fiscal year that new developmental disability waiver slots are authorized in this act, allocate such slots to the Community Services Boards and a Behavioral Health Authority by the first day of the fiscal year, such that the slots can be assigned to eligible individuals on the Priority One waiting list to access services as soon as possible.

JJ.1. The Department of Behavioral Health and Developmental Services shall establish a workgroup of relevant stakeholders to examine the Problem Gambling Treatment and Support Fund to determine the most effective strategies in serving individuals with gambling addiction. Specifically, the workgroup shall: (i) examine best practices and programs in other states; and (ii) determine whether the fund should support services at the Community Services Board level or statewide programs. The department shall report the findings and

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recommendations of the workgroup to the Governor and the Chairs of House Appropriations and Senate Finance and Appropriations Committees by November 15, 2022.

2. The Department of Behavioral Health and Developmental Services shall report annually, by September 1 of each year, on the revenue collections, expenditures and allocations of the Problem Gambling Treatment and Support Fund for the prior fiscal year to the Department of Planning and Budget and the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

KK. Effective July 1, 2023, the Department of Medical Assistance Services shall be responsible for all aspects of rate setting for Developmental Disability waiver services, which includes developing, analyzing, modifying, rebasing or implementing such rates. The Director, Department of Planning and Budget shall determine the amount of funding, and staffing, currently utilized by the Department for Behavioral Health and Developmental Services for rate setting activities, including contractual costs, and shall transfer such funding and positions, if so determined, to the Department of Medical Assistance Services by no later than October 15, 2023.

LL. The Department of Behavioral Health and Developmental Services shall collect, or survey, Community Services Boards (CSBs) and the Behavioral Health Authority (BHA) on compensation of their employees by position type, which shall include average salary and turnover and vacancy data, and any other relevant data the department determines as necessary to assist in developing a proposal to address compensation issues for consideration in the 2023 Session. The department shall report the data, by CSB and BHA, along with any findings and recommendations to address compensation issues to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by no later than October 15, 2022.

MM. Out of this appropriation, $500,000 the second year from the general fund shall be provided for the Department of Behavioral Health and Developmental Services to evaluate public-private partnership arrangements for the Catawba Hospital Transformation Plan or other potential alternatives for the provision of behavioral health or substance use disorder services, including private sector options. This shall include, but not limited to, potential public-private partnerships to manage and operate a substance use disorder facility and to manage a new residential treatment program and outpatient facility. The Department shall assess how the surrounding localities and their local law enforcement agencies may work together to share efforts in transporting and taking custody of individuals under an emergency custody order or temporary detention order who would otherwise be transported to Catawba. Additionally, the Department shall consult with the Opioid Abatement Authority to assess if and how the surrounding localities may pool their opioid settlement funds to aid in the Catawba Hospital Transformation Plan. The Department shall report their preliminary findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023 and submit a final report by July 1, 2024.

NN. Out of this appropriation, $10,000,000 the second year from the general fund is provided for comprehensive psychiatric emergency programs or similar models of psychiatric care in emergency departments. Projects may include public-private partnerships, to include contracts with private entities. All selected programs must collaborate with the region's community services board or behavioral health authority. Notwithstanding any other provision of law, contracts entered into pursuant to this paragraph shall be exempt from competition as otherwise required by the Virginia Public Procurement Act §§ 2.2-4300 through 2.2-4377, Code of Virginia. The Department of Behavioral Health and Developmental Services shall report quarterly on projects awarded with details on each project and its projected impact on the state behavioral health facility census. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committee no later than 30 days after each quarter ends.

OO. Out of this appropriation, $250,000 the second year from the general fund shall be provided to Bennett's Village for support to develop a regional all abilities playground in Charlottesville.

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312.	Central Office Managed Community and Individual Health Services (44400)			$83,241,431	~~$78,300,847~~ *$160,517,245*
	Individual and Developmental Disability Services (44401)	$6,709,379	~~$6,709,379~~ *$6,959,379*		
	Mental Health Services (44402)	$74,482,052	~~$69,541,468~~ *$150,091,468*		
	Substance Abuse Services (44403)	$2,050,000	~~$2,050,000~~ *$3,466,398*		
	Fund Sources: General	$82,257,776	~~$77,317,192~~ *$158,117,192*		
	Special	$983,655	~~$983,655~~ *$2,400,053*		

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. Out of this appropriation, $5,050,000 the first year and $5,050,000 the second year from the general fund shall be used for Developmental Disability Health Support Networks in regions served, or previously served, by Southside Virginia Training Center, Central Virginia Training Center, Northern Virginia Training Center, and Southwestern Virginia Training Center.

B. Out of this appropriation, $705,000 the first year and $705,000 the second year from the general fund shall be used to provide community-based services to individuals transitioning from state training centers to community settings who are not eligible for Medicaid.

C.1. Out of this appropriation, $27,722,785 the first year and $27,722,785 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for those individuals determined clinically ready for discharge or for the diversion of admissions to state facilities by purchasing acute inpatient or community-based psychiatric services.

2. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund is provided for the development or acquisition of clinically appropriate housing options to provide comprehensive community-based care for individuals in state hospitals who have complex and resource-intensive needs who have been clinically determined able to move from a hospital to a more integrated setting. In addition to the funds in this Item, $250,000 the first year and $250,000 the second year from the general fund is provided in Item 311 of this Act for a community support team to assist housing providers in addressing the complex needs of residents who have been discharged from state facilities or individuals who are at risk of institutionalization.

3. In addition to the amounts in C.1. above, $770,000 the first year and $770,000 the second year is provided to improve clinical and financial tracking of Discharge Assistance Planning funds and Local Inpatient Purchase of Services funds through the purchase of an information technology solution.

4. In addition to the amounts in C.1. above, $400,000 the first year is provided for the costs of a contract to study and implement rates for services provided with Discharge Assistance Planning funds. No fewer than ninety days prior to implementing any rate structure recommended by the study, the Department of Behavioral Health and Developmental Services shall report the results of the rate study and the projected impact of any changes in rates to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committee. This report shall be due no later than June 30, 2023.

D. Out of this appropriation, $6,429,216 the first year and $6,429,216 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to provide alternative transportation for adults and children under a temporary detention order on a statewide basis.. The department shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program funding by October 1 of each year.

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E. Out of this appropriation, $1,150,000 the first year and $1,150,000 the second year from the general fund shall be provided for costs of transporting individuals from state behavioral health facilities to their homes after being discharged from such facility as a result from an admission under a temporary detention order.

F. Out of this appropriation, $2,000,000 the first year and $3,359,416 the second year from the general fund is provided for a program of alternative custody for individuals under a temporary detention order who are awaiting transport to an inpatient bed. The Department of Behavioral Health and Developmental Services, in consultation with local law enforcement, community services boards, and other stakeholders as appropriate, shall implement a plan to provide alternative custody options for individuals under temporary detention orders to reduce the length of time law enforcement resources are involved and improve patient outcomes.

G. Out of this appropriation, $6,885,488 the first year and ~~$6,885,488~~*$10,835,488* the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children.

H. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund *and $1,416,398 the second year from nongeneral funds* shall be used to purchase and distribute additional REVIVE! kits and associated doses of naloxone used to treat emergency cases of opioid overdose or suspected opioid overdose. *The nongeneral funds shall be provided from amounts reflected in the Commonwealth Opioid Abatement and Remediation Fund.*

I. Out of this appropriation, $8,400,000 in the first year and $8,400,000 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for children and adolescents determined clinically ready for discharge or for the diversion of admissions of children and adolescents to state facilities by purchasing acute inpatient services, step-down services, or community-based services as an alternative to inpatient care.

J. The Department of Behavioral Health and Developmental Services shall post its annual federal State Targeted Response Report and State Opioid Response (SOR) Report on its website no later than December 31 of each year. The report will describe the amount of any grants received from the Substance Abuse and Mental Health Services Administration as part of any State Opioid Response grant funding, and shall provide information on how the funds are distributed among programs, the number of individuals served if available, and any available outcome-based data specific to treatment engagement and impact on access.

K. Out of this appropriation, $89,396 the first year and $89,396 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Jewish Foundation for Group Homes to expand the Transitioning Youth program for individuals with developmental disability who are aging out and exiting the school system in Loudoun County.

L1. Out of this appropriation, $1,700,000 the first year and $1,700,000 the second year is provided to make grants to members of the Virginia Association of Recovery Residences for recovery support services. The association must ensure that members accredited by the Council on Accreditation of Peer Recovery Support Services (CAPRSS) receive a share of these funds. The Department of Behavioral Health and Developmental Services shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 1, 2023, and each year thereafter, on the distribution and use of the funds authorized in this paragraph.

2. The Department of Behavioral Health and Developmental Services shall monitor credentialed recovery homes for regulatory compliance and consult with the Virginia Association of Recovery Residences to keep the agency's public website's list of credentialed recovery homes up to date.

M.1. Out of this appropriation, $3,547,000 the first year and $3,547,000 the second year from the general fund shall be used to support the diversion and discharge of individuals

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with a diagnosis of dementia. Priority shall be given to those individuals who would otherwise be served by state facilities.

2. Of the amounts in M.1., $2,820,000 in each year shall be used to establish contracts to support the diversion and discharge into private settings of individuals with a diagnosis of dementia.

3. Of the amounts in M.1., $727,000 in each year shall be used for a pilot mobile crisis program targeted for individuals with a diagnosis of dementia.

N. Out of this appropriation, $8,774,784 the first year and $8,774,784 the second year from the general fund is provided from a transfer from Item 313 for Community Services Boards and a Behavioral Health Authority to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities. This funding shall continue to be allocated to Community Services Boards and a Behavioral Health Authority for such purpose in an efficient and effective manner so as not to disrupt local service contracts and to allow for expeditious reallocation of unspent funding between Community Services Boards and a Behavioral Health Authority.

O. 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 or to increase capacity in the community for patients on the Extraordinary Barriers List through 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 $2,500,000 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.

P. Out of this appropriation, $1,650,000 the second year from the general fund is provided for pilot programs for individuals with dementia who may otherwise be admitted to a state facility. In addition to the funds provided in this Item, $1,650,000 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.

Q. Out of this appropriation, $2,500,000 the first year from the general fund shall be provided for one-time start-up costs for the Northwestern Crisis Response Center to provide crisis services for 23 hours per day, seven days per week to individuals with a mental illness.

R. Out of this appropriation, $2,500,000 the first year from the general fund shall be provided for one-time start-up costs to establish a crisis receiving center in Southwest Virginia.

S. Out of this appropriation, $2,500,000 the first year from the general fund shall be provided for one-time start-up costs to establish a crisis receiving center in Prince William County.

T. Out of this appropriation, $50,000 the first year from the general fund shall be provided to contract with Restoration and Hope House to provide for housing and programs for nonviolent offenders looking to transition back into the community.

U.*1.* The Department of Behavioral Health and Developmental Services is authorized to enter into a contract for use of up to eight beds of a 20-bed acute, inpatient psychiatric unit at Chesapeake Regional Healthcare for state purposes to increase diversion from state mental health hospitals. The department shall begin developing the contract after Chesapeake Regional Healthcare starts construction of the 20-bed acute, inpatient psychiatric unit. As part

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of the contracting process, the department shall develop an estimate of the potential cost savings of diversion from state hospital beds that could occur with use of the eight beds and provide an estimated annual state contribution to support Chesapeake Regional Healthcare. The department shall execute the contract contingent on an appropriation by the General Assembly. The department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the status of the contract and any state contribution that has been estimated.

2. Out of this appropriation, $4,500,000 the second year from the general fund shall be provided to Chesapeake Regional Hospital for support in providing and enhancing behavioral health services in the emergency department or outpatient or inpatient settings. The funding is one-time and any remaining balance on June 30, 2024, shall be reappropriated in the following fiscal year for this purpose.

V. The Department of Behavioral Health and Developmental Services is authorized to accept unsolicited proposals from private providers to establish a pilot project for the purpose of acquiring clinically appropriate housing options for individuals on the Extraordinary Barriers List or to prevent unnecessary hospitalizations for appropriate individuals to address census issues at state facilities.

W. Out of this appropriation, $58,000,000 the second year from the general fund shall be provided to expand and modernize the comprehensive crisis services system, including, but not limited to, investment in additional crisis receiving centers, crisis stabilization units, and enhancements to existing sites. Any remaining appropriation at year end shall be carried forward to the subsequent fiscal year for this purpose.

X. Out of this appropriation, $4,000,000 the second year from the general fund is provided for supervised residential care for 100 individuals. The department shall give priority to projects that prioritize individuals on the state's extraordinary barriers list. Projects may include public-private partnerships, to include contracts with private entities. Notwithstanding any other provision of law, contracts entered into pursuant to this paragraph shall be exempt from competition as otherwise required by the Virginia Public Procurement Act, §§ 2.2-4300 through 2.2-4377, Code of Virginia. The Department shall report quarterly on projects awarded with details on each project and its projected impact on the state's extraordinary barriers list. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committee no later than 30 days after each quarter ends.

Y. Out of this appropriation, $10,000,000 the second year from the general fund is provided for the one-time costs of establishing additional mobile crisis services in underserved areas.

Z. Out of this appropriation, $250,000 from the general fund the second year shall be provided to Specially Adapted Resources Clubs (SPARC) to support essential day programs for adults with profound disabilities.

AA. Out of this appropriation, $100,000 the second year from the general fund shall be provided to On Our Own, a peer recovery center and supportive community that serves the community at no charge.

Total for Department of Behavioral Health and Developmental Services			**$224,351,137**	**~~$218,065,419~~** ***$318,531,817***
General Fund Positions	518.50	518.50		
Nongeneral Fund Positions	46.75	46.75		
Position Level	565.25	565.25		
Fund Sources: General	$172,867,695	~~$162,178,102~~ *$261,228,102*		
Special	$18,845,404	~~$21,578,065~~ *$22,994,463*		
Dedicated Special Revenue	$2,000,378	$3,671,592		
Federal Trust	$30,637,660	$30,637,660		

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Grants to Localities (790)				
313. Financial Assistance for Health Services (44500).....			$591,923,587	~~$655,486,687~~ *$712,036,687*
Community Substance Abuse Services (44501).....	$125,418,211	$125,483,993		
Community Mental Health Services (44506).....	$360,089,572	~~$421,914,170~~ *$478,464,170*		
Community Developmental Disability Services (44507).....	$106,415,804	$108,088,524		
Fund Sources: General.....	$497,191,587	~~$558,032,889~~ *$614,582,889*		
Dedicated Special Revenue.....	$4,732,000	$7,453,798		
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 all general fund 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 for provider participation shall result in the termination of a like amount of state grant support.

F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.

G. Out of this appropriation $190,000 the first year and $190,000 the second year from the general fund shall be provided to Virginia Commonwealth University for the continued operation and expansion of the Virginia Autism Resource Center.

H.1. Out of this appropriation, $26,556,453 the first year and $26,556,453 the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.

2. By November 15 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.

I. Out of this appropriation $6,148,128 the first year and $6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances, at risk for serious emotional disturbance, and/or with co-occurring disorders with priority placed on those children who, absent services, are at-risk for removal from the home due to placement by a local department of social services, admission to a congregate care facility or acute care psychiatric hospital or crisis stabilization facility, commitment to the Department of Juvenile Justice, or parental custody relinquishment. These

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funds shall be used exclusively for children and adolescents, not mandated for services under the Children's Services Act. The Department of Behavioral Health and Developmental Services shall provide these funds to Community Services Boards through the annual Performance Contract. The Community Services Boards shall develop a Mental Health Initiative funding plan in collaboration with the local Family and Assessment Planning Teams and/or Community Policy and Management Team. The funding plan shall be approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on a funding methodology.

J. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $1,000,000 the first year and $1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

K. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $750,000 the first year and $750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

L. Out of this appropriation, $2,197,050 the first year and $2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.

M. Out of this appropriation, $2,400,000 the first year and $2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders, including individuals with acquired brain injury and co-occurring substance use disorders. Funded services shall focus on recovery models and the use of best practices.

N. Out of this appropriation, $2,780,645 the first year and $2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children 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 Children's Services Act.

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.

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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.

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.

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.

S. Out of this appropriation, $8,400,000 the first year and ~~$8,400,000~~*$12,600,000* 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.

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.

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.

3. Out of this appropriation, $657,648 the first year and $657,648 the second year from the general fund is provided to support CIT initiatives, including basic and advanced CIT training and law enforcement diversion, through one-time awards for advanced concepts in CIT Assessment Site programs. The department shall prioritize programs serving rural communities when determining the distribution of these funds.

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, $35,500,411 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

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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 does not result in more restrictive placements.

Z.1. Out of this appropriation, $42,788,710 the first year and ~~$50,588,710~~*$80,588,710* 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 and Appropriations Committee by November 1 of each year.

3. In addition to the amounts provided in Z.1., $2,500,000 the first year and $2,500,000 the second year from the general fund is provided for permanent supportive housing for individuals with serious mental illness residing in the Northern Virginia region.

AA. Out of this appropriation, $14,512,833 the first year and $16,185,533 the second year from the general fund shall be used for a program of rental subsidies for individuals with intellectual or developmental disabilities.

BB. 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. In expending this amount, the department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for appropriate long-acting, injectable prescription drug treatment regimens for individuals who are in need of medication assisted treatment while (i) on probation, (ii) incarcerated, or (iii) upon their release to the community. The department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for non-narcotic, non-addictive prescription drug treatment regimens for individuals who are not able for clinical or other reasons to participate in buprenorphine or methadone based drug treatment regimens. In expending the funding, Community Services Boards or a Behavioral Health Authority shall also prioritize the use of such funds for individuals who are not covered by insurance.

CC. 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 individuals in crisis.

DD. 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.

EE. Out of this appropriation, $3,367,945 the first year and $3,433,727 the second year from the general fund shall be used to provide permanent supportive housing to pregnant or parenting women with substance use disorders.

FF. Out of this appropriation, $2,250,447 the first year and $2,250,447 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.

GG. Out of this appropriation, $3,700,800 the first year and $3,700,800 the second year from the general fund is provided for discharge planning at jails for individuals with

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serious mental illness. Funding shall be used to create staff positions in Community Services Boards may also be used for emergency client assistance resources and will be implemented in at least five jails with a high percentage of inmates with serious mental illness.

HH. 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.

II. 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 for these purposes.

JJ. 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.

KK. 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.

LL.1. Out of this appropriation, $77,919,074 the first year and $117,221,375 the second year from the general fund and $4,732,000 the first year and $7,453,798 the second year from the Crisis Call Center 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 LL.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 LL.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 LL.1., $21,924,980 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 LL.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 LL.1., $13,954,924 the first year and $26,954,924 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders. In addition to the funds provided in this Item, $13,000,000 the first year is provided for these purposes in Item 486 of this Act out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.

7. Out of the amounts in LL.1., $3,840,490 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 LL.1., $5,334,000 the first year and $5,334,000 the second year from the general fund is provided for peer support and family services.

9. Out of the amounts in LL.1., $7,762,376 the first year from American Rescue Plan Act funds and $3,199,999 the first year and $10,962,375 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. Out of the amounts in LL.1., $4,732,000 the first year and $2,732,000 the second year from the general fund and $4,732,000 the first year and $7,453,798 the second year from the Crisis Call Center Fund is provided for crisis call center dispatch staff.

11. Out of the amounts in LL.1., $2,190,000 the first year from American Rescue Act Plan funds and $3,820,000 the second year from the general fund is provided for psychiatric

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rehabilitation services.

12. Out of the amounts in LL.1., $6,514,625 the first year from American Rescue Act Plan funds and $6,514,625 the second year from the general fund is provided for care coordination services.

13. Out of the amounts in LL.1., $3,178,500 the first year from American Rescue Act Plan funds and $4,078,500 the second year from the general fund is provided for STEP-VA-specific case management services.

14. Out of the amounts in LL.1., $937,300 the second year from the general fund is provided for regional management of STEP-VA services.

15. Out of the amounts in LL.1. $2,600,000 the first year from American Rescue Act Plan funds and $5,190,000 the second year from the general fund is provided for one-time grants to Community Services Boards for the cost of transitioning data systems and clinical processes.

MM. Out of this appropriation, $6,000,000 the first year and $6,000,000 the second year from the general fund shall be provided to establish mental health awareness response and community understanding services alert system programs and community care teams pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each local or regional implementation area program shall receive $600,000 each year for this purpose.

NN. The Department of Behavioral and Health and Developmental Services shall have the authority to promulgate emergency regulations for the Individual and Family Supports Program (IFSP) to ensure an annual public input process that shall include a survey of needs and satisfaction in order to establish plans for the disbursement of IFSP funding in consultation with the IFSP State Council. Based on the Council's recommendation and information gathered during the public input period,?the department will draft program guidelines to establish annual funding priorities.?The department will establish program criteria for each of the required program categories and publish them as part of the Annual Funding Program Guidelines. Additionally, program guidelines shall establish eligibility criteria, the award process, appeals processes, and any other protocols necessary for ensuring the effective use of state funds.? All criteria will be published prior to opening the funding opportunity.

OO. Out of this appropriation, $650,000 the first year and $650,000 the second year from the general fund shall be used to expand and provide additional support to existing mental health dockets.

PP. Out of this appropriation, $5,000,000 the second year from the general fund is provided for substance use disorder-specific training of the intellectual disability and developmental disability provider workforce, the development and implementation of substance use disorder treatment services specific to transition age youth up the age of 25, and additional critical substance use disorder services related to the COVID-19 pandemic. In addition to the funds included in this Item, $5,000,000 the first year is provided for these purposes in Item 486 of this Act out of revenues received from the federal distributions of the American Rescue Plan Act of 2021.

QQ.1. Out of this appropriation, $2,000,000 the first year and $9,000,000 the second year from the general fund shall be provided for the costs of Crisis Intervention Team Assessment Centers or Crisis Stabilization Units that have expanded, or intend to expand, to 23 hour crisis receiving or observation centers. In addition to the funds included in this Item, $7,000,000 the first year is provided for these purposes in Item 486 of this Act out of revenues received from the federal distributions of the American Rescue Plan Act of 2021.

2. Out of the amounts appropriated in paragraph QQ.1. of this item, an amount necessary to develop and implement a crisis receiving center serving adults ages 18 and older in the Region 2000 area (Amherst County, Appomattox County, Bedford County, Campbell County, and Lynchburg City) shall be allocated for this purpose by the Department of Behavioral Health and Developmental Services, which shall contract with Horizon Behavioral Health to implement the crisis receiving center. As part of the contract with

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Horizon Behavioral Health, the department shall require the establishment of an advisory board with law enforcement representatives from the Region 2000 localities to oversee, including financial oversight, and provide governance of the crisis receiving center.

3. The Department of Behavioral Health and Developmental Services shall ensure that health systems, hospitals, and other community providers are eligible to participate in developing and implementing 23-hour crisis receiving or observation centers.

RR. Out of this appropriation, $18,000,000 the second year from the general fund shall be provided to increase compensation for staff that work for Community Services Boards or a Behavioral Health Authority, effective January 1, 2024. The Department of Behavioral Health and Developmental Services may fund up to 100 percent of the costs of the compensation increase.

SS. Out of this appropriation, $4,350,000 the second year from the general fund is provided to increase funding for the first three steps of STEP-VA, including same day access, primary care screening, and outpatient services at community service boards.

Total for Grants to Localities			**$591,923,587**	**~~$655,486,687~~** ***$712,036,687***
Fund Sources: General	$497,191,587	~~$558,032,889~~ *$614,582,889*		
Dedicated Special Revenue	$4,732,000	$7,453,798		
Federal Trust	$90,000,000	$90,000,000		

Mental Health Treatment Centers (792)

314.	Instruction (19700)			$176,397	$176,397
	Facility-Based Education and Skills Training (19708)	$176,397	$176,397		
	Fund Sources: General	$34,569	$34,569		
	Special	$5,328	$5,328		
	Federal Trust	$136,500	$136,500		
	Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-73 and P.L. 102-119, Federal Code.				
315.	Secure Confinement (35700)			$21,246,650	$21,246,650
	Forensic and Behavioral Rehabilitation Security (35707)	$21,246,650	$21,246,650		
	Fund Sources: General	$20,802,193	$20,802,193		
	Special	$444,457	$444,457		
	Authority: Title 37.2, Chapter 9, Code of Virginia.				
316.	Pharmacy Services (42100)			$22,339,849	$22,339,849
	Inpatient Pharmacy Services (42102)	$22,339,849	$22,339,849		
	Fund Sources: General	$9,908,759	$9,908,759		
	Special	$12,431,090	$12,431,090		
	Authority: Title 37.2, Chapter 8, Code of Virginia.				
317.	State Health Services (43000)			$304,888,516	$301,774,574
	Geriatric Care Services (43006)	$51,321,415	$51,321,415		
	Inpatient Medical Services (43007)	$18,484,201	$18,484,201		
	State Mental Health Facility Services (43014)	$235,082,900	$231,968,958		
	Fund Sources: General	$278,251,773	$275,137,831		
	Special	$26,636,743	$26,636,743		
	Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				

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A. Out of this appropriation, $700,000 the first year and $700,000 the second year from the general fund shall be used to continue operating up to 13 beds at Northern Virginia Mental Health Institute (NVMHI) that had been scheduled for closure in fiscal year 2013. The Commissioner of the Department of Behavioral Health and Developmental Services shall ensure continued operation of at least 123 beds.

B. The Department of Behavioral Health and Developmental Services shall report by November 1 of each year to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the number of individuals served through discharge assistance plans and the types of services provided.

C. Out of this appropriation, $137,000 the first year and $137,000 the second year from the general fund shall be used to provide transition services in alternate settings for children and adolescents who can be diverted or discharged from state facilities.

D. In order to avoid and manage COVID-19 outbreaks at state facilities, the Department of Behavioral Health and Developmental Services shall coordinate its testing and surveillance activities with the Virginia Department of Health (VDH) and local health districts for the purpose of accessing federal ELC Enhancing Detection Expansion grant funding provided to VDH through the Centers for Disease Control. The Department of Behavioral Health and Developmental Services shall report quarterly to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the expense of these funds, including the number of tests administered.

E. Out of this appropriation, $5,062,489 the first year and $5,062,489 the second year from the general fund is provided to expand therapeutic intervention and discharge planning services to seven days a week at Central State Hospital and Southern Virginia Mental Health Institute. The Department shall report to the Governor and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees on the impact on length of stay, number of discharges occurring during the expanded service time, and overall impact on discharge planning and the census of the affected facilities by August 1, 2023, and each year thereafter.

318.	Facility Administrative and Support Services (49800)		$123,704,314	$171,709,696
	General Management and Direction (49801)	$58,674,340	$106,679,722	
	Information Technology Services (49802)	$9,415,600	$9,415,600	
	Food and Dietary Services (49807)	$14,841,637	$14,841,637	
	Housekeeping Services (49808)	$9,137,371	$9,137,371	
	Linen and Laundry Services (49809)	$1,739,197	$1,739,197	
	Physical Plant Services (49815)	$22,704,114	$22,704,114	
	Power Plant Operation (49817)	$4,272,154	$4,272,154	
	Training and Education Services (49825)	$2,919,901	$2,919,901	
	Fund Sources: General	$108,364,276	$156,369,658	
	Special	$15,276,538	$15,276,538	
	Federal Trust	$63,500	$63,500	

Authority: § 37.2-304, Code of Virginia.

A. Out of this appropriation, $759,000 the first year and $759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state intellectual disability training center when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees for their review and consideration.

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C. Out of this appropriation, $1,798,410 the first year and $1,798,410 the second year from the general fund is provide for additional security positions at Eastern State Hospital and Northern Virginia Mental Health Institute.

D.1. Out of this appropriation, $48,005,382 the second year is provided for salary increases for direct care staff at state facilities. In addition to the funds included in this Item, $45,719,411 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.

2. The Department of Behavioral Health and Developmental Services shall monitor and assess the effectiveness of the compensation actions in reducing vacancy and turnover rates across the state hospital system. If the department determines that such actions have not had the intended effect, then the department shall collaborate with the Department of Planning and Budget on a proposal for additional compensation changes to improve recruitment and retention of staff for consideration to be included in the Governor's budget bill to be introduced in the 2023 Session.

E. Out of this appropriation, $2,354,200 the first year and $2,354,200 the second year from the general fund is provided for 36 additional security positions at state-operated mental health treatment centers.

319. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated behavioral health facility. The report shall be made available on the agency's public website.

Total for Mental Health Treatment Centers			**$472,355,726**	**$517,247,166**
General Fund Positions	4,373.00	4,373.00		
Nongeneral Fund Positions	613.00	613.00		
Position Level	4,986.00	4,986.00		
Fund Sources: General	$417,361,570	$462,253,010		
Special	$54,794,156	$54,794,156		
Federal Trust	$200,000	$200,000		

Intellectual Disabilities Training Centers (793)

320. Instruction (19700)			$3,646,346	$3,646,346
Facility-Based Education and Skills Training (19708)	$3,646,346	$3,646,346		
Fund Sources: General	$3,368,923	$3,368,923		
Special	$77,423	$77,423		
Federal Trust	$200,000	$200,000		

Authority: Title 37.2, Chapter 3, Code of Virginia.

321. Pharmacy Services (42100)			$2,800,042	$2,800,042
Inpatient Pharmacy Services (42102)	$2,800,042	$2,800,042		
Fund Sources: General	$176,315	$176,315		
Special	$2,623,727	$2,623,727		

Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-119, Federal Code.

322. State Health Services (43000)			$35,537,262	$35,537,262
Inpatient Medical Services (43007)	$14,688,830	$14,688,830		
State Intellectual Disabilities Training Center Services (43010)	$20,848,432	$20,848,432		
Fund Sources: General	$5,238,156	$5,238,156		
Special	$30,299,106	$30,299,106		

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Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
The Commissioner of Behavioral Health and Developmental Services shall comply with all relevant state and federal laws and Supreme Court decisions that govern the discharge of residents from state intellectual disability training centers and the granting of intellectual disability waiver slots.				
323. Facility Administrative and Support Services (49800)			$16,805,216	$25,538,400
General Management and Direction (49801)	$4,621,275	$13,354,459		
Information Technology Services (49802)	$588,762	$588,762		
Food and Dietary Services (49807)	$2,996,393	$2,996,393		
Housekeeping Services (49808)	$2,566,857	$2,566,857		
Linen and Laundry Services (49809)	$746,376	$746,376		
Physical Plant Services (49815)	$3,703,381	$3,703,381		
Power Plant Operation (49817)	$832,104	$832,104		
Training and Education Services (49825)	$750,068	$750,068		
Fund Sources: General	$2,575,914	$3,524,490		
Special	$14,229,302	$22,013,910		
Authority: Title 37.1, Chapters 1 and 2, Code of Virginia; P.L. 74-320, Federal Code.				
Out of this appropriation, $948,576 the second year from the general fund and $7,784,608 the second year from nongeneral funds is provided for salary increases for direct care staff. In addition to the funds included in this Item, $6,695,369 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.				
324. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated training center. The report shall be made available on the agency's public website.				
Total for Intellectual Disabilities Training Centers			**$58,788,866**	**$67,522,050**
General Fund Positions	107.00	107.00		
Nongeneral Fund Positions	603.00	603.00		
Position Level	710.00	710.00		
Fund Sources: General	$11,359,308	$12,307,884		
Special	$47,229,558	$55,014,166		
Federal Trust	$200,000	$200,000		
Virginia Center for Behavioral Rehabilitation (794)				
325. Instruction (19700)			$251,126	$251,126
Facility-Based Education and Skills Training (19708)	$251,126	$251,126		
Fund Sources: General	$251,126	$251,126		
326. Secure Confinement (35700)			$21,452,776	$21,452,776
Forensic and Behavioral Rehabilitation Security (35707)	$21,452,776	$21,452,776		
Fund Sources: General	$21,452,776	$21,452,776		
Authority: Title 37.2, Chapter 9, Code of Virginia.				
327. Pharmacy Services (42100)			$1,557,890	$1,557,890
Inpatient Pharmacy Services (42102)	$1,557,890	$1,557,890		
Fund Sources: General	$1,557,890	$1,557,890		

ITEM 327.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
328.	State Health Services (43000)			$13,848,868	$19,488,214
	State Mental Health Facility Services (43014)	$13,848,868	$19,488,214		
	Fund Sources: General	$13,848,868	$19,488,214		

Authority: Title 37.2, Chapters 1 and 9, Code of Virginia.

Out of this appropriation, $5,639,346 the second year from the general fund is provided for salary increases for direct care staff. In addition to the funds included in this Item, $5,370,806 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.

329.	Facility Administrative and Support Services (49800)			$15,916,238	$15,916,238
	General Management and Direction (49801)	$4,348,564	$4,348,564		
	Information Technology Services (49802)	$685,191	$685,191		
	Food and Dietary Services (49807)	$3,171,218	$3,171,218		
	Housekeeping Services (49808)	$438,821	$438,821		
	Physical Plant Services (49815)	$7,167,750	$7,167,750		
	Training and Education Services (49825)	$104,694	$104,694		
	Fund Sources: General	$15,916,238	$15,916,238		

Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.

A. In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the VCBR or conditionally released, or additional capacity cannot be met at the VCBR, the Commissioner is authorized to seek such services from another state.

B. Out of this appropriation, $540,000 the first year and $540,000 the second year from the general fund is provided for the treatment costs of residents diagnosed with hepatitis. The facility shall make efforts to use certified federal 340B providers for the dispensing of any associated pharmaceuticals.

C. Within 15 days of any appropriation transfer to the Virginia Center for Behavioral Rehabilitation from any other sub-agency within the Department of Behavioral Health and Developmental Services, the Department of Planning and Budget shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. The notice shall include the amount, fund source and reason for the transfer with an explanation of why the funding being transferred has no impact on the sub-agency from which it is transferred.

Total for Virginia Center for Behavioral Rehabilitation			**$53,026,898**	**$58,666,244**
General Fund Positions	886.50	886.50		
Position Level	886.50	886.50		
Fund Sources: General	$53,026,898	$58,666,244		
Grand Total for Department of Behavioral Health and Developmental Services			**$1,400,446,214**	**~~$1,516,987,566~~** ***$1,674,003,964***
General Fund Positions	5,885.00	5,885.00		
Nongeneral Fund Positions	1,262.75	1,262.75		
Position Level	7,147.75	7,147.75		
Fund Sources: General	$1,151,807,058	~~$1,253,438,129~~ *$1,409,038,129*		
Special	$120,869,118	~~$131,386,387~~ *$132,802,785*		
Dedicated Special Revenue	$6,732,378	$11,125,390		
Federal Trust	$121,037,660	$121,037,660		

ITEM 329.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
§ 1-97. DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (262)				
330. Rehabilitation Assistance Services (45400).....			$103,142,327	~~$103,142,327~~ *$103,255,151*
Vocational Rehabilitation Services (45404).....	$82,825,507	$82,825,507		
Community Rehabilitation Programs (45406).....	$20,316,820	~~$20,316,820~~ *$20,429,644*		
Fund Sources: General.....	$36,473,839	~~$36,473,839~~ *$36,586,663*		
Special.....	$464,647	$464,647		
Dedicated Special Revenue.....	$1,626,616	$1,626,616		
Federal Trust.....	$64,577,225	$64,577,225		

Authority: Title 51.5, Chapter 14 , Code of Virginia; P.L. 93-112, Federal Code.

A.1. Out of this appropriation, $10,274,140 the first year and $10,274,140 the second year from the general fund shall be used as state matching dollars for the federal Vocational Rehabilitation State Grant provided under the Rehabilitation Act of 1973, as amended, hereafter referred to as the federal vocational rehabilitation grant. The Department for Aging and Rehabilitative Services (DARS) shall not transfer or expend these dollars for any purpose other than to support activities related to vocational rehabilitation.

2. The annual federal vocational rehabilitation grant award that will be received by DARS is estimated at $66,515,712 for federal fiscal year 2022; $66,515,712 for federal fiscal year 2023; and $66,515,712 for federal fiscal year 2024. In addition to the base annual award amount, DARS is expected to request up to $4,014,762 of additional federal reallotment dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to $19,088,934 for federal fiscal year 2022; $19,088,934 for federal fiscal year 2023; and $19,088,934 for federal fiscal year 2024.

3. Based on the projection of federal award funding in paragraph A.2., DARS shall not request federal vocational rehabilitation grant dollars in excess of $70,530,474 for federal fiscal year 2022; $70,530,474 for federal fiscal year 2023; and $70,530,474 for federal fiscal year 2024, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 30 days. Any federal reallotment dollars received by the agency shall not be used for any purpose that creates an on-going fiscal obligation to the Commonwealth.

4. By October 1 of each year, the department shall submit an annual report that details all vocational rehabilitation program revenues and spending from the prior fiscal year. The report shall also provide spending projections for the current and upcoming fiscal years. This report shall be provided to the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

B. Out of this appropriation, $1,280,512 the first year and $1,280,512 the second year from the general fund shall be used to provide vocational rehabilitation services for persons recovering from mental health issues, alcohol and other substance abuse issues pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services and the Department for Aging and Rehabilitative Services.

C. The Department for Aging and Rehabilitative Services shall use non-federal appropriation in this item to fulfill any necessary match requirement for the federal Supported Employment grant.

D. Out of this appropriation, $2,658,198 the first year and $2,658,198 the second year from the general fund is provided for the Extended Employment Services (EES) program. The funding allocated to employment services organizations shall be allocated consistent with the recommendations of the Employment Service Organizations Steering Committee. The appropriation for EES shall be used for the program and shall not be used for any

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other purpose.

E. Out of this appropriation, $6,294,568 the first year and $6,294,568 the second year from the general fund is provided for the Long Term Employment Support Services (LTESS) program.

F. Recovery of administrative costs for the Long Term Employment Support Services program shall be limited to 1.70 percent the first year and 1.70 percent the second year.

G. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department for Aging and Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee.

H. Of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to contract with Didlake Inc., for the purpose of extended employment services and Long Term Employment Support Services for people with disabilities.

I. A minimum of $6,697,640 the first year and $6,697,640 the second year from general fund dollars is allocated to support Centers for Independent Living.

J. The Department for Aging and Rehabilitative Services shall fulfill the administrative responsibilities pertaining to the Personal Attendant Services program, without interruption or discontinuation of personal attendant services currently provided.

K. Out of this appropriation, it is estimated that $2,349,935 the first year and ~~$2,349,935~~ *$2,462,759* the second year from the general fund shall be used for personal assistance services for individuals with disabilities.

L.1. Out of this appropriation, $7,746,719 the first year and $7,746,719 the second year from the general fund shall be provided for expanding the continuum of services used to assist persons with brain injuries in returning to work and community living.

2. Of this amount, $1,830,000 the first year and $1,830,000 the second year from the general fund shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to $150,000 each year shall be awarded to successful program applicants. Programs currently receiving more than $250,000 from the general fund each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, program applicants shall submit plans to pursue non-state resources to complement the provision of general fund support.

3. Of this amount, $285,000 the first year and $285,000 the second year shall be provided from the general fund to support direct case management services for brain injured individuals and their families in Southwestern Virginia.

4. Of this amount, $720,000 the first year and $720,000 the second year from the general fund shall be used to support case management services for individuals with brain injuries in unserved or underserved regions of the Commonwealth.

5. In allocating additional funds for brain injury services, the Department for Aging and Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council (VBIC).

6. The Department for Aging and Rehabilitative Services (DARS) shall submit an annual report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources.

M.1. For Commonwealth Neurotrauma Initiative Trust Fund grants awarded after July 1, 2004, the commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.

2. Notwithstanding any other law to the contrary, the commissioner may reallocate up to $500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries.

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N. Out of this appropriation, $446,618 the first year and $446,618 the second year from the general fund shall be allocated to the Long-Term Rehabilitation Case Management Services Program.

O. Every county and city, either singly or in combination with another political subdivision, may establish a local disability services board to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested.

P. An employment services organization that had a CARF accreditation may continue to receive funding for Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) for up to six months after their accreditation expires if the organization is actively pursuing CARF reaccreditation.

Q. The Employment Services Organization Steering Committee (ESOSC), as established in §51.5-169.2, Code of Virginia, shall report to and advise the Commissioner on policy, funding, and the allocation of funds to employment services organizations (ESOs) for Long Term Employment Support Services and Extended Employment Services pursuant to § 51.5-169.1, Code of Virginia, as well as all other services of which ESOs are current or proposed vendors.

331.	Individual Care Services (45500)		$39,789,449	~~$39,539,449~~ *$40,239,449*
	Financial Assistance for Local Services to the Elderly (45504)	$32,132,787	~~$31,882,787~~ *$32,582,787*	
	Rights and Protection for the Elderly (45506)	$7,656,662	$7,656,662	
	Fund Sources: General	$20,003,634	~~$19,753,634~~ *$20,453,634*	
	Special	$90,000	$90,000	
	Dedicated Special Revenue	$200,000	$200,000	
	Federal Trust	$19,495,815	$19,495,815	

Authority: Title 51.5, Chapter 14, Code of Virginia.

A. Out of this appropriation, $456,209 the first year and $456,209 the second year from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.

B.1. Out of this appropriation, $3,785,000 the first year and $3,785,000 the second year from the general fund shall be provided to support local and regional programs of the Virginia Public Guardian and Conservator Program. This funding is estimated to provide 757 client slots the first year and 757 client slots the second year for unrestricted guardianship services.

2. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness or intellectual disability (ID). This funding is estimated to provide 40 client slots the first year and 40 client slots the second year for guardianship services for individuals with mental illness or intellectual disabilities.

3. Out of this appropriation, $2,270,000 the first year and $2,270,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with intellectual disabilities (ID) and developmental disabilities (DD). This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services. This funding is estimated to provide 454 client slots the first year and 454 client slots the second year for guardianship services for individuals with ID/DD, as authorized by DBHDS.

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4. Out of this appropriation, $686,000 the first year and $686,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness. This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services. This funding is estimated to provide 98 client slots the first year and 98 client slots the second year for guardianship services for individuals with mental illness, as authorized by DBHDS.

C.1. Area Agencies on Aging that are authorized to use funding for the Care Coordination for the Elderly Program, shall be authorized to use funding to conduct a program providing mobile, brief intervention and service linking as a form of care coordination. The Department for Aging and Rehabilitative Services, in collaboration with the Area Agencies on Aging, shall analyze the resulting impact in these agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds.

2. The Department for Aging and Rehabilitative Services, in collaboration with Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. The department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards. Each AAA receiving care coordination funding shall submit its plan for care coordination with the annual area plan.

D. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.

E. The Department for Aging and Rehabilitative Services shall (i) recommend strategies to coordinate services and resources among agencies involved in the delivery of services to Virginians with dementia; (ii) monitor the implementation of the Dementia State Plan; (iii) recommend policies, legislation, and funding needed to implement the Plan; (iv) collect and monitor data related to the impact of dementia on Virginians; and (v) determine the services, resources, and policies that may be needed to address services for individuals with dementia.

F. Out of this appropriation, $201,875 the first year and $201,875 the second year from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.

G. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.

H. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to contract with the Jewish Social Services Agency to provide assistance to low-income seniors who have experienced trauma.

I. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided to contract with Birmingham Green to provide residential services to low-income, disabled individuals.

J. Out of this appropriation, $262,500 the first year and $262,500 the second year from the general fund shall be provided for an interdisciplinary plan of care and dementia care management for 88 individuals diagnosed with dementia. This service shall be provided through a partnership between the Memory and Aging Care Clinic at the University of Virginia and the Alzheimer's Association. The Department for Aging and Rehabilitative Services shall report the status and provide an update on the results of the dementia case management program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year.

K. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be provided to contract with Area Agencies on Aging utilizing the Virginia Insurance Counseling and Assistance Program (VICAP) to provide counseling to Medicare beneficiaries about health insurance options and plans.

L. Out of this appropriation, $250,000 the first year from the general fund is provided for the Department for Aging and Rehabilitative Services to determine the potential cost of

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addressing unmet needs for in-home services and home modifications provided to older adults by area agencies on aging and local departments of social services across the Commonwealth, by region. This information shall be reported to the Joint Commission on Health Care, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.

M. Out of this appropriation, $700,000 the second year from the general fund shall be provided to hold harmless the Area Agencies on Aging due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding.

332. Nutritional Services (45700)			$22,144,603	$22,144,603
Meals Served in Group Settings (45701)	$9,521,747	$9,521,747		
Distribution of Food (45702)	$549,342	$549,342		
Delivery of Meals to Home-Bound Individuals (45703)	$12,073,514	$12,073,514		
Fund Sources: General	$6,403,648	$6,403,648		
Federal Trust	$15,740,955	$15,740,955		

Authority: Title 51.5, Chapter 14, Code of Virginia.

Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.

333. A. Area Agencies on Aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

B. It is the intent of the General Assembly that all Area Agencies on Aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the Area Agencies on Aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as long as possible. Area Agencies on Aging may use general fund moneys for consumer-directed services.

D. At the request of the Commissioner, Department for Aging and Rehabilitative Services, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by Area Agencies on Aging between service categories. Each individual Area Agency on Aging may transfer up to the maximum amount of federal funds and matching state general fund amounts allowed by federal law between service categories. Further, each Area Agency on Aging may transfer undesignated state general fund amounts among service categories. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the department's General Fund Cash Management Policy.

334. Continuing Income Assistance Services (46100)			$56,355,832	~~$56,355,832~~ *$55,355,832*
Social Security Disability Determination (46102)	$56,355,832	~~$56,355,832~~ *$55,355,832*		

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Fund Sources: General	$1,515,236	~~$1,515,236~~ *$515,236*		
Special	$152,258	$152,258		
Federal Trust	$54,688,338	$54,688,338		

Authority: Title 51.5, Chapter 14, Code of Virginia; Titles II and XVI, P.L. 74-271, Federal Code.

A. The Department for Aging and Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning hospitalized persons to rehabilitation facilities when the patient may meet the criteria established by the Social Security Administration (SSA) and Medicaid for disability. As part of this expedited process, the Department for Aging and Rehabilitative Services (DARS) shall make Medicaid disability determinations within seven business days of the receipt of social service referrals, when the referrals include sufficient evidence that appropriately documents SSA's definition of disability. If the referrals do not contain sufficient documentation of disability, DARS shall continue to expedite processing of these priority referrals under Medicaid regulations.

B. The general fund appropriation in this item shall only be used for the cost of Medicaid disability determinations and for no other purpose.

335. Adult Programs and Services (46800)			$8,882,584	$8,807,584
Management and Quality Assurance of Aging Services (46811)	$3,596,577	$3,521,577		
Central Oversight and Quality Assurance for Adult Protective Services (46812)	$2,502,996	$2,502,996		
State Long-Term Care Ombudsman Services (46813)	$1,710,403	$1,710,403		
No Wrong Door Initiative (46814)	$1,072,608	$1,072,608		
Fund Sources: General	$5,418,425	$5,343,425		
Special	$84,232	$84,232		
Federal Trust	$3,379,927	$3,379,927		

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.

A. 1. Out of this appropriation, $459,001 the first year and $384,001 the second year from the general fund shall be used to administer and oversee public guardianship programs and for no other purpose.

2. Of this amount, $93,395 the first year and $93,395 the second year shall be used to support the administrative costs associated with serving individuals pursuant to interagency agreements for the provision of public guardianship services between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services.

B. Out of this appropriation, up to $5,000 the first year and $5,000 the second year from the general fund shall be provided to support activities of the Virginia Public Guardianship and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

C. Out of this appropriation, $109,113 the first year and $109,113 the second year from the general fund is provided to support a position dedicated to monitoring and auditing the auxiliary grant (AG) program. The department shall develop an annual report on the AG program. This report shall include an overview of the program as well as a summary of oversight activities and findings. In addition, the report shall include for each month of the previous fiscal year, the number of Auxiliary Grant recipients living in a supportive housing setting as well as the number of individuals receiving an AG supportive housing slot that were discharged from a state behavioral health facility in the prior 12 months. DARS shall provide this report to the Director, Department of Planning and Budget and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by September 1 of each year.

D. Out of this appropriation, $1,219,943 the first year and $1,219,943 the second year from

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the general fund is provided for 12 full-time and two part-time positions to support the Office of the State Long-term Care Ombudsman.

E. Out of this appropriation, $545,000 the first year and $545,000 the second year from the general fund is provided to cover PeerPlace license costs for local workers as well as the on-going cost of system modifications.

F. The Department for Aging and Rehabilitative Services (DARS) shall promulgate regulations to reflect that 1) the Department of Medical Assistance Services is no longer the entity responsible for payment of/for completed assessments and authorizations of ALF placement for public pay individuals, and 2) the cost of ALF assessments conducted by qualified assessors identified in 22VAC30-110-20 for public pay individuals shall be borne by each entity conducting the assessment.

G. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for demographic services to obtain reliable data for determining needs and service planning for aging services.

H. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be used to support the Senior Legal Helpline.

336.	Administrative and Support Services (49900)			$16,031,957	$16,031,957
	General Management and Direction (49901)	$9,223,561	$9,223,561		
	Information Technology Services (49902)	$6,038,949	$6,038,949		
	Planning and Evaluation Services (49916)	$769,447	$769,447		
	Fund Sources: General	$852,286	$852,286		
	Special	$12,017,642	$12,017,642		
	Federal Trust	$3,162,029	$3,162,029		

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.

337. Included in the Federal Trust appropriation are amounts estimated at $583,541 the first year and $583,541 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this Act. Amounts recovered in excess of these estimates shall be deposited to the general fund.

Total for Department for Aging and Rehabilitative Services			**$246,346,752**	**~~$246,021,752~~** ***$245,834,576***
General Fund Positions	95.76	95.76		
Nongeneral Fund Positions	882.26	882.26		
Position Level	978.02	978.02		
Fund Sources: General	$70,667,068	~~$70,342,068~~ *$70,154,892*		
Special	$12,808,779	$12,808,779		
Dedicated Special Revenue	$1,826,616	$1,826,616		
Federal Trust	$161,044,289	$161,044,289		

Wilson Workforce and Rehabilitation Center (203)

338.	Rehabilitation Assistance Services (45400)			$13,027,544	$13,027,544
	Vocational Rehabilitation Services (45404)	$8,026,547	$8,026,547		
	Medical Rehabilitative Services (45405)	$5,000,997	$5,000,997		
	Fund Sources: General	$3,319,356	$3,319,356		
	Federal Trust	$9,708,188	$9,708,188		

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482 and P.L. 95-602, Federal Code.

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339.	Facility Administrative and Support Services (49800)			$10,742,543	$10,742,543
	General Management and Direction (49801)	$1,598,887	$1,598,887		
	Information Technology Services (49802)	$574,118	$574,118		
	Security Services (49803)	$632,435	$632,435		
	Residential Services (49804)	$1,555,134	$1,555,134		
	Food and Dietary Services (49807)	$808,850	$808,850		
	Physical Plant Services (49815)	$5,573,119	$5,573,119		
	Fund Sources: General	$2,593,465	$2,593,465		
	Special	$95,000	$95,000		
	Federal Trust	$8,054,078	$8,054,078		
	Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112 and P.L. 95-602, Federal Code.				
	Comprehensive services available on-site at Wilson Workforce and Rehabilitation Center shall include, but not be limited to, vocational services, including evaluation, prevocational, academic, and vocational training; independent living services; transition from school to work services; rehabilitative engineering and assistive technology; and medical rehabilitation services, including residential, outpatient, supported living, community reentry, and family support.				
	Total for Wilson Workforce and Rehabilitation Center			**$23,770,087**	**$23,770,087**
	General Fund Positions	58.80	58.80		
	Nongeneral Fund Positions	193.20	193.20		
	Position Level	252.00	252.00		
	Fund Sources: General	$5,912,821	$5,912,821		
	Special	$95,000	$95,000		
	Federal Trust	$17,762,266	$17,762,266		
	Grand Total for Department for Aging and Rehabilitative Services			**$270,116,839**	**~~$269,791,839~~** ***$269,604,663***
	General Fund Positions	154.56	154.56		
	Nongeneral Fund Positions	1,075.46	1,075.46		
	Position Level	1,230.02	1,230.02		
	Fund Sources: General	$76,579,889	~~$76,254,889~~ *$76,067,713*		
	Special	$12,903,779	$12,903,779		
	Dedicated Special Revenue	$1,826,616	$1,826,616		
	Federal Trust	$178,806,555	$178,806,555		

§ 1-98. DEPARTMENT OF SOCIAL SERVICES (765)

340.	Program Management Services (45100)			$57,657,545	$50,975,425
	Training and Assistance to Local Staff (45101)	$5,225,542	$5,225,542		
	Central Administration and Quality Assurance for Benefit Programs (45102)	$14,175,415	$14,175,415		
	Central Administration and Quality Assurance for Family Services (45103)	$18,550,754	$13,868,634		
	Central Administration and Quality Assurance for Community Programs (45105)	$14,884,896	$12,884,896		
	Central Administration and Quality Assurance for Child Care Activities (45107)	$4,820,938	$4,820,938		
	Fund Sources: General	$27,636,380	$21,245,320		
	Special	$100,000	$100,000		
	Dedicated Special Revenue	$267,722	$267,722		

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Federal Trust.....	$29,653,443	$29,362,383		

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 and Appropriations 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 and Appropriations 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 §§ 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, 10 positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the 10 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 and Appropriations 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. 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.

G. The Department of Social Services shall not implement the Percentage of Income Payment Program (PIPP) until such time as there is adequate fee revenue from the universal service fee, collected by utility providers, available to fund the administrative costs necessary to implement the program, not to exceed $3.0 million. Maximum allowable administrative costs are in totality and include costs borne by the Department of Housing and Community Development for PIPP administration.

H. Out of this appropriation, $54,309 the first year and $54,309 the second year from the

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general fund and $162,926 the first year and $162,926 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.

I. Out of this appropriation, $2,000,000 the first year from the general fund shall be provided to resettlement agencies to provide assistance to refugees that relocate to the Commonwealth.

J. The Department of Social Services shall create a workgroup to study Temporary Assistance for Needy Families (TANF) block grant spending. The workgroup shall include appropriate staff from the Office of the Secretary of Health and Human Resources, the Department of Planning and Budget, and the House Appropriations and Senate Finance and Appropriations Committees. DSS shall submit a final report with options and recommendations for changes necessary to ensure annual structural balance in state TANF spending. These recommendations, if accepted, shall ensure that planned spending shall not exceed the annual federal TANF award beginning in FY 2025. The report shall be made to the Governor, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by September 1, 2022.

K. Out of this appropriation, $291,060 the first year from the general fund and $291,060 the first year from nongeneral funds and five positions shall be provided to support the development of collaborative partnerships between local departments of social services to increase capacity to approve kinship caregivers and recruit, train, and develop locally approved foster parents.

L.1. Out of this appropriation, $1,100,000 the first year from the general fund shall be provided to create an enhanced treatment foster care pilot program. This program will serve foster homes caring for high acuity children and provide participating foster families with an annual stipend of up to $45,000.

2. Out of the amounts in L.1., $200,000 the first year from the general fund shall be provided to foster care agencies to cover the costs of coordination, recruitment, and additional training.

M. Out of this appropriation, $3,000,000 the first year from the general fund shall be provided to support the initiatives of the Safe and Sound Task Force including community-based treatments, support for kinship, foster and adoptive families, and trauma-informed care for children in foster care who are displaced or who are at risk of being displaced.

341.	Financial Assistance for Self-Sufficiency Programs and Services (45200)		$163,668,940	$161,265,129
	Temporary Assistance for Needy Families (TANF) Cash Assistance (45201)	$85,759,181	$86,357,163	
	Temporary Assistance for Needy Families (TANF) Employment Services (45212)	$17,045,689	$17,045,689	
	Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213)	$2,205,341	$2,205,341	
	Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214)	$38,707,424	$38,707,424	
	At-Risk Child Care Subsidies (45215)	$2,864,671	$2,864,671	
	Unemployed Parents Cash Assistance (45216)	$17,086,634	$14,084,841	
	Fund Sources: General	$91,730,258	$88,728,465	
	Federal Trust	$71,938,682	$72,536,664	

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, 2021 there existed with the federal government an unexpended balance of $130,397,626 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

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estimated at $79,652,390 on June 30, 2022; $49,119,392 on June 30, 2023; and $17,988,412 on June 30, 2024.

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 an Appropriations 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 social services participating in the Virginia Initiative for Education and Work (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 Education and Work 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. Out of this appropriation, $2,647,305 the first year and $2,647,305 the second year from the general fund shall be provided to support state child care programs.

I. 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

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children in 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.

J. 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.

K. The Department of Social Services shall develop a plan to increase the standards of assistance by 10 percent annually until they equal 50 percent of the federal poverty level.

L.1. The Department of Social Services (DSS) and the Department of Education (DOE) shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement (MOA) between the agencies shall be transferred from DOE to DSS within the first thirty days of the fiscal year. DSS shall notify DOE of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

2. The MOA shall reflect the full cost of the VIEW mandated child care program. From this amount, $38,707,424 the first year and $38,707,424 the second year is appropriated at DSS and the balance shall be transferred from DOE from the CCDF grant to support the VIEW mandated child care program as specified in L.1.

M. Out of this appropriation, $2,120,420 the first year and $2,120,420 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for the Department of Social Services to implement a program so that TANF-eligible individuals may save funds in an individual development account established for the purposes of home purchase, education, starting a business, transportation, or self-sufficiency. The TANF funds shall be deposited to the individual development accounts at a match rate determined by the department.

N. The Department of Social Services shall increase the Temporary Assistance for Needy Families (TANF) cash benefits and income eligibility threshold by five percent effective July 1, 2022.

342.	Financial Assistance for Local Social Services Staff (46000)		$552,763,472	~~$552,716,954~~ *$552,916,954*
	Local Staff and Operations (46010)	$552,763,472	~~$552,716,954~~ *$552,916,954*	
	Fund Sources: General	$148,475,202	~~$148,428,684~~ *$148,628,684*	
	Dedicated Special Revenue	$9,374,916	$9,374,916	
	Federal Trust	$394,913,354	$394,913,354	

Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615

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Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.

D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.

E. Out of the federal fund appropriation for local social services staff, amounts estimated at $83,200,000 the first year and $83,200,000 the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at $24,000,000 the first year and $24,000,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.

F. Out of this appropriation, $562,260 the first year and $562,260 the second year from the general fund and $540,211 the first year and $540,211 the second year from nongeneral funds shall be provided to cover the cost of the health insurance credit for retired local social services employees.

G. The Department of Social Services shall work with local departments of social services on a pilot project in the western region of the state to evaluate the available data collected by local departments on facilitated care arrangements. The department shall, based on the findings from the pilot project, determine the most appropriate mechanism for collecting and reporting such data on a statewide basis.

H.1. Out of this appropriation, $4,527,969 the first year and $4,527,969 the second year from the general fund 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 amount in paragraph H.1. above, $1,333,031 the first year and $1,333,031 the second year from the general fund shall be used to provide Child Protective Services (CPS) assessments and investigations in response to all reports of children born exposed to controlled substances regardless of whether the substance had been prescribed to the mother when she has sought or gained substance abuse counseling or treatment.

I. Out of this appropriation, $594,713 the first year and $594,713 the second year from the general fund and $4,734,573 the first year and $4,734,573 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.

J. Out of this appropriation, $200,000 the second year from the general fund shall be provided to the Buchanan County and Tazewell County Departments of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County and Tazewell County, as provided for in Item 114, paragraph K and paragraph O.

343.	Child Support Enforcement Services (46300)			$786,527,047	$786,844,647
	Support Enforcement and Collection Services (46301)	$121,620,738	$121,938,338		
	Public Assistance Child Support Payments (46302)	$11,000,000	$11,000,000		
	Non-Public Assistance Child Support Payments (46303)	$653,906,309	$653,906,309		
	Fund Sources: General	$12,958,944	$12,958,944		
	Special	$699,988,304	$700,096,288		
	Federal Trust	$73,579,799	$73,789,415		

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Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to $100 per month in child support payments and return to recipients of cash assistance up to $100 per month in child support payments collected on their behalf.

C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed under a proposed contract at a lower cost than if performed by employees of the Commonwealth.

E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once identified, the division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program.

F. Out of this appropriation, $19,694,200 the first year and $20,011,800 the second year from nongeneral funds is appropriated to support the design, development, and implementation of a modernized child support technology system.

344.	Adult Programs and Services (46800)		$48,227,762	~~$48,227,762~~ *$55,477,762*
	Auxiliary Grants for the Aged, Blind, and Disabled (46801)	$26,398,009	~~$26,398,009~~ *$33,648,009*	
	Adult In-Home and Supportive Services (46802)	$6,822,995	$6,822,995	
	Domestic Violence Prevention and Support Activities (46803)	$15,006,758	$15,006,758	
	Fund Sources: General	$31,022,734	~~$31,022,734~~ *$38,272,734*	
	Federal Trust	$17,205,028	$17,205,028	

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective January 1, 2022, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of $1,609 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

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2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be $82 per month, unless modified as indicated below.

3. The Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with an explanation of the reasons for the increase.

4. Effective January 1, 2024, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of $2,055 per month, the rate that is also applied to approved adult foster care homes, unless modified as indicated above. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight. The Department of Planning and Budget is authorized to transfer up to $2,000,000 from the general fund in this Item, if such funding is not required to fund the Auxiliary Grant Rate increase, to cover any increase in Medicaid costs that results from the rate change.

B. Out of this appropriation, $4,185,189 the first year and $4,185,189 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.

D. Out of this appropriation, $248,750 the first year and $248,750 the second year from the general fund and $1,346,792 the first year and $1,346,792 the second year from federal Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

E. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

F. Out of this appropriation $1,100,000 the first year and $1,100,000 the second year from the general fund and $2,500,000 the first year and $2,500,000 the second year from federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for services.

G. Out of this appropriation, $2,650,000 the first year and $2,650,000 the second year from the general fund shall be transferred to the Virginia Sexual and Domestic Violence Prevention Fund. Notwithstanding § 63.2-2300 of the Code of Virginia, the Department of Social Services shall solicit applications for funding by August 1 of each year and shall award the funds by no later than October 1 of each year. Funding shall be awarded for evidence-based services. The department shall report on the allocation of these funds to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year.

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H. The Director, Department of Planning and Budget, shall, on or before June 30, 2024, unallot $3,000,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program.				
345. Child Welfare Services (46900)			$298,006,080	~~$307,495,745~~ *$300,254,160*
Foster Care Payments (46901)	$56,429,721	~~$57,836,121~~ *$44,021,750*		
Supplemental Child Welfare Activities (46902)	$52,374,711	$59,595,156		
Adoption Subsidy Payments (46903)	$162,580,548	~~$162,580,548~~ *$169,153,334*		
Prevention Services (46905)	$26,621,100	$27,483,920		
Fund Sources: General	$143,143,135	~~$149,452,564~~ *$146,094,459*		
Special	$2,434,593	$2,434,593		
Dedicated Special Revenue	$585,265	$585,265		
Federal Trust	$151,843,087	~~$155,023,323~~ *$151,139,843*		

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, Department of Social Services, 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 and Appropriations Committees, and the Director, Department of Planning and Budget.

G. Out of this appropriation, $9,485,711 the first year and $9,485,711 the second year from the general fund and $7,000,000 the first year and $7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.

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H. Out of this appropriation $71,392,849 the first year and $71,392,849 the second year from the general fund and $71,392,848 the first year and $71,392,848 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).

3. The agency shall provide a report on the implementation status of the pilot to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget by September 30, 2022.

L.1. Out of this appropriation, $10,017,668 the first year and $10,017,668 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 L.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).

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M.1. Out of this appropriation, $3,460,195 the first year and $7,121,181 the second year from the general fund and $3,460,195 the first year and $7,121,181 the second year from nongeneral funds shall be available for the development of a compliant comprehensive child welfare information system (CCWIS).

2. 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 and paragraph L.2., 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 and Appropriations 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 and Appropriations 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 10 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.

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. 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.

S. Out of this appropriation, $3,002,400 the first year and $4,408,800 the second year from the general fund is provided to make relative maintenance payments.

T. Out of this appropriation, $50,000 the first year from the general fund shall be provided to implement a public awareness campaign and outreach for the implementation of the Chapter 174, 2022 Acts of Assembly, that provides for the relinquishment of an infant, infant relinquishment locations, and support and resources for parents and the public. The Department of Social Services shall contract with the National Safe Haven Alliance to implement a toll-free 24-hour hotline as required by statute.

346.	Financial Assistance for Supplemental Assistance Services (49100)			$142,757,450	$205,257,450
	General Relief (49101)	$500,000	$500,000		
	Resettlement Assistance (49102)	$9,022,000	$9,022,000		
	Emergency and Energy Assistance (49103)	$73,735,450	$73,735,450		
	Percentage of Income Payment Program (49105)	$59,500,000	$122,000,000		

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Fund Sources: General	$500,000	$500,000		
Dedicated Special Revenue	$59,500,000	$122,000,000		
Federal Trust	$82,757,450	$82,757,450		

Authority: Title 2.2, Chapter 54; Title 56, Chapter 23; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 104-193, as amended, Federal Code.

Out of this appropriation, $59,500,000 the first year and $122,000,000 the second year from nongeneral funds shall be used to fund the Percentage of Income Payment Program (PIPP). This program shall distribute payments to Dominion Energy and Appalachian Power Company on behalf of their qualifying low-income customers participating in PIPP. The maximum cost of the program shall not exceed $125.0 million, including a maximum of $3.0 million for program administration.

347. Financial Assistance to Community Human Services Organizations (49200)			$68,514,789	~~$62,900,789~~ *$65,590,789*
Community Action Agencies (49201)	$22,763,048	$22,763,048		
Volunteer Services (49202)	$3,866,340	$3,866,340		
Other Payments to Human Services Organizations (49203)	$41,885,401	~~$36,271,401~~ *$38,961,401*		
Fund Sources: General	$6,288,500	~~$674,500~~ *$3,274,500*		
Federal Trust	$62,226,289	~~$62,226,289~~ *$62,316,289*		

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 (EITC). 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 and Appropriations Committees by December 1 each year.

3. Out of this appropriation, $9,250,000 the first year and $9,250,000 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.

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

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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, $9,035,501 the first year and $9,035,501 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.1. 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 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.

2. In addition to the amounts in paragraph G. 1., $500,000 the first year and $500,000 the second year from the TANF block grant shall be provided out of the appropriation in this item to Northern Virginia Family Services to deploy a neighborhood-based, mobile service delivery and outreach program.

H. Out of this appropriation, $405,500 the first year and $405,500 the second year from the general fund and $2,136,500 the first year and $2,136,500 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

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the Temporary Assistance for Needy Families (TANF) block grant shall be provided 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.

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 and Appropriations 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.

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 and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.

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.

K.1. Out of this appropriation, $4,500,000 the first year and $4,500,000 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 each year shall be provided for competitive grants provided through Employment Services Organizations (ESOs).

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.

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.

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 304 of this act.

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,

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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 25 percent, including in-kind services.

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~~ *$200,000* 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 and Appropriations Committees that details program services, outputs and outcomes.

M. Out of this appropriation, $150,000 the first year and $150,000 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 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 and Appropriations Committees by July 1, 2019 and annually thereafter.

O. 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 to contract with the Laurel Center in Winchester to provide services to survivors of domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and Warren County.

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, $350,000 the first year and $350,000 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 and $3,000,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to contract with the Virginia Federation of Food Banks to provide child nutrition programs.

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S. Out of this appropriation, $500,000 the first year and $500,000 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 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 Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.

T. Out of this appropriation, $1,200,000 the first year and $1,200,000 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 Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.

U. Out of this appropriation, $100,000 the first year and ~~$100,000~~*$190,000* 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, $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.

W. 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.

X. 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.

Y. 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.

Z. Out of this appropriation, $500,000 the first year from the general fund shall be provided to support the establishment of the Judge Swett Learning Center to promote vocational and educational classes for ex-offenders.

AA.Out of this appropriation, $5,000,000 from the general fund the first year shall be provided to Fairfax County for a CASA vocational welcome center in Fairfax County. The funding may be used for capital, programming, and general operating purposes. Matching funds of $2,500,000 equaling 50% of this funding shall come from private and other nonprofit or governmental funding on a cash or in-kind basis. This funding is to be distributed before the end of fiscal year 2023 and utilized before the end of fiscal year 2027. Funding shall not be distributed for this purpose until Fairfax County has consulted with and received approval from the Secretary of Health and Human Resources.

BB. Out of this appropriation, $114,000 from the general fund the first year shall be

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provided to the Eastern Shore Coalition Against Domestic Violence for operational support and infrastructure of the organization for its programs and administrative operations.

CC. Out of this appropriation, $200,000 the first year and $200,000 the second year from the federal Temporary Assistance to Needy Families block grant shall be provided to Good Shepherd Housing and Family Services for housing, emergency services, children's services, budgeting, counseling and other resources for low-income families.

DD. Out of this appropriation the $2,500,000 the second year from the general fund is provided to the Department of Social Services for state agencies to facilitate and improve language access. The Department of Social Services, in cooperation with the Office of the Secretary of Health and Human Resources, shall develop a process for receiving requests and administering the grants to state agencies for such purposes.

348.	Regulation of Public Facilities and Services (56100)..		$15,795,849	$15,285,523
	Regulation of Adult and Child Welfare Facilities (56101).....	$12,653,220	$12,142,894	
	Background Investigation Services (56106).....	$3,142,629	$3,142,629	
	Fund Sources: General.....	$8,273,338	$7,763,012	
	Special.....	$3,280,066	$3,280,066	
	Federal Trust.....	$4,242,445	$4,242,445	

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, $786,369 the first year and $786,369 the second year from the general fund shall be appropriated to fund the operations and maintenance and application software fees for the agency licensing system.

349.	Emergency Preparedness (77500).....		$901,997	$901,997
	Emergency Planning Preparedness Assistance (77503).....	$901,997	$901,997	
	Fund Sources: General.....	$308,851	$308,851	
	Federal Trust.....	$593,146	$593,146	

Authority: Title 44, Chapter 3.2, Code of Virginia

A. By October 1 of each year, the Sheltering Coordinator shall provide a status report on the Commonwealth's emergency shelter capabilities and readiness to the Governor, the Secretary of Health and Human Resources, the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairmen of the House

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B.1. The Department of Social Services, in consultation with institutions of higher education, and with the assistance of the Virginia Department of Emergency Management and the Department of General Services, shall develop a model state shelter plan to include but not limited to the process of mobilization and demobilization of the shelter; relocation of residents when a state shelter is de-activated; warehousing of pre-positioned supplies; potential use of existing resources and vendors already under contract with institutions of higher education; and cost estimates for resources that would be reimbursed by the Commonwealth. The Department shall submit a report on the model plan and its recommendations, including challenges implementing such plan in all state shelters, by October 15, 2022, to the chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety and Homeland Security, and the Secretary of Finance.

2. Notwithstanding any other provision of law, the Department of Social Services, in consultation with the Virginia Department of Emergency Management, shall determine and document the specifications of all goods and services required in the event of state shelter activation and provide the specifications to the Department of General Services. In so doing, the Department shall work with each institution of higher education at which a state shelter may be located to identify site-specific goods and services needs to operate the shelter. The Department will identify the extent to which an institution of higher education may have existing contracts for goods and services that could be used to support state shelter operations. In addition the Department will identify warehousing space that is or may be available at institutions of higher education for the storage of supplies. The department shall revise its specification and warehousing documentation as needed providing updates to the Department of General Services annually thereafter by November 1 each year.

3. All state agencies are directed to provide all information or assistance requested by the Department to complete or revise this documentation to support state shelters. Immediately following activation of one or more state shelters, the Department shall be responsible for submitting procurement orders as needed on behalf of affected institutions of higher education to the Virginia Department of Emergency Management and the Department of General Services for fulfillment in support of state shelter activation.

350.	Administrative and Support Services (49900)		$131,597,625	$131,597,625
	General Management and Direction (49901)	$9,680,483	$9,680,483	
	Information Technology Services (49902)	$89,374,741	$89,374,741	
	Accounting and Budgeting Services (49903)	$9,177,113	$9,177,113	
	Human Resources Services (49914)	$6,028,212	$6,028,212	
	Planning and Evaluation Services (49916)	$4,466,011	$4,466,011	
	Procurement and Distribution Services (49918)	$4,456,552	$4,456,552	
	Public Information Services (49919)	$4,084,766	$4,084,766	
	Financial and Operational Audits (49929)	$4,329,747	$4,329,747	
	Fund Sources: General	$51,423,909	$51,423,909	
	Special	$175,000	$175,000	
	Dedicated Special Revenue	$2,000,000	$2,000,000	
	Federal Trust	$77,998,716	$77,998,716	

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

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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, $836,149 the first year and $836,149 the second year from the general fund and $1,331,847 the first year and $1,331,847 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.

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 and Appropriations 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 and Appropriations 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 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.

G. The Department of Social Services shall design, for consideration by the 2023 General Assembly, a program that provides a fixed reimbursement, which shall not exceed $15 monthly, for broadband service costs for select households currently participating in the Supplemental Nutrition Assistance Program. The reimbursement payments under the program shall be structured as a direct payment to a broadband provider selected by the qualifying program participant household, provided that the selected broadband provider offers a low-

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cost broadband service for low-income households within its service area in the Commonwealth. The department shall develop program guidelines in coordination with the Commonwealth Broadband Chief Advisor to govern eligibility for participation in the program and disbursement of program funds. The department shall report on the program design and structure, administrative cost estimates, program guidelines, and other relevant information related to implementing the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.

H. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Department of Social Services to increase interpretation and translation services to help immigrants in Virginia access local resources through 2-1-1, including healthcare, housing, and other social services.

351. A. In the operation of any program of public assistance, including benefit and service programs in any locality, for which program appropriations are made to the Department of Social Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefor under federal and/or state statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality.

B. However, no such repayments may be required of the locality if the department determines that such overpayment or payments to ineligibles resulted from the promulgation of vague or conflicting regulations by the department or from the failure of the department to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions, causing the overpayment or payment to ineligible(s) to be made by the locality or from situations where a locality exercised due diligence, yet received incomplete or incorrect information from the client which caused the overpayment or payment to ineligibles. If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the department to the locality for the same program.

C. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.

352. A. The amount for the Supplemental Nutrition Assistance Program (SNAP) shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department of Social Services shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for Supplemental Nutrition Assistance Program (SNAP) recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.

C. To the extent permitted by federal law, Supplemental Nutrition Assistance Program

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(SNAP) recipients subject to a work requirement pursuant to § 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, shall be permitted to satisfy such work requirement by providing volunteer services to a public or private, nonprofit agency for the number of hours per month determined by dividing the household's monthly SNAP allotment by the federal minimum wage.

D. The Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the Supplemental Nutrition Assistance Program (SNAP).

E. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for the federal Supplemental Nutrition Assistance Program (SNAP) and ensure that they have access to benefits under SNAP. To the extent permitted by federal law, the department shall administer SNAP in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of SNAP receipt on their immigration sponsors and status.

Total for Department of Social Services			**$2,266,418,556**	**~~$2,323,469,046~~** ***$2,326,367,461***
General Fund Positions	674.00	671.50		
Nongeneral Fund Positions	1,086.50	1,084.00		
Position Level	1,760.50	1,755.50		
Fund Sources: General	$521,761,251	~~$512,506,983~~ *$519,198,878*		
Special	$705,977,963	$706,085,947		
Dedicated Special Revenue	$71,727,903	$134,227,903		
Federal Trust	$966,951,439	~~$970,648,213~~ *$966,854,733*		

§ 1-99. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)

353.	Social Services Research, Planning, and Coordination (45000)			$1,732,973	$1,732,973
	Research, Planning, Outreach, Advocacy, and Systems Improvement (45002)	$1,049,528	$1,049,528		
	Administrative Services (45006)	$683,445	$683,445		
	Fund Sources: General	$234,058	$234,058		
	Federal Trust	$1,498,915	$1,498,915		

Authority: Title 51.5, Chapter 7, Code of Virginia.

Up to $44,474 the first year and up to $44,474 the second year is available for the Virginia Board for People with Disabilities (VBPD) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between VBPD and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.

354.	Financial Assistance for Individual and Family Services (49000)			$401,475	$401,475
	Financial Assistance to Localities for Individual and Family Services (49001)	$401,475	$401,475		
	Fund Sources: Federal Trust	$401,475	$401,475		

Authority: Title 51.5, Chapter 7, Code of Virginia.

Total for Virginia Board for People with Disabilities			**$2,134,448**	**$2,134,448**
General Fund Positions	1.60	1.60		
Nongeneral Fund Positions	8.40	8.40		

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	Position Level	10.00	10.00		
	Fund Sources: General	$234,058	$234,058		
	Federal Trust	$1,900,390	$1,900,390		

§ 1-100. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)

355.	Statewide Library Services (14200)			$1,325,674	$1,325,674
	Library and Resource Center Services (14202)	$1,325,674	$1,325,674		
	Fund Sources: General	$1,325,674	$1,325,674		

Authority: § 51.5-74, Code of Virginia; P.L. 89-522, and P.L. 101-254, Federal Code.

Out of this appropriation, $266,163 the first year and $266,363 the second year from the general fund shall be used to contract for the provision of radio reading services for the blind and vision impaired.

356.	State Education Services (19100)			$1,831,435	$1,831,435
	Braille and Instructional Materials (19101)	$769,766	$769,766		
	Educational and Early Childhood Support Services (19102)	$1,061,669	$1,061,669		
	Fund Sources: General	$1,103,679	$1,103,679		
	Trust and Agency	$55,000	$55,000		
	Federal Trust	$672,756	$672,756		

Authority: §§ 22.1-214 and 22.1-217, Code of Virginia; P.L. 89-313, P.L. 97-35 and P.L. 102-119, Federal Code.

357.	Rehabilitation Assistance Services (45400)			$14,947,012	$14,947,012
	Low Vision Services (45401)	$274,513	$274,513		
	Vocational Rehabilitation Services (45404)	$9,094,010	$9,094,010		
	Community Based Independent Living Services (45407)	$5,107,915	$5,107,915		
	Vending Stands, Cafeterias, and Snack Bars (45410)	$470,574	$470,574		
	Fund Sources: General	$3,642,238	$3,642,238		
	Special	$844,731	$844,731		
	Federal Trust	$10,460,043	$10,460,043		

Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112, Federal Code.

A. It is the intent of the General Assembly that visually handicapped persons who have completed vocational training as food service managers through programs operated by the Department be considered for food service management position openings within the Commonwealth as they arise.

B. 1.The annual federal vocational rehabilitation grant award that will be received by the Department for the Blind and Vision Impaired (DBVI) is estimated at $9,939,129 for federal fiscal year 2022; $9,939,129 for federal fiscal year 2023; and $9,939,129 for federal fiscal year 2024. In addition to the base annual award amount, DBVI may request up to $2,000,000 of additional federal reallotment dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to $3,231,302 for federal fiscal year 2022; $3,231,302 for federal fiscal year 2023; and $3,231,302 for federal fiscal year 2024.

2. Based on the projection of federal award funding in paragraph B.1., DBVI shall not request federal vocational rehabilitation grant dollars in excess of $11,939,129 for federal fiscal year 2022; $11,939,129 for federal fiscal year 2023; and $11,939,129 for federal fiscal year 2024, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and

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	Appropriations Committees within 30 days.				
358.	Regional Office Support and Administration (49700).			$3,098,229	$3,098,229
	Regional Office and Field Support Services (49701)..	$3,098,229	$3,098,229		
	Fund Sources: General	$1,567,029	$1,567,029		
	Federal Trust	$1,531,200	$1,531,200		
	Authority: Title 2.2, Chapter 36; Title 51.5, Chapter 13, Code of Virginia; P.L. 93-112 and P.L. 97-35, Federal Code.				
359.	Rehabilitative Industries (81000)			$62,857,956	$62,857,956
	Manufacturing, Retail, and Contract Operations (81003)	$62,857,956	$62,857,956		
	Fund Sources: Enterprise	$62,857,956	$62,857,956		
	Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.				
	The Industry Production Workers with the Virginia Industries for the Blind shall not be counted in the classified employment levels of the Department for the Blind and Vision Impaired.				
360.	Administrative and Support Services (49900)			$5,272,071	$5,272,071
	General Management and Direction (49901)	$3,442,339	$3,442,339		
	Physical Plant Services (49915)	$1,829,732	$1,829,732		
	Fund Sources: General	$1,624,159	$1,624,159		
	Special	$1,465,692	$1,465,692		
	Enterprise	$1,500,000	$1,500,000		
	Trust and Agency	$223,109	$223,109		
	Federal Trust	$459,111	$459,111		
	Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35, Federal Code.				
	Up to $1,556,997 the first year and up to $1,556,997 the second year is available for the Department for the Blind and Vision Impaired (DBVI) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DBVI and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.				
	Total for Department for the Blind and Vision Impaired			**$89,332,377**	**$89,332,377**
	General Fund Positions	69.00	69.00		
	Nongeneral Fund Positions	93.00	93.00		
	Position Level	162.00	162.00		
	Fund Sources: General	$9,262,779	$9,262,779		
	Special	$2,310,423	$2,310,423		
	Enterprise	$64,357,956	$64,357,956		
	Trust and Agency	$278,109	$278,109		
	Federal Trust	$13,123,110	$13,123,110		
	Virginia Rehabilitation Center for the Blind and Vision Impaired (263)				
361.	Rehabilitation Assistance Services (45400)			$1,705,313	$1,705,313
	Social and Personal Adjustment to Blindness Training (45408)	$1,705,313	$1,705,313		
	Fund Sources: General	$172,500	$172,500		
	Special	$6,000	$6,000		

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	Enterprise	$50,000	$50,000		
	Federal Trust	$1,476,813	$1,476,813		
	Authority: § 51.5-1, Code of Virginia; P.L. 93-112, Federal Code.				
362.	Administrative and Support Services (49900)			$1,441,328	$1,441,328
	General Management and Direction (49901)	$694,480	$694,480		
	Food and Dietary Services (49907)	$274,000	$274,000		
	Physical Plant Services (49915)	$472,848	$472,848		
	Fund Sources: General	$189,239	$189,239		
	Special	$38,145	$38,145		
	Federal Trust	$1,213,944	$1,213,944		
	Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
	Out of this appropriation, $172,250 the first year and $172,250 the second year from the general fund shall be used for training individuals whose cost cannot be covered by federal vocational rehabilitation revenue. It is estimated that this funding will support 21 blind, deafblind, and vision impaired individuals.				
	Total for Virginia Rehabilitation Center for the Blind and Vision Impaired			**$3,146,641**	**$3,146,641**
	Nongeneral Fund Positions	26.00	26.00		
	Position Level	26.00	26.00		
	Fund Sources: General	$361,739	$361,739		
	Special	$44,145	$44,145		
	Enterprise	$50,000	$50,000		
	Federal Trust	$2,690,757	$2,690,757		
	Grand Total for Department for the Blind and Vision Impaired			**$92,479,018**	**$92,479,018**
	General Fund Positions	69.00	69.00		
	Nongeneral Fund Positions	119.00	119.00		
	Position Level	188.00	188.00		
	Fund Sources: General	$9,624,518	$9,624,518		
	Special	$2,354,568	$2,354,568		
	Enterprise	$64,407,956	$64,407,956		
	Trust and Agency	$278,109	$278,109		
	Federal Trust	$15,813,867	$15,813,867		
	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES			**$26,373,225,775**	**~~$26,816,144,181~~** ***$28,903,136,299***
	General Fund Positions	8,685.05	8,680.05		
	Nongeneral Fund Positions	6,392.72	~~6,393.72~~ *6,398.72*		
	Position Level	15,077.77	~~15,073.77~~ *15,078.77*		
	Fund Sources: General	$8,156,200,422	~~$8,665,342,569~~ *$8,620,173,336*		
	Special	$1,028,016,724	~~$1,036,820,028~~ *$1,038,934,748*		
	Enterprise	$64,407,956	$64,407,956		
	Trust and Agency	$1,728,674	$1,728,674		
	Dedicated Special Revenue	$1,917,958,869	$2,016,656,789		
	Federal Trust	$15,204,913,130	~~$15,031,188,165~~ *$17,161,234,796*		

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OFFICE OF LABOR

§ 1-101. SECRETARY OF LABOR (195)

363.	Administrative and Support Services (79900)			$599,192	~~$599,192~~ *$1,099,192*
	General Management and Direction (79901)	$599,192	~~$599,192~~ *$1,099,192*		
	Fund Sources: General	$599,192	~~$599,192~~ *$1,099,192*		

Authority: Title 2.2, Chapter 2, Article 6.1; § 2.2-214.2, Code of Virginia.

A. The Secretary of Labor shall competitively procure a national firm with expertise in evaluating the efficiency of an organization's staffing structure, delegation of staff duties, and work processes to conduct a comprehensive efficiency review of the Unemployment Insurance (UI) operations of the Virginia Employment Commission (VEC) to (i) identify specific actions that could be taken to improve the efficiency of VEC's UI operations, including through more efficient and effective use of staff and technology; (ii) recommend improvements to the agency's staffing and workflows to most effectively use existing federal funding for UI operations; and (iii) determine whether current funding is adequate to ensure effective UI operations. The Secretary shall issue an interim report of its findings and recommendations to the General Assembly no later than December 1, 2022 and a final report no later than September 1, 2023.

B. Of the amounts in this Item, $500,000 from the general fund in the second year is provided to support the establishment of the Department of Workforce Development and Advancement in accordance with Chapters 624 and 625, 2023 Acts of Assembly.

Total for Secretary of Labor			**$599,192**	~~**$599,192**~~ ***$1,099,192***
General Fund Positions	4.00	4.00		
Position Level	4.00	4.00		
Fund Sources: General	$599,192	~~$599,192~~ *$1,099,192*		

§ 1-102. DEPARTMENT OF LABOR AND INDUSTRY (181)

364.	Economic Development Services (53400)			$2,557,097	$2,557,097
	Apprenticeship Program (53409)	$2,557,097	$2,557,097		
	Fund Sources: General	$2,000,159	$2,000,159		
	Federal Trust	$556,938	$556,938		

Authority: Title 40.1, Chapter 6, Code of Virginia.

The Office of Registered Apprenticeship within the Department of Labor and Industry shall provide detailed registered apprenticeship data to the Office of Education and Labor Market Alignment in the Virginia Economic Development Partnership Authority on or before December 31, 2022, and quarterly following the date of the initial data delivery. To the extent possible, all data fields requested by the Office of Education and Labor Market Alignment shall be furnished by the Division of Registered Apprenticeship. Data fields shall include the start date of the apprenticeship, the end date of the apprenticeship, occupation, journeyman certifications issued, and other such elements deemed appropriate by the Office of Education and Labor Market Alignment. If federal apprenticeship regulation prohibits data sharing, the Department of Labor and Industry shall submit an explanatory statement including relevant federal regulatory citations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee on or before December 31, 2022, addressing its inability to comply with the provisions of this paragraph.

365.	Regulation of Business Practices (55200)			$2,647,405	$2,047,405

ITEM 365.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Labor Law Services (55206)	$2,647,405	$2,047,405		
Fund Sources: General	$2,647,405	$2,047,405		

Authority: Title 40.1, Chapters 1, 3, 4, and 5, Code of Virginia.

A. Out of the amounts in this item, $843,442 the first year and $843,442 the second year from the general fund is provided to support additional positions within the Labor and Employment Law Division, including one attorney, one supervisor, one administrative staff, and five investigators.

B.1. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's minimum wage program, including, but not limited to, the number of (i) customer contacts concerning minimum wage, (ii) minimum wage claims processed, (iii) cases with wages collected, (iv) cases with claims ruled invalid, (v) cases with final orders issued, and (vi) cases cleared within 90 days.

2. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in payment of wage program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving payment of wage complaints or proceedings, (ii) payment of wage discrimination complaints processed, (iii) meritorious complaints with payment of wage discrimination resolved with either reinstatement or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.

3. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in worker misclassification program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving worker misclassification, (ii) discrimination in worker misclassification claims processed, (iii) meritorious complaints with worker misclassification wage discrimination resolved with either reinstatement and/or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.

4. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's prevailing wage rate program, including, but not limited to, the number of (i) contacts from state agencies to determine the proper prevailing wage, (ii) prevailing wage determinations for the involved planning district calculated using Davis-Bacon rates for the cities and counties within the planning district, and (iii) contractor provided scale of pay and fringe benefits certified and received.

C. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $216,875 from the surplus balances of this program.

366.	Regulation of Individual Safety (55500)			$14,540,625	$12,740,625
	Virginia Occupational Safety and Health Services (55501)	$14,540,625	$12,740,625		
	Fund Sources: General	$7,804,826	$6,004,826		
	Special	$885,449	$885,449		
	Federal Trust	$5,850,350	$5,850,350		

Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.

A. Notwithstanding § 40.1-49.4 D., Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to $481,350 in civil penalties assessed pursuant to § 40.1-49.4, Code of Virginia, as the required federal grant match for

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	voluntary protection and voluntary compliance programs.				
	B. Of the amounts provided in this item, $650,000 the first year and $650,000 the second year from the general fund is provided to support three positions in the Virginia Occupational Safety and Health Voluntary Protection Program and three positions in the Office of Consultation Services.				
367.	Regulation of Structure Safety (56200)			$604,067	$604,067
	Boiler and Pressure Vessel Safety Services (56201)	$604,067	$604,067		
	Fund Sources: General	$604,067	$604,067		
	Authority: Title 40.1, Chapter 3.1, Code of Virginia.				
368.	Administrative and Support Services (59900)			$5,724,259	$4,624,259
	General Management and Direction (59901)	$5,724,259	$4,624,259		
	Fund Sources: General	$4,622,809	$3,522,809		
	Special	$1,101,450	$1,101,450		
	Authority: Title 40.1, Chapters 1, 3, 3.1, 3.2, 3.3, 4, 5, and 6; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				
	Total for Department of Labor and Industry			**$26,073,453**	**$22,573,453**
	General Fund Positions	138.90	138.90		
	Nongeneral Fund Positions	64.10	64.10		
	Position Level	203.00	203.00		
	Fund Sources: General	$17,679,266	$14,179,266		
	Special	$1,986,899	$1,986,899		
	Federal Trust	$6,407,288	$6,407,288		

§ 1-103. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)

369.	Regulation of Professions and Occupations (56000)			$26,020,013	$26,020,013
	Licensure, Certification, and Registration of Professions and Occupations (56046)	$8,161,380	$8,161,380		
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047)	$8,809,243	$8,809,243		
	Administrative Services (56048)	$9,049,390	$9,049,390		
	Fund Sources: Special	$1,328,410	$1,328,410		
	Dedicated Special Revenue	$24,141,603	$24,141,603		
	Federal Trust	$550,000	$550,000		

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 as provided in § 54.1-308.

C. The Department is authorized to provide electronic credentials to persons regulated by the

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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.				
Total for Department of Professional and Occupational Regulation			**$26,020,013**	**$26,020,013**
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	$24,141,603	$24,141,603		
Federal Trust	$550,000	$550,000		

§ 1-104. VIRGINIA EMPLOYMENT COMMISSION (182)

370.	Workforce Systems Services (47000)			$712,426,719	$639,054,137
	Job Placement Services (47001)	$47,856,967	$47,928,392		
	Unemployment Insurance Services (47002)	$663,622,004	$590,182,648		
	Workforce Development Services (47003)	$947,748	$943,097		
	Fund Sources: Special	$10,748,905	$10,500,443		
	Trust and Agency	$701,677,814	$628,553,694		

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.

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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 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.

G. The Virginia Employment Commission shall establish and maintain one dedicated full-time customer service position responsible for investigating and responding to legislative inquiries.

H. Notwithstanding any other provision of law, the Virginia Employment Commission shall compute tax rates by excluding pandemic related claim activity. Any such rate for any employer, may be less than, but shall not exceed the established rate for that employer for Calendar Year 2021. For purposes of this calculation, pandemic related claim activity is defined as all regular Unemployment Insurance claims activity from April 1, 2020, through June 30, 2021. The pool charge shall be computed using this same methodology and set at an amount not to exceed the rate in effect for Calendar Year 2021.

I. Notwithstanding § 60.2-533, Code of Virginia, the fund building rate shall be set for Calendar Year 2023 at a rate not to exceed the rate in effect for Calendar Year 2020.

J. The Virginia Employment Commission (VEC) shall establish and maintain, at a minimum, two dedicated full-time employees to serve in the Office of the Unemployment Compensation Ombudsman. The Commission shall submit an initial summary report of facts, findings, and outcomes of the Office of the Unemployment Compensation Ombudsman to the House Commerce and Energy Committee, the Senate Commerce and Labor Committee, the Commission on Unemployment Compensation, and the Governor by November 1, 2022, and provide a status update to each body quarterly. The VEC shall also publish the summary report and subsequent updates on its website.

K. The Virginia Information Technologies Agency (VITA) shall facilitate the audit of VEC's IT security systems, and help identify any necessary IT security improvements. The independent audit shall be completed by a vendor approved by VITA and validate whether VEC's existing IT security systems meet the requirements of the Commonwealth's information security standards.

L. VEC should fully transform all agency IT systems and servers to the state's central IT infrastructure as soon as possible and no later than November 1, 2024. The Virginia Information Technologies Agency shall advise the Chairs of the House Appropriations and Senate Finance and Appropriations Committee on the timing of the transfer of the VEC's IT systems to the state's central IT Infrastructure by November 1, 2022.

M. VEC shall develop a detailed plan that includes specific actions and a timeline to resolve outstanding adjudications and all issues on claims that VEC bypassed in 2020 and 2021. The plan should quantify the numbers and qualifications of new staff needed to resolve these claims, outline the actions planned for hiring needed staff, and identify potential risks and mitigation strategies. The VEC shall submit the plan to the House Commerce and Energy Committee, the Senate Commerce and Labor Committee, the Commission on Unemployment Compensation, and the Governor by November 1, 2022, and provide a status update to each body quarterly. The VEC shall also publish the plan and subsequent updates on its website.

N. VEC shall regularly collect feedback on the usability of the new Unemployment Insurance benefits information technology system from claimants and employers and make regular improvements to the system that address such feedback. The VEC shall submit an initial plan to the House Committee on Commerce and Energy, the Senate Committee on Commerce and Labor, the Commission on Unemployment Compensation, and the Governor on how it will collect and report this information to the General Assembly on or before November 1, 2022.

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The VEC shall provide a summary of user feedback and planned and completed system changes to the House Committee on Commerce and Energy, the Senate Committee on Commerce and Labor, the Commission on Unemployment Compensation, and the Governor by November 1, 2023 and at the end of each quarter. The VEC shall also publish this information, and subsequent, updates on its website.				
O. VEC shall (i) review U.S. Department of Labor (DOL) guidance and model legislation regarding redesigned work-search requirements; (ii) evaluate the potential impacts that adopting DOL's guidance would have on incorrect payments and other aspects of VEC's work (e.g., reemployment); and (iii) propose changes to the state's work search policies as needed. VEC shall report the results of this review and any proposed legislative changes to the House Committee on Commerce and Energy, the Senate Committee on Commerce and Labor, the Commission on Unemployment Compensation, and the Governor by February 1, 2023. The VEC shall also publish these results, and subsequent updates, on its website.				
371. Economic Development Services (53400)			$3,263,249	$3,252,979
Economic Information Services (53402)	$3,263,249	$3,252,979		
Fund Sources: Special	$540,060	$540,060		
Trust and Agency	$2,723,189	$2,712,919		
Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.				
372. For payment to the Secretary of the Treasury of the United States to the credit of the federal unemployment trust fund established by the Social Security Act, to be held for the state upon the terms and conditions provided in the said Social Security Act, there is hereby appropriated the amount remaining in the clearing account of the Unemployment Compensation Fund created by § 60.2-301, Code of Virginia, after deducting the refunds payable therefrom pursuant to § 60.2-301, Code of Virginia, a sum sufficient.				
Total for Virginia Employment Commission			**$715,689,968**	**$642,307,116**
General Fund Positions	5.00	5.00		
Nongeneral Fund Positions	865.00	865.00		
Position Level	870.00	870.00		
Fund Sources: Special	$11,288,965	$11,040,503		
Trust and Agency	$704,401,003	$631,266,613		
TOTAL FOR OFFICE OF LABOR			**$768,382,626**	**~~$691,499,774~~** ***$691,999,774***
General Fund Positions	147.90	147.90		
Nongeneral Fund Positions	1,133.10	1,133.10		
Position Level	1,281.00	1,281.00		
Fund Sources: General	$18,278,458	~~$14,778,458~~ *$15,278,458*		
Special	$14,604,274	$14,355,812		
Trust and Agency	$704,401,003	$631,266,613		
Dedicated Special Revenue	$24,141,603	$24,141,603		
Federal Trust	$6,957,288	$6,957,288		

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OFFICE OF NATURAL AND HISTORIC RESOURCES

§ 1-105. SECRETARY OF NATURAL AND HISTORIC RESOURCES (183)

373.	Administrative and Support Services (79900).....			$783,240	$783,240
	General Management and Direction (79901).....	$783,240	$783,240		
	Fund Sources: General.....	$669,542	$669,542		
	Federal Trust.....	$113,698	$113,698		

Authority: Title 2.2, Chapter 2, Article 7; and § 2.2-201, Code of Virginia.

A. The Secretary of Natural and Historic Resources shall report to the Chairs of the Senate Committees on Finance and Appropriations, 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 and Historic Resources, with the assistance of the Directors of the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Wildlife Resources, and the Department of Historic Resources, shall provide an annual report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of all projects undertaken pursuant to a settlement or mitigation agreement upon which the Secretary of Natural and Historic 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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 15 days.

Total for Secretary of Natural and Historic Resources.....			**$783,240**	**$783,240**
General Fund Positions.....	5.00	5.00		
Position Level.....	5.00	5.00		
Fund Sources: General.....	$669,542	$669,542		
Federal Trust.....	$113,698	$113,698		

§ 1-106. DEPARTMENT OF CONSERVATION AND RECREATION (199)

374.	Land and Resource Management (50300).....			$483,960,272	~~$135,547,272~~ *$600,035,140*
	Soil and Water Conservation (50301).....	$327,239,500	~~$14,226,500~~ *$353,714,368*		

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Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)	$124,095,999	~~$89,095,999~~ *$214,095,999*		
Natural Heritage Preservation and Management (50317)	$6,227,682	$6,227,682		
Financial Assistance to Soil and Water Conservation Districts (50320)	$11,847,091	$11,447,091		
Technical Assistance to Soil and Water Conservation Districts (50322)	$5,850,000	$5,850,000		
Agricultural Best Management Practices Cost Share Assistance (50323)	$8,700,000	$8,700,000		
Fund Sources: General	$353,228,401	~~$29,815,401~~ *$494,303,269*		
Special	$1,040,887	$1,040,887		
Dedicated Special Revenue	$122,251,202	$97,251,202		
Federal Trust	$7,439,782	$7,439,782		

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, $11,347,091 the first year and $10,947,091 the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support. 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. Of this amount, $9,965,091 the first year and $9,565,091 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; $468,000 the first year and $468,000 the second year from the general fund shall be distributed at a rate of $4,500 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 from the general fund for the purchase and installation of remote monitoring equipment for District-owned 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. Out of the appropriation in this Item, $4,550,000 the first year and $4,550,000 the second year shall be provided for base technical assistance support for the Virginia Soil and Water Conservation Districts. 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.

3. The department shall provide a semi-annual report on or before February 15 and August 15 of each year to the Chairmen of the House Appropriations and Senate and Appropriations 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.

4. 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

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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.

B.1. Notwithstanding § 10.1-2129 A., Code of Virginia, $313,013,000 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, $40,610,000 shall be appropriated to the Department for the following specified statewide uses: $7,000,000 to the Department to support the Small Herd Initiative as approved by the Virginia Soil and Water Conservation Board, $6,000,000 shall be used for the Commonwealth's match for participation in the Federal Conservation Reserve Enhancement Program (CREP); $5,000,000 to the Department of Environmental Quality to support newly regulated municipal separate storm sewer system (MS4) localities; $3,500,000 shall be provided the Department of Environmental Quality, collaborating with the Department of Health, to conduct studies of Harmful Algal Blooms occuring in the Shenandoah River and Lake Anna; $4,560,000 shall be allocated for special nonpoint source reduction projects to include, but not be limited to, poultry litter transport, grants related to the development and certification of Resource Management Plans developed pursuant to §10.1-104.7, and, in the Chesapeake Bay watershed, grants related to the development and implementation of nutrient management plans developed in accordance with the regulations adopted pursuant to §10.1-104.2; $4,000,000 shall be transferred to the Virginia Association of Soil and Water Conservation Districts to be used for the Virginia Conservation Assistance Program (VCAP); $4,000,000 shall be transferred to the Department of Forestry for the Virginia Trees for Clean Water program; $2,000,000 shall be provided to the Department to provide additional incentives for the maintenance of riparian buffers by agricultural producers; $1,000,000 shall be provided to the Department of Environmental Quality to assist with the implementation of best management practices in accordance with the State Lands Watershed Implementation Plan; $1,500,000 shall be provided to the Department for the development and continued maintenance of the Conservation Application Suite including costs related to servers and necessary software licenses; $700,000 shall be provided to the Virginia Cooperative Extension, collaborating with the Department, to provide enhanced and targeted outreach, education, and technical assistance for agricultural and residential landowners in the Chesapeake Bay watershed; $1,000,000 shall be transferred to the Department of Forestry for water quality grants; $250,000 to the Department for the Small Farm Outreach Program; and $100,000 shall be transferred to the Department of Health, collaborating with the Virginia Institute of Marine Sciences, to conduct analysis on statewide septic hot spots and map communities with failing or failed onsite wastewater treatment. $15,895,679 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund.

2. Of the remaining amount in the first year, $256,507,321 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: $164,744,889 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, $70,604,953 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 $21,157,479 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.

3. Of the funds that are provided in paragraph B.1. to be used for the Virginia Conservation Assistance Program (VCAP) and for the Virginia Trees for Clean Water program, no less than 25 percent shall be used for projects in low-income geographic areas as defined by §10.1-603.24.

D. The appropriations made in paragraph B. meet the mandatory deposit requirements associated with the FY 2021 excess general fund revenue collections and discretionary year-end general fund balances.

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E. 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.

F.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.

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.

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.

G.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 373. 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 and Historic Resources, pursuant to § 10.1-2129, Code of Virginia.

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 two positions to administer grants from the fund.

H. 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.

I. 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.

J. 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).

K. 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.

L.1. 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

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department may enter into two-year contracts contingent on funding being available in the second year of the biennium.

2. Out of the appropriation in this item, $350,000 the first year and $350,000 the second year from the general fund is provided to the Department to support two positions in the Office of Environmental Education to provide increased opportunities for education programs on environmental issues across the Commonwealth, pursuant to § 10.1-104, Code of Virginia. The Office of Environmental Education shall develop and implement environmental education programs and the Virginia Strategic Plan for environmental literacy in collaboration with the Department of Education, the Science Museum of Virginia STEM program, and other relevant stakeholders.

M. 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.

N. 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 66 Natural Area Preserves as identified by the Board of Conservation and Recreation.

O. 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.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, $10,732,147 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.

2. 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.

Q. Out of the appropriation in this Item, $400,000 the first year and $400,000 the second year from the general fund is provided to support lyngbya remediation efforts at Lake Gaston.

R. Out of the appropriation in this item, $25,000,000 the first year from the unobligated balances of the Community Flood Preparedness Fund (09037) is provided for deposit in the Resilient Virginia Revolving Loan Fund.

S.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $131,029,312 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, $19,654,397 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund; and, $1,000,000 is provided to support the upgrade, development, and continued maintenance of the Conservation Application Suite including costs related to servers and necessary software licenses.

2. Of the remaining amount in the second year, $110,374,915 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: $67,218,323 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, $28,807,853 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 $14,348,739 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water

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Conservation Districts.

3. This appropriation meets the mandatory deposit requirements associated with the fiscal year 2022 excess general fund revenue collections and discretionary year-end general fund balances.

T.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $207,458,556 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, $31,118,783 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund.

2. Of the remaining amount in the second year, $176,339,773 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: $107,390,922 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, $46,024,681 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 $22,924,170 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.

3. This appropriation and the amounts elsewhere in this Item and Item 380 meet the mandatory deposit requirements associated with the fiscal year 2023 excess general fund revenue collections.

U. Out of the appropriation in this item, $1,000,000 the second year from the general fund is provided to support cyanobacteria mitigation and remediation efforts at Lake Anna.

V.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $100,000,000 the second year from the general fund shall be deposited into the Resilient Virginia Revolving Loan Fund.

2. The appropriations made in subparagraph V.1. and elsewhere in this item and Item 380 meet the mandatory deposit requirements to the Water Quality Improvement Fund associated with the fiscal year 2023 excess general fund revenue collections.

W.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $25,000,000 the second year from the general fund shall be deposited into the Virginia Water Quality Improvement Fund. This amount shall be used for major modification, upgrade, or rehabilitation of dams owned or maintained by the department and the Virginia Soil and Water Conservation Districts.

2. The appropriations made in subparagraph W.1. and elsewhere in this item and Item 380 meet the mandatory deposit to the Water Quality Improvement Fund requirements associated with the fiscal year 2023 excess general fund revenue collections.

375.	Leisure and Recreation Services (50400)			$108,532,010	$92,230,426
	Preservation of Open Space Lands (50401)	$25,785,246	$25,784,997		
	Design and Construction of Outdoor Recreational Facilities (50403)	$1,065,607	$1,065,607		
	State Park Management and Operations (50404)	$59,816,783	$59,581,948		
	Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	$21,864,374	$5,797,874		
	Fund Sources: General	$67,026,110	$51,377,632		
	Special	$33,785,940	$33,785,940		
	Dedicated Special Revenue	$2,470,230	$1,817,124		
	Federal Trust	$5,249,730	$5,249,730		

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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 $16,000,000 the first year and $16,000,000 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. Not later than June 30, 2023, the Virginia Outdoors Foundation shall convey pursuant to § 2.2-1150, Code of Virginia, approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A located at 524 Hayfileds Lane in McDowell, Virginia to the Department of Conservation and Recreation including, but not limited to, all existing deeds, easements and real property improvements and excepting that certain parcel located on the west side of Bullpasture River Road at 7612 Bullpasture River Road, McDowell, VA 24458 consisting of approximately 40 acres, more or less, and including the right of way access along the existing driveway, which shall be reserved to the Virginia Outdoors Foundation. The Department of Conservation and Recreation is authorized to proceed with the State Park master planning process pursuant to § 10.1-200.1, Code of Virginia, for the development and operation of the associated parcels and existing real property as a Virginia State Park.

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 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. 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.

F. Notwithstanding any other provision of the Code of Virginia, as a condition of the

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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-50 and C-51 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-50 and C-51 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.

G.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.

H. 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.

I. 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 456 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

J. 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.

K. The Department of Conservation and Recreation, in consultation with the Dahlgren Railroad Heritage Trail Association, shall review the properties of the Dahlgren Railroad Heritage Trail, consisting of approximately 15.7 miles in King George County, Virginia, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022, on the Trail's suitability as a recreational area for incorporation into Caledon State Park, to preserve the historical trail and enhance Caledon State Park facilities, the Trail, and recreational opportunities for the citizens of King George County and visitors to Caledon State Park. In its review, DCR shall consider (i) any one-time and/or ongoing expenses associated with the Trail's acquisition and incorporation into Caledon State Park; ii) management of the area or park by a combination of public and private entities; (iii) potential user activities at the area or park including but not limited to camping, hiking, bird watching, equestrian activities, and biking; and (iv) 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.

L. Out of the amounts in this item, $466,500 the first year from the general fund is provided to assist the Mendota Trail Conservancy in the restoration of abandoned railroad trestles for conversion to use as a walking and cycling trail.

M. Included in the amounts for this item is $9,000,000 the first year from the general fund

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to be provided to the City of Chesapeake to support the expansion of the Dr. Clarence V. Cuffee Community Center.

N. Included in the amounts for this item, $167,776 the first year and $167,776 the second year from the general fund to hire chief ranger and park ranger positions at Powhatan State Park.

O. Included in the amounts for this item is $816,253 the first year and $613,253 the second year from the general fund for startup and operational costs at Sweet Run State Park.

P. Included in the amounts for this item is $6,600,000 the first year from the general fund to the City of Virginia Beach for improvements to boat ramps owned and operated by the City.

Q. Included in the amount for this item is $500,000 the first year from the general fund to address maintenance needs at First Landing State Park.

R. Out of the amounts in this item, $260,000 the first year from the general fund to complete design and construction of an Americans with Disabilities Act compliant walking path and fishing area along Big Cedar Creek in the Pinnacle Natural Area Preserve.

376.	Administrative and Support Services (59900)		$11,098,857	$11,098,857
	General Management and Direction (59901)	$11,098,857	$11,098,857	
	Fund Sources: General	$10,883,857	$10,883,857	
	Special	$215,000	$215,000	

Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1, Code of Virginia.

Total for Department of Conservation and Recreation			**$603,591,139**	**~~$238,876,555~~** ***$703,364,423***
General Fund Positions	474.50	480.50		
Nongeneral Fund Positions	49.50	~~40.50~~ *50.50*		
Position Level	524.00	~~521.00~~ *531.00*		
Fund Sources: General	$431,138,368	~~$92,076,890~~ *$556,564,758*		
Special	$35,041,827	$35,041,827		
Dedicated Special Revenue	$124,721,432	$99,068,326		
Federal Trust	$12,689,512	$12,689,512		

§ 1-107. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)

377.	Land Protection (50900)		$30,278,763	$30,278,763
	Land Protection Permitting (50925)	$4,900,778	$4,900,778	
	Land Protection Compliance and Enforcement (50926)	$22,537,962	$22,537,962	
	Land Protection Outreach (50927)	$1,712,231	$1,712,231	
	Land Protection Planning and Policy (50928)	$1,127,792	$1,127,792	
	Fund Sources: General	$2,898,164	$2,898,164	
	Special	$1,710,865	$1,710,865	
	Trust and Agency	$11,770,389	$11,770,389	
	Dedicated Special Revenue	$7,556,402	$7,556,402	
	Federal Trust	$6,342,943	$6,342,943	

Authority: Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5, Code of Virginia.

A. It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.

B. Notwithstanding the provisions of § 10.1-1422.3, Code of Virginia, $1,807,575 in the first

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year and $1,807,575 in the second year from the Waste Tire Trust Fund, and $250,000 in the first year and $250,000 in the second year from the Hazardous Waste Management Permit Fund within the Department of Environmental Quality shall be used for the costs associated with the Department's land protection and water programs. Such funds may be used for the purposes set forth in § 10.1-1422.3, Code of Virginia, at the Director's discretion and only as available after funding other land protection and water programs.

C. Notwithstanding the provisions of § 10.1-1424.3, Code of Virginia, the phased prohibition on the use of polystyrene containers shall be delayed until July 1, 2028 and July 1, 2030 respectively. The Department of Environmental Quality shall conduct a recycling economic and environmental impact assessment in accordance with the Administrative Process Act including public participation and comment. The assessment shall consider the total lifecycle of human and environmental benefits and impacts of recycling pursuant to generally accepted frameworks and standards. The Department shall report its findings to the Governor and Chairs of the House and Senate Agriculture, Conservation and Natural Resources Committees by October 1, 2023.

378.	Water Protection (51200)			$56,271,232	$55,951,232
	Water Protection Permitting (51225)	$11,963,629	$11,963,629		
	Water Protection Compliance and Enforcement (51226)	$9,240,903	$9,240,903		
	Water Protection Outreach (51227)	$2,619,252	$2,619,252		
	Water Protection Planning and Policy (51228)	$8,532,313	$8,532,313		
	Water Protection Monitoring and Assessment (51229)	$16,083,220	$15,763,220		
	Water Protection Stormwater Management (51230)	$7,831,915	$7,831,915		
	Fund Sources: General	$33,115,902	$32,795,902		
	Special	$1,947,751	$1,947,751		
	Trust and Agency	$25,500	$25,500		
	Dedicated Special Revenue	$12,474,003	$12,474,003		
	Federal Trust	$8,708,076	$8,708,076		

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.

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.

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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. 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 125 of this act.

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, $2,736,330 the first year and $2,736,330 the second year from the general fund is included for the purchase of laboratory and field equipment.

I. 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.

J.1. Out of the amounts appropriated for this Item, $1,100,000 the first year and $1,100,000 the second year from the general fund is to be deposited in the Virginia Stormwater Management Fund.

2. Notwithstanding § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, the permit fee regulations adopted by the State Water Control Board pursuant to § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, for the Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.

3. Notwithstanding § 62.1-44.19:20, Code of Virginia, the application fee schedule adopted by the State Water Control Board pursuant to § 62.1-44.19:20, Code of Virginia, shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of the nutrient credit certification program. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.

K. The Director of the Department of Environmental Quality shall convene a working group for the purpose of developing an annual or project-based fee schedule for the review of erosion and sediment control plans related to solar energy project applications. The working group shall include representatives of (i) private sector companies that own or operate solar energy facilities, (ii) local governments that permit solar facilities, and (iii) other stakeholders determined by the Department to be necessary to the development of the fee schedule.

L. Out of the amounts in this item, $320,000 the first year from the general fund is provided for the Virginia Department of Environmental Quality to conduct ambient surface water and groundwater surveillance for perfluoroalkyl and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluorobutyrate (PFBA), perfluoroheptanoic acid (PFHpA), perfluorohexane sulfonate (PFHxS), perfluorononanoic

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	acid (PFNA), hexafluoropropylene oxide-dimer acid (HFPO-DA), perfluorohexanoic acid (PFHxA), perfluoropentanoic acid (PFPeA), and perfluorobutane sulfonic acid (PFBS).				
379.	Air Protection (51300)			$28,368,536	$28,368,536
	Air Protection Permitting (51325)	$6,150,738	$6,150,738		
	Air Protection Compliance and Enforcement (51326)	$6,428,603	$6,428,603		
	Air Protection Outreach (51327)	$1,180,235	$1,180,235		
	Air Protection Planning and Policy (51328)	$9,249,605	$9,249,605		
	Air Protection Monitoring and Assessment (51329)	$5,359,355	$5,359,355		
	Fund Sources: General	$3,170,320	$3,170,320		
	Special	$5,543,481	$5,543,481		
	Enterprise	$10,214,815	$10,214,815		
	Dedicated Special Revenue	$5,324,949	$5,324,949		
	Federal Trust	$4,114,971	$4,114,971		

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.

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.

D. The State Air Pollution Control Board shall make modifications to its final regulation

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prohibiting the use of certain hydrofluorocarbons such that these regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by aviation and aerospace businesses located in Virginia to produce products for sale and distribution.				
380. Environmental Financial Assistance (51500)			$71,439,431	~~$70,829,391~~ *$268,829,391*
Financial Assistance for Environmental Resources Management (51502)	$10,425,868	$8,425,868		
Virginia Water Facilities Revolving Fund Loans and Grants (51503)	$31,714,797	~~$33,104,757~~ *$231,104,757*		
Financial Assistance for Coastal Resources Management (51507)	$1,924,500	$1,924,500		
Litter Control and Recycling Grants (51509)	$2,039,509	$2,039,509		
Petroleum Tank Reimbursement (51511)	$25,334,757	$25,334,757		
Fund Sources: General	$12,479,534	~~$11,869,494~~ *$209,869,494*		
Trust and Agency	$25,504,646	$25,504,646		
Dedicated Special Revenue	$26,194,606	$26,194,606		
Federal Trust	$7,260,645	$7,260,645		

Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia.

A. To the extent available, the authorization included in Chapter 781, 2009 Acts of Assembly, Item 368, paragraph E, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance Virginia Water Quality Improvement Grants, pursuant to Chapter 851, 2007 Acts of Assembly.

B. To the extent available, the authorization included in Chapter 806, 2013 Acts of Assembly, Item C-39.40, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance the Stormwater Local Assistance Fund, the Combined Sewer Overflow Matching Fund, Nutrient Removal Grants, and the Hopewell Regional Wastewater Treatment Authority. The administration of several of the water quality programs, including the Stormwater Local Assistance Fund, transferred to the Department of Environmental Quality per Chapter 756, 2013 Acts of Assembly.

C.1. The State Comptroller is authorized to continue the Stormwater Local Assistance Fund as established in Item 360, Chapter 806, 2013 Acts of Assembly. The fund shall consist of bond proceeds from bonds authorized by the General Assembly and issued pursuant to Item C-39.40 in Chapter 806, 2013 Acts of Assembly, Item C-43 of Chapter 665, 2015 Acts of Assembly, Chapter 759, 2016 Acts of Assembly, Item C-48.10 in Chapter 854, 2019 Acts of Assembly, Item C-70, Chapter 1289, 2020 Acts of Assembly, and Item C-80 of this Act; sums appropriated to it by the General Assembly; and other grants, gifts, and moneys as may be made available to it from any other source, public or private. 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 each fiscal year shall not revert to the general fund but shall remain in the Fund.

2. The purpose of the Fund is to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads. Moneys in the Fund shall be used to meet: i) obligations related to the Chesapeake Bay total maximum daily load (TMDL) requirements; ii) requirements for local impaired stream TMDLs; iii) water quality requirements of the Chesapeake Bay Watershed Implementation Plan (WIP); and iv) water quality requirements related to the permitting of small municipal stormwater sewer systems. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration.

3. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law,

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$30,000,000 the second year from the general fund shall be deposited into the Stormwater Local Assistance Fund.

4. The appropriations made in subparagraph C.3. and elsewhere in this item and Item 374 meet the mandatory deposit requirements to the Water Quality Improvement Fund associated with the fiscal year 2023 excess general fund revenue collections.

5. Of the amounts in this item, up to $1,000,000 from the Stormwater Local Assistance Fund shall be provided by the department to York County for wetlands restoration, stormwater best management practices, and erosion control in the Queen's Lake Area.

6. Of the amounts in this item, up to $9,000,000 from the Stormwater Local Assistance Fund shall be provided by the Department of Environmental Quality to the City of Falls Church for completion of the Harrison Branch Improvement Project.

D. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

E. The Department of Environmental Quality shall use an amount not to exceed $3,000,000 from the Water Quality Improvement Fund to conduct the James River chlorophyll study pursuant to the approved Virginia Chesapeake Bay Total Maximum Daily Load, Phase I Watershed Implementation Plan. This amount shall be used solely for contractual support for water quality monitoring and analysis and computer modeling. No portion of this funding may be used for administrative costs of the department.

F. Out of such funds available in this Item, the Department shall provide funding to the Virginia Geographic Information Network in an amount necessary to implement statewide digital orthography to improve land coverage data necessary to assist localities in planning and implementing stormwater management programs. As part of this authorization, the Department shall also include data to update prior LIDAR surveys of elevations along coastal areas to support activities related to management of recurrent coastal flooding.

G. Out of the amounts appropriated for Financial Assistance for Environmental Resources Management, $3,292,479 the first year and $3,292,479 the second year from federal funds is provided to implement stormwater management activities.

H.1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs. The Department of Environmental Quality shall, at the request of the Auditor of Public Accounts, offer assistance to the Auditor's office in the review of the submitted reports.

2. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.

I. Out of the amounts in this Item, $8,125,920 the first year and $9,515,880 the second year from the general fund is provided for the Department to meet matching requirements corresponding to anticipated federal funding available through the Virginia Clean Water Revolving Loan Fund as a result of the Infrastructure Investment and Jobs Act.

J. Grantee owners of Enhanced Nutrient Removal Certainty (ENRC) Program and other Water Quality Improvement Fund projects subject to a grant agreement with the

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Department shall submit a forecast of projected quarterly grant disbursements covering each quarter of the current fiscal year and the next fiscal year thereafter. The Department shall compile the grantee-supplied forecasts of projected quarterly grant disbursements and compare expected disbursements to available appropriations to provide advance notice of any potential shortfall. The Department shall submit each forecast to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee on a quarterly basis.

K.1. The Department shall provide technical assistance to the City of Bristol in resolving ongoing health, environmental, and quality of life issues with its landfill and to facilitate a long-term plan for the operational status of the landfill following the completion of mitigation efforts.

2. Out of the amounts in this item, $2,000,000 the first year from the general fund is provided for the City of Bristol to begin resolving ongoing environmental issues at the Bristol Landfill.

L. Out of the amounts in this item, $10,000,000 the second year from the general fund is provided to the City of Virginia Beach for the design and construction of a regional stormwater management facility.

M. Out of the amounts in this item, $7,000,000 the second year from the general fund is provided to the City of Virginia Beach for stormwater encroachment resilience activities and natural space preservation in the Southern Rivers Watershed and Chowan River Basin.

N.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $151,000,000 the second year from the general fund shall be deposited into the Virginia Water Quality Improvement Fund. This amount is provided to reimburse eligible entities for costs incurred in implementing the Enhanced Nutrient Removal Certainty Program as provided for in § 62.1-44.19:14, Code of Virginia.

2. The appropriations made in subparagraph N.1., and elsewhere in this item and Item 374 meet the mandatory deposit requirements associated with the fiscal year 2023 excess general fund revenue collections.

381. Administrative and Support Services (59900)			$31,253,906	$31,253,906
General Management and Direction (59901)	$22,285,207	$22,285,207		
Information Technology Services (59902)	$8,968,699	$8,968,699		
Fund Sources: General	$16,162,122	$16,162,122		
Special	$6,238,687	$6,238,687		
Enterprise	$3,325,278	$3,325,278		
Trust and Agency	$1,239,744	$1,239,744		
Dedicated Special Revenue	$834,050	$834,050		
Federal Trust	$3,454,025	$3,454,025		

Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia.

A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management, air, and water programs.

B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend up to $600,000 the first year and $600,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services.

Total for Department of Environmental Quality			**$217,611,868**	**~~$216,681,828~~** ***$414,681,828***
General Fund Positions	416.50	416.50		
Nongeneral Fund Positions	564.50	564.50		
Position Level	981.00	981.00		
Fund Sources: General	$67,826,042	~~$66,896,002~~ *$264,896,002*		

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	Special	$15,440,784	$15,440,784		
	Enterprise	$13,540,093	$13,540,093		
	Trust and Agency	$38,540,279	$38,540,279		
	Dedicated Special Revenue	$52,384,010	$52,384,010		
	Federal Trust	$29,880,660	$29,880,660		

§ 1-108. DEPARTMENT OF WILDLIFE RESOURCES (403)

382.	Wildlife and Freshwater Fisheries Management (51100)			$50,330,696	$50,330,696
	Wildlife Information and Education (51102)	$4,804,193	$4,804,193		
	Enforcement of Recreational Hunting and Fishing Laws and Regulations (51103)	$16,095,890	$16,095,890		
	Wildlife Management and Habitat Improvement (51106)	$29,430,613	$29,430,613		
	Fund Sources: General	$200,000	$200,000		
	Dedicated Special Revenue	$37,595,847	$37,595,847		
	Federal Trust	$12,534,849	$12,534,849		

Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.

A. Out of the amounts appropriated for this Item, $20,000 the first year and $20,000 the second year from nongeneral funds is provided for the Smith Mountain Lake Water Quality Monitoring Program.

B. Out of the amounts appropriated in this item, $10,000 the first year and $10,000 the second year from nongeneral funds is provided for the Back Bay Submerged Aquatic Vegetation Restoration Project.

C. Out of the amounts appropriated in this item, $200,000 in the first year and $200,000 in the second year from the general fund is provided to the department to support two additional staff biologists to develop and administer a statewide plan to protect and restore native freshwater mussel species. The department is authorized to enter into cooperative agreements with qualified nonprofit and private entities to assist in mussel restoration planning and implementation.

383.	Boating Safety and Regulation (62500)			$8,677,834	$8,677,834
	Boat Registration and Titling (62501)	$2,580,290	$2,580,290		
	Boating Safety Information and Education (62502)	$662,359	$662,359		
	Enforcement of Boating Safety Laws and Regulations (62503)	$5,435,185	$5,435,185		
	Fund Sources: Dedicated Special Revenue	$6,558,055	$6,558,055		
	Federal Trust	$2,119,779	$2,119,779		

Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.

Notwithstanding § 29.1-113 of the Code of Virginia, access fees at boat ramps owned or managed by the Department of Wildlife Resources (DWR) shall not be assessed prior to July 1, 2022, pending a study by DWR on the costs and benefits of such fees and the impact on recreational users in Virginia. As part of this study, the Department shall convene a stakeholder group for the purpose of developing and providing recommendations on access permit fees, various alternatives, and other issues related to the use and maintenance of Department-owned boat ramp facilities. The stakeholder work group shall be composed of representatives of registered boat owners, paddlecraft liveries, outdoor outfitters, environmental education providers, and other non-registered vessel recreational users of such boat ramps, or other affected parties the Department deems necessary. The work group shall consider mechanisms that will decrease the burden on outfitters, customers, education providers, and non-profit organizations; the usage of access fees to maintain or improve existing boat ramps and to add new boat ramps, paddlecraft launches, and public access points on Department-owned property; and alternative funding mechanisms and strategies that can increase access by economically disadvantaged users.

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384.	Administrative and Support Services (59900)			$11,975,116	$11,975,116
	General Management and Direction (59901)	$7,454,229	$7,454,229		
	Information Technology Services (59902)	$4,520,887	$4,520,887		
	Fund Sources: Dedicated Special Revenue	$10,472,181	$10,472,181		
	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. 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.

C.1. Subject to review and approval by the Secretary of Natural and Historic Resources, the Director of the Department of Wildlife Resources 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 Wildlife Resources 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 Wildlife Resources 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.

D. Any references to the Department of Game and Inland Fisheries within this Act shall convey to the Department of Wildlife Resources.

385. A. Pursuant to §§ 29.1-101, 58.1-638, and 58.1-1410, Code of Virginia, deposits to the Game Protection Fund include an estimated $18,800,000 the first year and $18,800,000 the second year from revenue originating from the general fund.

B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Wildlife Resources from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01, subparagraph M, of this act.

C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, $881,753 the first year and $881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access.

Total for Department of Wildlife Resources			**$70,983,646**	**$70,983,646**
General Fund Positions	2.00	2.00		
Nongeneral Fund Positions	496.00	496.00		
Position Level	498.00	498.00		

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Fund Sources: General	$200,000	$200,000		
Dedicated Special Revenue	$54,626,083	$54,626,083		
Federal Trust	$16,157,563	$16,157,563		

§ 1-109. DEPARTMENT OF HISTORIC RESOURCES (423)

386. Historic and Commemorative Attraction Management (50200)			$38,894,888	~~$13,172,048~~ *$22,472,048*
Financial Assistance for Historic Preservation (50204)	$27,476,940	~~$6,399,100~~ *$15,699,100*		
Historic Resource Management (50205)	$11,417,948	$6,772,948		
Fund Sources: General	$35,508,009	~~$9,785,169~~ *$19,085,169*		
Special	$1,164,349	$1,164,349		
Commonwealth Transportation	$210,000	$210,000		
Dedicated Special Revenue	$97,799	$97,799		
Federal Trust	$1,914,731	$1,914,731		

Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.

A. Consistent with the provisions of § 4-13.00 of this act, general fund appropriations for historic and commemorative attractions identified within this item or for the purposes stated in § 10.1-2211.1 or § 10.1-2211.2, Code of Virginia, shall be disbursed as described within this item and shall not be subject to any other restrictions or statutory requirements unless specified within this item. Any other general fund appropriations for historic and commemorative attractions shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the department.

B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C. Pursuant to the provisions of § 10.1-2211.1, Code of Virginia, as amended by Chapter 639, 2018 Session of the General Assembly, out of the amounts provided for Financial Preservation shall be paid $23,100 the first year and $23,100 the second year from the general fund grants to the Virginia Society of the Sons of the American Revolution (VASSAR) and the Revolutionary War memorial associations caring for cemeteries as set forth in subsection B of § 10.1-2211.1, Code of Virginia. Such sums shall be expended by the associations for the routine maintenance of their respective Revolutionary War cemeteries and graves and for the graves of Revolutionary War soldiers and sailors not otherwise cared for in other cemeteries, and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers, sailors, and persons rendering service to the Patriot cause in the Revolutionary War.

D. Included in this appropriation is $210,000 the first year and $210,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

E. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of options, the department determines that the property should be sold or leased to a different public or private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, then the department is further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.

F. The Department of Historic Resources shall follow and provide input on federal legislation designed to establish a new national system of recognizing and funding Presidential Libraries for those entities that are not included in the 1955 Presidential

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Library Act.

G.1. Included in this appropriation is $4,500,000 the first year and ~~$5,250,000~~*$11,500,000* the second year from the general fund to be deposited into the Virginia Battlefield Preservation Fund for grants to be made in accordance with § 10.1-2202.4, Code of Virginia. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. From the amounts in this item, $1,500,000 in the first year and ~~$1,500,000~~*$4,000,000* the second year shall be granted to the battlefield preservation organizations donating property at the proposed Culpeper Battlefields State Park in order that they may expeditiously acquire up to 800 additional acres at the site and donate this acreage to the Department of Conservation and Recreation. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia.

3. From the amounts in this item, $2,500,000 the first year and $2,250,000 the second year shall be granted to the battlefield organization that manages the Shenandoah Valley Battlefields National Historic District in order that they may effectively promote heritage tourism, increase public access to preserved lands, and improve the visitor experience at already preserved battlefield sites throughout the Shenandoah Valley. Such improvements when completed shall result in the development of seven new battlefield parks across four counties. Improvements shall include highway signage, parking facilities, trailheads, restroom facilities, trails, interpretive signage, environmental protections, fencing, the completion of the Shenandoah Valley Civil War Museum, and the creation of the New Market History and Education Center. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia.

4. From the amounts in this item, $3,750,000 the second year from the general fund shall be granted to the battlefield organization that manages the Shenandoah Battlefields National Historic District in order that they may expeditiously acquire for permanent preservation and public enjoyment additional acres of the New Market Battlefield; $1.0 million of this amount shall be deposited into a maintenance fund to be administered according to terms set forth by the Director. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4 of the Code of Virginia.

H. The Department of Historic Resources is authorized to require applicants for tax credits for historic rehabilitation projects under § 58.1-339.2, Code of Virginia, to provide an audit by a certified public accountant licensed in Virginia, in accordance with guidelines developed by the department in consultation with the Auditor of Public Accounts. The department is also authorized to contract with tax, financial, and other professionals to assist the department with the oversight of historic rehabilitation projects for which tax credits are anticipated.

I.1. Included in this Item is $250,000 the first year and $250,000 the second year from the general fund to support the preservation and care of historical African American graves and cemeteries.

2. Pursuant to § 10.1-2211.2., Code of Virginia, $34,875 the first year and $34,875 the second year from the general fund is provided to support the preservation and care of historical African American graves at the East End Cemetery in Henrico County, Virginia and the Evergreen Cemetery in Richmond, Virginia.

3. Pursuant to § 10.1-2211.2., Code of Virginia, $960 the first year and $960 the second year from the general fund is provided to to support the preservation and care of historical African American graves at the Daughters of Zion Cemetery in Charlottesville, Virginia.

4. Pursuant to § 10.1-2211.2, Code of Virginia, $1,330 the first year and $1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at the Mt. Calvary Cemetery in Portsmouth, Virginia.

5. Pursuant to § 10.1-2211.2, Code of Virginia, $385 the first year and $385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the African-American Burial Ground for the Enslaved at Belmont and Mt. Zion Old Baptist Church Cemetery in Loudoun County, Virginia.

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6. Pursuant to § 10.1-2211.2, Code of Virginia, $385 the first year and $385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the New River and West Dublin Cemeteries in Pulaski County, Virginia.

7. Pursuant to §10.1-2211.2, Code of Virginia, $2,340 the first year and $2,340 the second year from the general fund is provided to support the preservation and care of historical African American graves at Oak Lawn Cemetery in Suffolk, Virginia.

8. Pursuant to § 10.1-2211.2, Code of Virginia, $3,855 the first year and $3,855 the second year from the general fund is provided to support the preservation and care of historical African American graves at the following cemeteries in Hampton Virginia: 212 graves at Bassonette's Cemetery, 339 graves at Elmerton Cemetery, 14 graves at Queen Street Cemetery, 29 graves at Pleasant Shade Cemetery, 15 graves at the Tucker Family Cemetery, 125 graves at Union Street Cemetery and 37 graves at Good Samaritan Cemetery.

9. Pursuant to § 10.1-2211.2, Code of Virginia, $975 the first year and $975 the second year from the general fund is provided to support the preservation and care of historical African American graves at Matthews, People's and Smith Street Cemeteries in Martinsville, Virginia.

10. Pursuant to § 10.1-2211.2, Code of Virginia, $9,715 the first year and $9,715 the second year from the general fund is provided to support the preservation and care of historical African American graves at six cemeteries in Alexandria, Virginia.

11. Pursuant to § 10.1-2211.2, Code of Virginia, $485 the first year and $485 the second year from the general fund is provided to support the preservation and care of historical African American graves at Wake Forest and Westview Cemeteries in Montgomery County, Virginia.

12. Pursuant to § 10.1-2211.2, Code of Virginia, $455 the first year and $455 the second year from the general fund is provided to support the preservation and care of historical African American graves at Mountain View Cemetery in Radford, Virginia.

13. Pursuant to § 10.1-2211.2, Code of Virginia, $1,330 the first year and $1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at Calloway, Lomax, and Mount Salvation Cemeteries in Arlington County, Virginia.

14. Pursuant to § 10.1-2211.2, Code of Virginia, $2,000 the first year and $2,000 the second year from the general fund is provided to support the preservation and care of historical African American graves at Newtown Cemetery in Harrisonburg, Virginia.

15. Pursuant to § 10.1-2211.2, Code of Virginia, $260 the first year and $260 the second year from the general fund is provided to support the preservation and care of historical African American graves at Cuffeytown Cemetery in Chesapeake, Virginia.

16. Pursuant to § 10.1-2211.2, Code of Virginia, $180 the first year and $180 the second year from the general fund is provided to support the preservation and care of historical African American graves at Stanton Family Cemetery in Buckingham County, Virginia.

J. The Department of Historic Resources is authorized to collect administrative fees for the provision of easement and stewardship services. Revenues generated from the easement fee schedule shall be deposited into the Preservation Easement Fund pursuant to § 10.1-2202.2., Code of Virginia.

K. The Department of Historic Resources is authorized to enter into an agreement with one or more Virginia-based Historically Black Colleges and Universities to provide paid internships to enrolled students for data collection and outreach activities to expand Virginia's historical property catalogue to include underrepresented African American and indigenous communities. Included within the amounts in this item, $100,000 the first year and $100,000 the second year from the general fund is provided for the internship program.

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L. Consistent with the provisions of § 10.1-2214, Code of Virginia, $159,479 the first year and $159,479 the second year from the general fund is provided to maintain an underwater archaeology program.

M. Out of the amounts in this Item, $5,000,000 the first year from the general fund shall be deposited to a special, nonreverting fund for the awarding of grants for the preservation of archaeological sites associated with Black, Indigenous, and People of Color (BIPOC).

N. Out of the amounts in this Item, $500,000 the first year from the general fund is provided to the City of Alexandria for preservation of the Douglass Memorial Cemetery.

O. Out of the amounts in this Item, $100,000 the first year from the general fund is provided to the City of Richmond for activities undertaken by the Elegba Folklore Society.

P. Out of the amounts in this Item, $1,000,000 the first year from the general fund is provided to the City of Norfolk for expansion of the Chrysler Museum's Perry Glass Studio.

Q. Out of the amounts in this Item, $2,000,000 the first year from the general fund is provided to the City of Richmond for capital improvements at the Virginia Museum of History and Culture.

R. Out of the amounts in this Item, $300,000 the first year from the general fund is provided to the City of Richmond for activities undertaken by Preservation Virginia.

S. Out of the amounts in this Item, $1,000,000 the first year from the general fund is provided to the County of Westmoreland for expanded interpretation at Stratford Hall.

T. Out of the amounts in this Item, $1,000,000 the first year from the general fund is provided to the County of Richmond for preservation and restoration activities undertaken by the Menokin Foundation.

U. Out of the amounts in this Item, $1,000,000 the first year from the general fund is provided to the City of Richmond for improvements at the Valentine Museum.

V. Out of the amounts in this item, $6,000,000 the first year from the general fund is provided to the County of Botetourt to support the site acquisition, design and construction of the new Fincastle Museum within the boundaries of the Town of Fincastle. As a condition of receiving this amount, the County must provide no less than $500,000 in local matching funds.

W. Out of the amounts in this item, $250,000 the first year from the general fund to the County of Nelson to support planning for the development of the Vietnam War and Foreign Conflicts Museum.

X. The Department of Historic Resources is authorized to enter into an agreement with one or more indigenous Virginia tribes to identify and protect their cultural properties and to provide paid internships to students for data collection and outreach activities that expand Virginia's historical property catalogue to include underrepresented indigenous properties. Included within the amounts in this item, $50,000 in each year from the general fund is provided for paid internships for data collection.

Y. Out of the amounts in this item, $4,000,000 the first year from the general fund is provided to the City of Alexandria for development of the Senator John Warner Maritime Heritage Center.

Z. Out of the amounts for Financial Assistance for Historic Preservation, $250,000 the first year from the general fund shall be provided to the City of Staunton as a one-time grant to the Woodrow Wilson Presidential Library Foundation to support necessary renovations, accessibility improvements, and educational outreach at the Woodrow Wilson Presidential Library.

AA. Out of the amounts in this item, $500,000 the first year *and $275,000 the second year* from the general fund is provided to the City of Roanoke for improvements at the Virginia Museum of Transportation.

BB. Out of the amounts in this item, $100,000 the first year from the general fund to the City of Hopewell to support improvements at Weston Manor.

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CC. Out of the amounts in this item, $25,000 the first year from the general fund is provided to the City of Virginia Beach for restoration activities at the Pleasant Ridge School.

DD. Out of the amounts in this item, $2,000,000 the first year from the general fund is provided to the City of Chesapeake to support Phase III projects at the Historic Village at Great Dismal Swamp.

EE. Out of the amounts in this item, $650,000 the first year from the general fund is provided to the City of Chesapeake for preservation activities at the Jolliff Landing Fort site.

FF. Out of the amounts in this item, $327,840 the first year from the general fund is provided to the County of Campbell for renovations and repairs at the Rosenwald Community Center-Campbell County Training School.

GG. Out of the amounts in this item, $75,000 the first year from the general fund is provided to the City of Richmond for preservation of Moore Street School.

HH. Out of the amounts in this item, $200,000 the second year from the general fund is provided to the City of Charlottesville for school-based public learning and engagement programs at the Jefferson School African American Heritage Center and the Center for Local Knowledge Programs.

II. Out of the amounts in this item, $200,000 the second year from the general fund is provided to the County of Nelson for renovations to the Nelson Heritage Center.

JJ. Out of the amounts in this item, $600,000 the second year from the general fund is provided to the City of Charlottesville in support of development of a pedestrian bridge and accessible parking area to improve pedestrian access to the Dogwood Veterans Memorial.

KK. Out of the amounts in this item, $100,000 the second year from the general fund is provided to the County of Brunswick for the conservation and restoration of the James Solomon Russell/Saint Paul's College Museum and Archives.

LL. Out of the amounts in this item, $200,000 the second year from the general fund is provided to the County of Fairfax to support preservation efforts of the Gum Springs Museum and Cultural Center. As a condition of receiving this amount, the County must provide no less than $100,000 in local matching funds.

MM. Out of the amounts in this item, $310,000 the second year from the general fund is provided to the County of Fluvanna for structural repair and stabilization of the historic Fluvanna County Courthouse.

NN. Out of the amounts in this item, $140,000 the second year from the general fund is provided to the Town of Pocahontas for renovation of Pocahontas Cemetery.

OO. Out of the amounts in this item, $100,000 the second year from the general fund is provided to the City of Hopewell to support construction of a welcome center at Weston Manor.

PP. Out of the amounts in this item, $175,000 the second year from the general fund is provided to the County of Greensville for preservation activities at the Greensville County Training School.

QQ. Out of the amounts in this item, $500,000 the second year from the general fund is provided to the County of Botetourt to support improvements at the Buchanan Theater.

RR. Out of the amounts in this item, $250,000 the second year from the general fund is provided to assist in the preservation of archaeological evidence in the area known as Smith's Field in the area around James Fort.

387.	Administrative and Support Services (59900).....			$1,029,976	$1,029,976
	General Management and Direction (59901).....	$1,029,976	$1,029,976		

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Fund Sources: General	$802,787	$802,787		
Special	$46,205	$46,205		
Federal Trust	$180,984	$180,984		

Authority: Title 10.1, Chapters 10.1, 22 and 23, Code of Virginia.

Out of the amounts for Administrative and Support Services, the department shall administer state grants to nonstate agencies pursuant to Item 504 of this act.

Total for Department of Historic Resources			**$39,924,864**	**~~$14,202,024~~** ***$23,502,024***
General Fund Positions	35.00	35.00		
Nongeneral Fund Positions	19.00	19.00		
Position Level	54.00	54.00		
Fund Sources: General	$36,310,796	~~$10,587,956~~ *$19,887,956*		
Special	$1,210,554	$1,210,554		
Commonwealth Transportation	$210,000	$210,000		
Dedicated Special Revenue	$97,799	$97,799		
Federal Trust	$2,095,715	$2,095,715		

§ 1-110. MARINE RESOURCES COMMISSION (402)

388. Marine Life Management (50500)			$23,723,122	$23,697,972
Marine Life Information Services (50501)	$1,392,916	$1,392,916		
Marine Life Regulation Enforcement (50503)	$10,039,118	$10,039,118		
Artificial Reef Construction (50506)	$69,520	$69,520		
Chesapeake Bay Fisheries Management (50507)	$6,109,630	$6,084,480		
Oyster Propagation and Habitat Improvement (50508)	$6,111,938	$6,111,938		
Fund Sources: General	$12,211,228	$12,186,078		
Special	$7,239,719	$7,239,719		
Commonwealth Transportation	$313,768	$313,768		
Dedicated Special Revenue	$650,513	$650,513		
Federal Trust	$3,307,894	$3,307,894		

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.2, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. Out of this appropriation, $54,611 the first year and $54,611 the second year from the general fund is provided for annual membership dues to the Atlantic States Marine Fisheries Commission.

B. Out of this appropriation, $148,750 the first year and $148,750 the second year from the general fund is provided for annual membership dues to the Potomac River Fisheries Commission.

C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, $169,248 the first year and $169,248 the second year, pursuant to § 28.2-108, Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.

D. Pursuant to § 58.1-2289 D, Code of Virginia, $144,520 the first year and $144,520 the second year shall be transferred to Marine Life Regulation Enforcement from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats and paid into the Marine Patrols Fund.

E. 1. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is provided to support oyster replenishment and oyster restoration activities. From these amounts $1,500,000 the first year and $1,500,000 the second year from the

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general fund shall be used to provide support for oyster restoration.

2. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in this Item on June 30, 2023, and on June 30, 2024 shall be reappropriated and reallotted to the Marine Resources Commission for expenditure.

F. The commission shall deposit proceeds from the sale of oyster shells, oyster seeds, and other subaqueous materials pursuant to § 28.2-550, Code of Virginia, to the Public Oyster Rock Replenishment Fund established by § 28.2-542, Code of Virginia. The proceeds from such sale shall be used for the same purposes specified in § 28.2-542, Code of Virginia.

G. Out of the amounts in this Item, $14,710 the first year and $14,710 the second year from the general fund is included for the purchase of outboard motors through the Commonwealth's Master Equipment Leasing Program.

389.	Coastal Lands Surveying and Mapping (51000).....		$7,701,039	$3,201,039
	Coastal Lands and Bottomlands Management (51001).....	$6,742,645	$2,242,645	
	Marine Resources Surveying and Mapping (51002).....	$958,394	$958,394	
	Fund Sources: General.....	$6,544,995	$2,044,995	
	Dedicated Special Revenue.....	$974,044	$974,044	
	Federal Trust.....	$182,000	$182,000	

Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code of Virginia.

A. Out of this appropriation, $1,500,000 the first year from the general fund is designated for the non-federal share of an Army Corps of Engineers project to conduct a Chincoteague Inlet Study to address concerns related to erosion and sea-level rise.

B. Out of the amounts in this item, $3,000,000 the first year from the general fund is included to support the removal of derelict boats from Virginia waterways.

390.	Tourist Promotion (53600).....		$220,000	$220,000
	Virginia Saltwater Sport Fishing Tournament (53601).....	$220,000	$220,000	
	Fund Sources: Special.....	$220,000	$220,000	

Authority: Title 28.2, Chapter 2, Code of Virginia

Pursuant to the provisions of §28.2-206, Code of Virginia, the Virginia Marine Resources Commission shall conduct the Virginia Saltwater Sport Fishing Tournament in both years of the biennium.

391.	Administrative and Support Services (59900).....		$2,920,460	$2,920,310
	General Management and Direction (59901).....	$2,920,460	$2,920,310	
	Fund Sources: General.....	$2,802,611	$2,802,461	
	Special.....	$117,849	$117,849	

Authority: Title 28.2, Chapters 1 and 2, Code of Virginia.

A. The Marine Resources Commission 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 commission.

B. From the amounts collected pursuant to § 28.2-200 et seq., Code of Virginia, and deposited into the Virginia Marine Products Fund (§ 3.2-2705, Code of Virginia), the Marine Resources Commission may retain $10,000 the first year and $10,000 the second year for the administrative cost of issuing gear licenses.

C. The Virginia Marine Resources Commission shall report by December 15 of each year

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all projects and expenditures funded from the Virginia Saltwater Recreational Fishing Development Fund. The report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
Total for Marine Resources Commission			**$34,564,621**	**$30,039,321**
General Fund Positions	142.50	142.50		
Nongeneral Fund Positions	29.00	29.00		
Position Level	171.50	171.50		
Fund Sources: General	$21,558,834	$17,033,534		
Special	$7,577,568	$7,577,568		
Commonwealth Transportation	$313,768	$313,768		
Dedicated Special Revenue	$1,624,557	$1,624,557		
Federal Trust	$3,489,894	$3,489,894		
TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES			**$967,459,378**	**~~$571,566,614~~** ***$1,243,354,482***
General Fund Positions	1,075.50	1,081.50		
Nongeneral Fund Positions	1,158.00	~~1,149.00~~ *1,159.00*		
Position Level	2,233.50	~~2,230.50~~ *2,240.50*		
Fund Sources: General	$557,703,582	~~$187,463,924~~ *$859,251,792*		
Special	$59,270,733	$59,270,733		
Commonwealth Transportation	$523,768	$523,768		
Enterprise	$13,540,093	$13,540,093		
Trust and Agency	$38,540,279	$38,540,279		
Dedicated Special Revenue	$233,453,881	$207,800,775		
Federal Trust	$64,427,042	$64,427,042		

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OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

§ 1-111. SECRETARY OF PUBLIC SAFETY AND HOMELAND SECURITY (187)

392.	Administrative and Support Services (79900).....			$1,223,977	$1,223,977
	General Management and Direction (79901).....	$1,223,977	$1,223,977		
	Fund Sources: General.....	$1,223,977	$1,223,977		

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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Chairs of the House Courts of Justice and Senate Judiciary 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 of Public Safety and Homeland Security, or his designee, shall convene a work group to examine the costs and feasibility of the implementation of Senate Bill 134, 2022 Session of the General Assembly. The work group shall include representatives from the Department of Juvenile Justice, the Office of the Executive Secretary, Court Service Units, Juvenile Detention Centers, Juvenile and Domestic Relations District Courts, the Department of Corrections, the Department of Behavioral Health and Developmental Services, the Department of Planning and Budget, appropriate staff from the House Appropriations and Senate Finance and Appropriations Committees, and other appropriate stakeholders. The work group shall develop cost estimates and the associated efforts necessary to implement the provisions of Senate Bill 134, to include the state and local fiscal impact and any cost savings realized by reducing the number of individuals in the adult criminal justice system. In conducting this assessment, the work group shall review the experience of other states that have implemented similar legislation. The Secretary of Public Safety and Homeland Security shall submit a report of the work group's findings to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022.

E.1. The Secretary of Public Safety and Homeland Security, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, with the cooperation and assistance of the Department of Planning and Budget, the Virginia Association of Counties, and the Virginia Municipal League, shall evaluate and submit to the General Assembly no later than October 15, 2024, a report on juvenile detention center cost savings strategies. The report shall include a proposal to reduce state formula financial assistance for juvenile confinement in local facilities (“juvenile detention center block grant") in order to incentivize consolidation of juvenile detention centers in the

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Commonwealth. The proposal shall: (i) recommend five to eight juvenile detention centers for consolidation, identifying the five to eight facilities recommended for closure and alternative facilities recommended to house youth impacted by the closures; (ii) describe the criteria used to identify such facilities including, but not limited to, distance between the facilities recommended for closure and the recommended alternative sites of incarceration, funded and licensed capacity, historical and projected average daily population by region, age and condition of facilities and their electronic security systems, outstanding debt service, deferred maintenance and annual maintenance reserve as a percentage of the replacement asset value, potential for repurposing or sale of facilities recommended for closure, regional distribution of juvenile detention centers, and availability of programming; (iii) estimate the state savings that would result from elimination of juvenile detention center block grant funding for facilities recommended for closure, net any expected increase in block grant or per diem funding for facilities recommended to house additional youth; and (iv) recommend two to five options for reinvesting the net savings in services for youth involved or at-risk of becoming involved in the juvenile justice system.				
2. In addition, the report shall assess alternative delivery models for education services at juvenile detention centers, including: (i) determining the extent to which each juvenile detention center currently implements or could further implement cost effective staffing methods, including strategies identified in the 2021 Board of Education report entitled "Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers"; (ii) continuing to develop an alternative to the statutorily required 1:12 teacher to student staffing ratio; (iii) utilizing full-time special education teachers to coordinate, plan, and substitute for part-time teachers shared with either the local school division or other state operated programs; and (iv) determining and providing the feasibility and potential cost savings of each alternative delivery model, as well as specific actions to implement each model.				
393. Disaster Planning and Operations (72200)			$601,083	$601,083
Emergency Planning and Homeland Security (72210)	$601,083	$601,083		
Fund Sources: Federal Trust	$601,083	$601,083		
Total for Secretary of Public Safety and Homeland Security			**$1,825,060**	**$1,825,060**
General Fund Positions	6.00	6.00		
Nongeneral Fund Positions	3.00	3.00		
Position Level	9.00	9.00		
Fund Sources: General	$1,223,977	$1,223,977		
Federal Trust	$601,083	$601,083		
§ 1-112. COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL (957)				
394. Adjudication Training, Education, and Standards (32600)			$2,369,884	~~$2,369,884~~ *$2,378,486*
Prosecutorial Training (32604)	$2,369,884	~~$2,369,884~~ *$2,378,486*		
Fund Sources: General	$751,036	~~$751,036~~ *$759,638*		
Special	$1,418,848	$1,418,848		
Federal Trust	$200,000	$200,000		
Authority: Title 2.2, Chapter 26, Article 7, Code of Virginia.				
Total for Commonwealth's Attorneys' Services Council			**$2,369,884**	~~**$2,369,884**~~ ***$2,378,486***
General Fund Positions	7.00	7.00		
Position Level	7.00	7.00		

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Fund Sources: General	$751,036	~~$751,036~~ *$759,638*		
Special	$1,418,848	$1,418,848		
Federal Trust	$200,000	$200,000		

§ 1-113. VIRGINIA ALCOHOLIC BEVERAGE CONTROL AUTHORITY (999)

395.	Crime Detection, Investigation, and Apprehension (30400)			$26,860,562	$26,841,337
	Enforcement and Regulation of Alcoholic Beverage Control Laws (30403)	$26,860,562	$26,841,337		
	Fund Sources: Enterprise	$26,160,562	$26,141,337		
	Federal Trust	$700,000	$700,000		

Authority: § 4.1-100 through § 4.1-133, Code of Virginia.

A. No funds appropriated for this program shall be used for enforcement personnel to enforce local ordinances.

B. Revenues of the fund appropriated in this Item and Item 396 of this act are limited to those received pursuant to Title 4, Code of Virginia, except taxes collected by the Alcoholic Beverage Control Board.

C. By September 1 of each year, the Alcoholic Beverage Control Board shall report for the prior fiscal year the dollar amount of total wine liter tax collections in Virginia; the portion, expressed in dollars, of such tax collections attributable to the sale of Virginia wine in both ABC stores and in private stores; and, the percentage of total wine liter tax collections attributable to the sale of Virginia wine. Such report shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, Director, Department of Planning and Budget and the Virginia Wine Board.

D. Included in this appropriation for this item is $839,752 the first year and $839,752 the second year from the Enterprise Fund to be used to support civilian licensing technicians.

E. Included in the appropriation for this item is $2,500,000 the first year and $2,500,000 the second year from the Enterprise Fund to support licensing agents in association with the Authority's licensing reform efforts.

F. Included in the appropriation for this Item is $1,000,000 the first year and $1,000,000 the second year from the Enterprise Fund to support enforcement activities related to the unlawful direct shipment into Virginia of alcoholic beverages by unlicensed businesses and fulfillment centers.

396.	Alcoholic Beverage Merchandising (80100)			$985,302,631	$1,039,831,964
	Administrative Services (80101)	$91,396,948	$89,820,668		
	Alcoholic Beverage Control Retail Store Operations (80102)	$131,994,895	$134,799,506		
	Alcoholic Beverage Purchasing, Warehousing and Distribution (80103)	$761,910,788	$815,211,790		
	Fund Sources: Enterprise	$985,302,631	$1,039,831,964		

Authority: § 4.1-100 through § 4.1-133, Code of Virginia.

A. By December 15 of each year, the Alcoholic Beverage Control Board shall submit a report to the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, Secretary of Public Safety and Homeland Security, the Director, Department of Planning and Budget, the Director, Department of Accounts, the Chief Information Officer of the Commonwealth, and the Auditor of Public Accounts regarding the status of financing, procuring and implementing the information technology systems necessary to sustain the Authority's business enterprise.

B. Funds appropriated for services related to state lottery operations shall be used solely for lottery ticket purchases and prize payouts.

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C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability.				
D. Notwithstanding § 4.1-120, Code of Virginia, the Alcoholic Beverage Control Board may open certain government stores, as determined by the Board, for the sale of alcoholic beverages on New Year's Day and on Sundays after 10:00 a.m.				
E. Consistent with the provisions of Chapters 730 and 38, 2015 Acts of Assembly, members of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of their official duties as set forth in the general appropriation act for members of the House of Delegates when the General Assembly is not is session, except that the chairmen of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of his official duties as set forth in the general appropriation act for a member of the Senate of Virginia when the General Assembly is not in session.				
Total for Virginia Alcoholic Beverage Control Authority			**$1,012,163,193**	**$1,066,673,301**
Nongeneral Fund Positions	1,643.00	1,699.00		
Position Level	1,643.00	1,699.00		
Fund Sources: Enterprise	$1,011,463,193	$1,065,973,301		
Federal Trust	$700,000	$700,000		

§ 1-114. VIRGINIA CANNABIS CONTROL AUTHORITY (977)

397.	Cannabis Regulation and Enforcement (30800)			$8,200,000	~~$11,200,000~~ *$5,300,000*
	Administrative Services (30801)	$8,200,000	~~$11,200,000~~ *$5,300,000*		
	Fund Sources: General	$8,200,000	~~$11,200,000~~ *$5,300,000*		
	Authority: §§4.1-601 through 4.1-1503, Code of Virginia.				
	Out of the amounts appropriated in this item, $8,200,000 the first year and ~~$11,200,000~~ *$5,300,000* the second year from the general fund is provided for the startup and general operations of the Virginia Cannabis Control Authority. ~~Included in these amounts, $3,000,000 the second year from the general fund is provided for low-interest and zero-interest loans to assist applicants and licensees, to be distributed by the Authority consistent with existing law.~~*The Director, Department of Planning and Budget, is authorized to transfer up to $2,500,000 from any general fund balance originally appropriated in Item 479 U., Chapter 552, 2021 Acts of Assembly, Special Session I to the Cannabis Control Authority to cover one-time costs of a seed-to-sale tracking system.*				
	Total for Virginia Cannabis Control Authority			**$8,200,000**	~~**$11,200,000**~~ ***$5,300,000***
	General Fund Positions	37.00	49.00		
	Position Level	37.00	49.00		
	Fund Sources: General	$8,200,000	~~$11,200,000~~ *$5,300,000*		

§ 1-115. DEPARTMENT OF CORRECTIONS (799)

398.	Instruction (19700)			$32,033,181	$32,142,006
	Career and Technical Instructional Services for Youth and Adult Schools (19712)	$12,290,875	$12,399,700		
	Adult Instructional Services (19713)	$13,256,651	$13,256,651		
	Instructional Leadership and Support Services (19714)	$6,485,655	$6,485,655		
	Fund Sources: General	$31,522,903	$31,631,728		

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	Federal Trust	$510,278	$510,278		
	Authority: §§ 53.1-5 and 53.1-10, Code of Virginia.				
399.	Supervision of Offenders and Re-entry Services (35100)			$118,213,514	~~$119,537,118~~ *$120,837,118*
	Probation and Parole Services (35106)	$106,980,864	~~$108,304,468~~ *$109,604,468*		
	Community Residential Programs (35108)	$6,008,897	$6,008,897		
	Administrative Services (35109)	$5,223,753	$5,223,753		
	Fund Sources: General	$115,118,412	~~$116,442,016~~ *$117,742,016*		
	Dedicated Special Revenue	$2,695,102	$2,695,102		
	Federal Trust	$400,000	$400,000		

Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia.

A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the Chairs of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Chairs of the Senate Judiciary; Rehabilitation and Social Services; and Finance and Appropriations Committees and to the Department of Planning and Budget. The report shall include a description of the department's progress in implementing evidence-based practices in probation and parole districts, and its plan to continue expanding this initiative into additional districts. The section of the status report on evidence-based practices shall include an evaluation of the effectiveness of these practices in reducing recidivism and how that effectiveness is measured.

B. Included in the appropriation for this Item is $150,000 the first year and $150,000 the second year from nongeneral funds to support the implementation of evidence-based practices in probation and parole districts. The source of the funds is the Drug Offender Assessment Fund.

C. Out of the amounts appropriated in this item, $200,000 the first year and $200,000 the second year from the general fund is designated for the Department of Corrections to pay the Department of Motor Vehicles for the costs of providing identification cards to inmates through the DMV Connect program.

D. Included in the appropriation for this Item is $1,967,265 the first year and $2,360,719 the second year and 37 positions from the general fund to expand the cognitive-behavioral program statewide for Probation and Parole offices. The Department of Corrections shall submit a report evaluating the effectiveness of the cognitive-behavioral program including but not limited to services and treatment provided, program completion rate, and recidivism rate for those individuals who participated in the program. The report shall be submitted to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, the Secretary of Finance, and the Director, Department of Planning and Budget by November 1, 2023.

E.1. Included in the appropriation for this item, $3,337,051 the first year and $3,640,419 the second year from the general fund is provided for a $3,000 per year salary increase for probation and parole officers, including senior officers and supervisors, effective July 10, 2022.

2. The Department shall conduct a review of its probation and parole officer staffing levels, including vacancies, rates of staff turnover and recruitment statistics, employment conditions, and employee compensation at the Department. The Department shall deliver a report containing such data and information to the Governor and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1, 2022.

400. A. The following process shall be applicable in order for any county, city, or regional jail

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authority (hereinafter referred to as "the locality") to receive state reimbursement for a portion of the costs of the construction, expansion, or renovation of a jail as provided in §§53.1-80 and 53.1-81, Code of Virginia:

1. The locality shall file with the Department of Corrections, by January 1 of the year in which it wishes its request to be considered, the following information in a format specified by the department:

a. the information and documents required by §53.1-82.1, Code of Virginia;

b. Specifications for the proposed construction or renovation; and

c. Detailed cost estimates.

2. The Department of Corrections shall review the request and make its comments and recommendations to the State Board of Local and Regional Jails.

3. The Departments of Corrections and Criminal Justice Services shall review the community-based corrections plan and jail population forecast submitted by the locality and make their comments and recommendation concerning them to the State Board of Local and Regional Jails.

4. The State Board of Local and Regional Jails shall review and take action on the request, after reviewing the comments and recommendations of the Departments of Corrections and Criminal Justice Services. It may modify any aspect of the request before approving it. The Board shall not approve any request unless the following conditions have been met:

a. the project is consistent with the projected number of local and state responsible offenders to be housed in such facility;

b. the project meets the design criteria set out in the State Board of Local and Regional Jails' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities;

c. the project is proposed to be built using standards for a minimum security facility, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security;

d. the project can be completed and operated in a cost-efficient manner; and

e. any other criteria established by the Board.

5. If the State Board of Local and Regional Jails approves a request, the Department of Corrections shall (i) submit to the Department of General Services (DGS) as soon as is practicable after Board approval, but no later than August 1, the completed forms DGS-30-199 (CR-1) Project Planner, DGS-30-224 (BCS) Building Cost Summary (for all estimates), and a DGS-30-212 Summary of Value Engineering Recommendations (VE-1), and any existing design documents for each project, the detailed list of the Board-approved costs, and any other information requested by DGS to perform a design and cost review; and (ii) submit to the Department of Planning and Budget by no later than October 1, a summary of the project and a detailed list of the Board-approved costs. Using the project information provided by the Department of Corrections and the localities, DGS shall provide a cost review of the Board-approved project no later than October 1 and shall inform the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of the outcome of its review.

6. If the State Board of Local and Regional Jails approves a request, the Department of Criminal Justice Services shall submit to the Department of Planning and Budget by October 1 a summary of the alternatives to incarceration included in the community-based corrections plan approved for the project, along with a projection of the state funds needed to implement these programs.

7. The Department of Planning and Budget shall submit to the Governor, for consideration for inclusion in the budget bill to be submitted by the Governor to the General Assembly, its recommendations concerning the approval of the request for reimbursement of jail

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construction or renovation costs and whether state funding is appropriate to support the alternatives to incarceration included in the community-based corrections plan.

B. The Department of Corrections shall provide an annual report on the status of jail construction and renovation projects as approved for funding by the General Assembly. The report shall be limited to those projects which increase bed capacity. The report shall include a brief summary description of each project, the total capital cost of the project and the approved state share of the capital cost, the number of beds approved, along with the net number of new beds if existing beds are to be removed, and the closure of any existing facilities, if applicable. The report shall include the six-year population forecast, as well as the double-bunking capacity compared to the rated capacity for each project listed. The report shall also include the general fund impact on community corrections programs as reported by the Department of Criminal Justice Services, and the recommended financing arrangements and estimated general fund requirements for debt service as provided by the State Treasurer. Copies of the report shall be provided by October 1 of each year to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees and to the Director, Department of Planning and Budget.

C.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the State Board of Local and Regional Jails.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to the operational provisions of §§ 53.1-5 and 53.1-68, Code of Virginia, as well as all rules, regulations, and inspections established by the State Board of Local and Regional Jails.

D. The State Board of Local and Regional Jails shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report including the double-bunking capacity, as well as the standard State Board of Local and Regional Jails measure of rated capacity, for each jail shall be presented to the Secretary of Public Safety and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by October 1 of each year.

E. The Commonwealth shall reimburse localities or regional jail authorities up to 25 percent of the cost of constructing, enlarging, or renovating local or regional jails, for projects approved by the Governor on or after July 1, 2017.

401. Operation of State Residential Community Correctional Facilities (36100)			$17,868,136	$17,868,136
Community Facility Management (36101)	$1,612,308	$1,612,308		
Supervision and Management of Probates (36102)	$11,794,985	$11,794,985		
Rehabilitation and Treatment Services - Community Residential Facilities (36103)	$1,538,022	$1,538,022		
Medical and Clinical Services - Community Residential Facilities (36104)	$891,521	$891,521		
Food Services - Community Residential Facilities (36105)	$855,566	$855,566		
Physical Plant Services - Community Residential Facilities (36106)	$1,175,734	$1,175,734		
Fund Sources: General	$16,968,136	$16,968,136		
Special	$900,000	$900,000		

Authority: §§ 53.1-67.2 through 53.1-67.8, Code of Virginia.

A. Included within this appropriation is $700,000 the first year and $700,000 the second year from nongeneral funds to be used for operating expenses of diversion centers operated by the Department of Corrections. The nongeneral funds are to come from the

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fees collected from probationers assigned to the diversion centers to cover a portion of the cost of housing them, pursuant to § 19.2-316.4 D, Code of Virginia.

B. Included in the appropriation for this Item is $1,019,010 the first year and $1,019,010 the second year from the general fund for the establishment of opioid treatment programs in the detention and diversion centers. The department shall report annually to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Department of Planning and Budget on the status of the program, including recidivism and illegal drug relapse of participants in the program.

402. Operation of Secure Correctional Facilities (39800)....			$867,543,295	~~$872,424,207~~ *$877,511,223*
Supervision and Management of Inmates (39802).....	$553,750,458	~~$558,127,009~~ *$561,290,746*		
Rehabilitation and Treatment Services - Prisons (39803).....	$51,791,209	~~$52,295,570~~ *$54,218,849*		
Prison Management (39805).....	$74,012,872	$74,012,872		
Food Services - Prisons (39807).....	$41,065,447	$41,065,447		
Agribusiness (39811).....	$12,783,017	$12,783,017		
Correctional Enterprises (39812).....	$51,856,358	$51,856,358		
Physical Plant Services - Prisons (39815).....	$82,283,934	$82,283,934		
Fund Sources: General.....	$812,361,937	~~$817,242,849~~ *$822,329,865*		
Special.....	$55,181,358	$55,181,358		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Included in this appropriation is $1,620,000 the first year and $1,620,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations:

1. $220,000 the first year and $220,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other ancillary services to family members;

2. $1,325,000 the first year and $1,325,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and

3. $75,000 the first year and $75,000 the second year for the “FETCH" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the department.

2. The State Comptroller shall continue to maintain the Contract Prisoners Special Revenue Fund on the books of the Commonwealth to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

3. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to affect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 73 of this act.

D. To the extent that the Department of Corrections privatizes food services, the department shall also seek to maximize agribusiness operations.

E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of

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Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.

F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles.

G.1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall continue to operate a behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of four years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse. For any such offender, the court may impose the appropriate sentence with the stipulation that the Department of Corrections place the offender in an intensive therapeutic community-style substance abuse treatment program as soon as possible after receiving the offender. Upon certification by the Department of Corrections that the offender has successfully completed such a program of a duration of 24 months or longer, the court may suspend the remainder of the sentence imposed by the court and order the offender released to supervised probation for a period specified by the court.

2. If an offender assigned to the program voluntarily withdraws from the program, is removed from the program by the Department of Corrections for intractable behavior, fails to participate in program activities, or fails to comply with the terms and conditions of the program, the Department of Corrections shall notify the court, outlining specific reasons for the removal and shall reassign the defendant to another incarceration assignment as appropriate. Under such terms, the offender shall serve out the balance of the sentence imposed by the court, as provided by law.

3. The Department of Corrections shall collect the data and develop the framework and processes that will enable it to conduct an in-depth evaluation of the program three years after it has been in operation. The department shall submit a report periodically on the program to the Chief Justice as he may require and shall submit a report on the implementation of the program and its usage to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by June 30 of each year.

H. Included in the appropriation for this Item is $250,000 the first year and $250,000 the second year from nongeneral funds for a culinary arts program in which inmates are trained to operate food service activities serving agency staff and the general public. The source of the funds shall be revenues generated by the program. Any revenues so generated by the program shall not be subject to § 4-2.02 of this act and shall be used by the agency for the costs of operating the program. The State Comptroller shall continue to maintain the Inmate Culinary Arts Training Program Fund on the books of the Commonwealth to reflect the revenue and expenditures of this program.

I. Federal funds received by the Department of Corrections from the federal Residential Substance Abuse Treatment Program shall be exempt from payment of statewide and agency indirect cost recoveries into the general fund.

J. The Department of Corrections shall continue to operate a separate program for inmates under 18 years old who have been tried and convicted as adults and committed to the Department of Corrections. This separation of these offenders from the general prison population is required by the requirements of the federal Prison Rape Elimination Act.

K. Included within the appropriation for this item is $214,103 the first year and $242,923 the second year and two positions from the general fund for the Sex Offender Residential Treatment Program.

L. Out of this appropriation, $471,420 the first year and $471,420 the second year from

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the general fund and five positions to implement the recommendations of the Secretary of Public Safety and Homeland Security's workgroup on Access to Sex Offender Treatment.

M. Included in this appropriation is $250,000 the first year and $250,000 the second year from the general fund for the expansion and subsidization of the family video visitation services in its secure correctional facilities.

N. Included in the appropriation for this Item is $2,021,037 the first year and $2,425,245 the second year and 33 positions from the general fund to reduce the ratio of mental health clinicians to inmates in correctional facilities. The Department of Corrections shall report on mental health screenings and assessments, monitoring, and mental health treatment plans and services provided, including but not limited to reentry services and recidivism rates for those individuals who required mental health services in correctional facilities. The report shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by November 1, 2023.

O.1. Included in the appropriation for this Item is $26,072,637 the first year and $30,520,519 the second year from the general fund to increase minimum salaries and to address salary compression issues for correctional officers, sergeants, captains, lieutenants, and majors effective July 10, 2022.

2. The Department shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges identified by the workgroup under Chapter 1, Virginia Acts of Assembly, 2021 Special Session II. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of vacancies, and discuss other ongoing efforts implemented by the department to recruit and retain qualified and diverse correctional officer personnel. A report shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Human Resources Management, and the Director, Department of Planning and Budget, no later than October 15, 2023.

403.	Prison Medical and Clinical Services (39700).....		$260,341,125	$259,192,581
	Comprehensive Healthcare Facility Contract Costs (39701).....	$51,185,068	$14,302,752	
	Offsite Healthcare Costs (39702).....	$35,918,421	$45,759,321	
	Pharmaceutical Costs (39703).....	$52,756,100	$56,495,497	
	Department of Corrections-managed Facility Healthcare Costs (39704).....	$120,481,536	$142,635,011	
	Fund Sources: General.....	$258,853,948	$257,705,404	
	Special.....	$566,137	$566,137	
	Federal Trust.....	$921,040	$921,040	

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Out of this appropriation, $921,040 the first year and $921,040 the second year from nongeneral funds is included for inmate medical costs. The source of the nongeneral funds is an award from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice.

B. The Department of Corrections shall continue to coordinate with the Department of Medical Assistance Services and the Department of Social Services to enroll eligible inmates in Medicaid. To the extent possible, the Department of Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization occurs. Procedures shall also include provisions for medical providers to bill the Department of Medical Assistance Services, rather than the Department of Corrections, for eligible inmate inpatient medical expenses. Due to the multiple payor sources associated with inpatient and outpatient health care services, the Department of Corrections and the Department of Medical Assistance Services shall consult with the applicable provider community to ensure that administrative burdens are minimized and payment for health care services is rendered in a prompt manner.

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C. Included in the appropriation for this item is funding for the first year and the second year from the general fund for six medical contract monitors. The persons filling these positions shall have the responsibility of closely monitoring the adequacy and quality of inmate medical services in Department of Corrections' facilities.

D. The workgroup convened pursuant to Item 390, Paragraph R of Chapter 854, 2019 Acts of Assembly, shall be continued. The workgroup shall annually report on the progress and outcomes of the university medical pilots authorized in this Item. The report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15 of each year.

404. Administrative and Support Services (39900)			$193,189,083	~~$192,727,270~~ *$193,864,949*
General Management and Direction (39901)	$33,235,862	$32,977,922		
Information Technology Services (39902)	$80,215,543	$80,201,040		
Accounting and Budgeting Services (39903)	$6,327,168	$6,327,168		
Architectural and Engineering Services (39904)	$18,395,849	~~$17,973,910~~ *$19,111,589*		
Jail Regulation, Inspections, and Investigations (39905)	$971,215	$971,215		
Human Resources Services (39914)	$13,806,733	$14,039,302		
Planning and Evaluation Services (39916)	$1,917,612	$1,917,612		
Procurement and Distribution Services (39918)	$16,842,666	$16,842,666		
Training Academy (39929)	$11,144,616	$11,144,616		
Offender Classification and Time Computation Services (39930)	$10,331,819	$10,331,819		
Fund Sources: General	$185,743,442	~~$185,281,629~~ *$186,419,308*		
Special	$7,290,106	$7,290,106		
Dedicated Special Revenue	$155,535	$155,535		

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 books of the Commonwealth 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

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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 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 $426,832 the first year and $426,832 the second year from the general fund and four positions to assist the State Board of Local and Regional Jails 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. One of the positions provided is for an Executive Director.

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

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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 $112,200 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 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.1. Included within the appropriation for this item is $7,281,666 the first year and $7,281,666 the second year from the general fund and $1,000,000 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.

2. The Department of Corrections shall report on the total costs of implementing electronic health records at all of its facilities based on the selected vendor and the sufficiency of its on-going funding for full implementation at all facilities. The report shall identify all funding currently budgeted for the project, the timeline for implementation, and the inter-operability of the system with the information technology systems used by the Department and its vendors. The Department shall utilize its nongeneral funds appropriated for this purpose prior to using the general fund appropriation. The Department shall provide a report containing the aforementioned information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 60 days of selecting its vendor.

R. 1. Included in the appropriation for this item is $7,909,652 in the first year and $8,125,783 in the second year and 105 positions from the general fund for the Department to implement the earned-sentence-credit structure set forth in House Bill 5148 and Senate Bill 5034 of the 2020 Special Session I.

2. Notwithstanding the provisions of § 53.1-202.3, Code of Virginia, a maximum of 4.5 sentence credits may be earned for each 30 days served on a sentence that is concurrent with or consecutive to a sentence for a conviction of an offense enumerated in subsection A of § 53.1-202.3, Code of Virginia.

S. Included in the appropriation for this Item is $500,000 the first year from the general

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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 434 -- $50,000

2. House Bill 451 -- $50,000

3. House Bill 496 and Senate Bill 687 -- $50,000

4. House Bill 740 and Senate Bill 729 -- $50,000

5. House Bill 993 and Senate Bill 440 -- $50,000

6. House Bill 763 and Senate Bill 403 -- $50,000

7. House Bill 1332 and Senate Bill 700 -- $50,000

8. House Bill 1306 -- $50,000

9. Senate Bill 227 -- $50,000

10. Senate Bill 249 -- $50,000

T. Included in the appropriation for this Item is $1,137,679 the second 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 1636 -- $50,000

2. House Bill 1699 -- $50,000

3. House Bill 1892 -- $50,000

4. House Bill 2398 -- $50,000

5. House Bill 1931 and Senate Bill 973 -- $50,000

6. House Bill 2166 and Senate Bill 896 -- $50,000

7. House Bill 1897 and Senate Bill 1532 -- $50,000

8. House Bill 1885 and Senate Bill 1396 -- $50,000

9. House Bill 2024 and Senate Bill 1310 -- $50,000

10. House Bill 1572 and Senate Bill 1291 -- $50,000

11. House Bill 1478 and Senate Bill 1207 -- $437,679

12. House Bill 1682 and Senate Bill 1188 -- $50,000

13. House Bill 1673 and Senate Bill 1156 -- $50,000

14. House Bill 2372 and Senate Bill 1135 -- $50,000

15. House Bill 2132 and Senate Bill 1145 -- $50,000

Total for Department of Corrections			**$1,489,188,334**	**~~$1,493,891,318~~** ***$1,501,416,013***
General Fund Positions	12,907.00	~~13,068.00~~ *13,105.00*		
Nongeneral Fund Positions	238.50	233.50		
Position Level	13,145.50	~~13,301.50~~ *13,338.50*		

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	Fund Sources: General	$1,420,568,778	~~$1,425,271,762~~ *$1,432,796,457*		
	Special	$63,937,601	$63,937,601		
	Dedicated Special Revenue	$2,850,637	$2,850,637		
	Federal Trust	$1,831,318	$1,831,318		

§ 1-116. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)

405.	Criminal Justice Training and Standards (30300)			$5,796,871	$5,807,704
	Criminal Justice Training Services (30303)	$2,942,994	$2,942,994		
	Standards and Training (30304)	$1,707,107	$1,717,940		
	Criminal Justice Academy Inspections and Audit Services (30307)	$1,146,770	$1,146,770		
	Fund Sources: General	$5,545,136	$5,555,969		
	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 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 Chairs of the House Committees on Militia, Police, and Public Safety, Courts of Justice, and Appropriations, and to the Chairs of the Senate Judiciary Committee.

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.

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.

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.

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.

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.

F. Included in the appropriation for this item is $249,695 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.

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G. Included in the appropriation for this item is $113,790 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.

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. Included in the appropriation for this item is $727,122 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.

J. Notwithstanding the provisions of §§ 2.2-5515, 15.2-1721.1, and 52-11.3, a waiver from the Criminal Justice Services Board is only required for the continued use of rifles of .50 caliber or higher or ammunition of .50 caliber or higher for use in such rifles and not for other types of firearms or ammunition of .50 caliber or higher.

406.	Criminal Justice Research, Planning and Coordination (30500)		$1,703,971	$3,226,221
	Criminal Justice Research, Statistics, Evaluation, and Information Services (30504)	$1,703,971	$3,226,221	
	Fund Sources: General	$1,703,971	$3,226,221	

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 $492,851 the first year and $515,101 the second year from the general fund and three positions 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 $122,405 the first year and $1,622,405 the second year from the general fund and three positions for crisis intervention team training to law-enforcement officers and dispatchers, and to provide technical assistance in support of the Mental Health Awareness Response and Community Understanding Services (MARCUS) alert system. These activities are supported in the first year through the American Rescue Plan Act (ARPA) as funded in Item 486 of this Act.

E. Included within the appropriation for this item is $132,254 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.

F. Included within the appropriation for this item is $232,898 the first year and $232,898 the second year from the general fund to provide an online human trafficking recognition training course to hotel employees consistent with the provisions of §§ 9.1-102 and 35.1-15.1, Code of Virginia.

407.	Asset Forfeiture and Seizure Fund Management and Financial Assistance Program (30600)		$6,226,895	$6,226,895
	Coordination of Asset Seizure and Forfeiture Activities (30602)	$6,226,895	$6,226,895	
	Fund Sources: Special	$6,226,895	$6,226,895	

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	Authority: Title 19.2, Chapter 22.1, Code of Virginia.				
408.	Financial Assistance for Administration of Justice Services (39000)			$188,192,489	~~$182,192,489~~ *$220,882,998*
	Criminal Justice Assistance Grants (39002)	$171,881,957	~~$168,381,957~~ *$207,072,466*		
	Criminal Justice Grants Fiscal Management Services (39003)	$1,256,178	$1,256,178		
	Criminal Justice Policy and Program Services (39004)	$15,054,354	$12,554,354		
	Fund Sources: General	$90,105,767	~~$84,105,767~~ *$122,796,276*		
	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	$80,176,148	$80,176,148		

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 Chairs of the Senate Finance and Appropriations and House Appropriations Committees and the Director, 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, $1,527,859 the first year and $1,527,859 the second year from the general fund and an estimated $1,122,530 the first year and an estimated $1,122,530 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, 2022, through June 30, 2024.

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

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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~~ *$2,264,578* 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 Chairs of the Senate Finance and Appropriations 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, established pursuant to § 9.1-116.1, Code of Virginia, $3,000,000 the first year and $3,000,000 the second year from the dedicated special revenue fund, and $1,400,000 the first year and $1,400,000 the second year from the general fund, to provide grants to local programs and prosecutors that provide services to victims of domestic violence. Of this amount, at least $500,000 the first year and at least $500,000 the second year is provided to support sexual assault service providers and hospitals as described in clause (iii) of § 9.1-116.1 B, Code of Virginia, as amended by the 2022 Session of the General Assembly.

5. Pre and Post-Incarceration Services (PAPIS), $3,786,144 the first year and $3,786,144 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 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, $28,190,378 the first year and $28,190,378 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

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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, $27,200,000 the first year and $27,200,000 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. Notwithstanding the provisions of § 9.1-110, Code of Virginia, and subsection 3 of this section, the Department shall waive all matching requirements for grant recipients awarded funds the first year.

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 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

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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, $446,547 the first year and ~~$446,547~~ *$1,646,547* the second year from the general fund and $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, $1,896,547 the first year and ~~$1,896,547~~*$3,096,547* 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 Chairs of the Senate Finance and Appropriations 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 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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.

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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 Chairs of the House Appropriations and Senate Finance and Appropriations 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 the appropriation for this Item, $193,658 the first year and $193,658 the second year from the general fund and four positions to support evidence-based gun violence intervention and prevention services.

N.1.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Firearm Violence Intervention and Prevention Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys accruing to the Fund, including funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of supporting gun violence intervention and prevention programs. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department.

b. The Firearm Violence Intervention and Prevention Fund shall be administered by the Department, and the Department shall adopt guidelines and make funds available to agencies of local government, community-based organizations, and hospitals for the purpose of supporting implementation of evidence-informed gun violence intervention and prevention efforts, including street outreach, hospital-based violence intervention, and other violence intervention programs. Grant funds shall also support firearm suicide prevention and safe firearm removal practices from persons prohibited from possessing a firearm, including subjects of domestic violence protective orders, persons convicted of prohibitory crimes, and persons subject to substantial risk orders. The Department shall establish a grant procedure to govern funds awarded for this purpose.

c. Out of the amounts appropriated for this item, $4,000,000 the first year and ~~$4,000,000~~ *$9,000,000* the second year from the general fund shall be deposited into the Firearm Violence Intervention and Prevention Fund. At least $1,500,000 each year shall be provided to localities with disproportionate firearm-related homicides to support crime intervention and prevention through community engagement, including youth programs, to include at least $500,000 the first year for the City of Portsmouth and at least $1,000,000 the first year for the City of Norfolk.

2.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Operation Ceasefire Grant Fund (the Fund) and managed by the Department. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other sources, public or private, shall be paid into the state treasury and be credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund shall be

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made by the State Treasurer on warrants issued by the Comptroller upon written request of the Director of the Department.

b. Moneys in the Fund shall be used solely for the purposes of implementing violent crime reduction strategies, providing training for law-enforcement officers and prosecutors, providing equipment for law-enforcement agencies, and awarding grants to organizations such as state and local law-enforcement agencies, local attorneys for the Commonwealth, localities, social services providers, and nonprofit organizations that are engaged in group violence intervention efforts. For the purposes of subsection N.2. of this item, "group violence intervention" means comprehensive law enforcement, prosecutorial, and community-based initiatives, substantially similar to Operation Ceasefire as implemented in Boston, Massachusetts and the Gang Reduction Programs implemented in Richmond and Los Angeles, California, which are documented by the Department of Justice and are carried out between members of law enforcement, members of the community, and social services providers. The Department shall establish an application process for awarding grants from the Fund, including criteria and procedures for determining the amount of a grant.

c. Out of the amounts appropriated for this item, $2,500,000 the first year and ~~$2,500,000~~ *$17,500,000* the second year from the general fund shall be deposited into the Operation Ceasefire Grant Fund.

3. Out of the amounts in section N of this item, the Director, Department of Criminal Justice Services, is authorized to expend no more than three percent per year for state administration of these programs. ~~The Department shall submit an annual report that details the amounts awarded and evaluates the implementation and effectiveness of each grant recipient's program to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022 and November 1, 2023.~~

4.a. Out of the amounts appropriated for this item, $10,000,000 the second year from the general fund is provided for the Safer Communities Program to support holistic, community-based strategies that address the root causes and conditions of community violence. Such strategies shall be evidence-informed and/or community-driven and shall include: (i) afterschool programs and mentorships; (ii) connections to education and economic opportunities; (iii) trauma-informed mental health care; (iv) credible messengers and violence interrupters; and (v) strategies to build trust between law enforcement agencies and community stakeholders. Out of this amount, $9,500,000 shall be provided to the City of Norfolk, the City of Portsmouth, and the City of Richmond, with a minimum award of $2,500,000 per locality and the remainder allocated to each of the three localities based on population. Recipient localities shall (i) use grant funds to employ a full-time position dedicated to planning, implementation, and coordination of community violence reduction strategies, including utilizing existing violence reduction grants and pursuing additional grant opportunities, and (ii) provide quarterly reports to the Department detailing expenditures to date to ensure alignment with the requirements established in this paragraph.

b. There is hereby established the Office of Safer Communities ("the Office") in the Department. The Office shall serve as a resource for research, evidence, and best practices for community-based violence intervention, including: (i) providing consultation to the Board of Criminal Justice Services as it administers the Firearm Violence Intervention and Prevention Grant Fund and the Operation Ceasefire Grant Fund; (ii) liaising with Safer Communities Program recipient localities to ensure collection of the expenditure reports required by the preceding paragraph; (iii) conducting outreach to current and potential recipients of violence intervention and prevention grants; and (iv) summarizing violence reduction grantees' use of funds, including any available outcome measures, noting alignment with national promising practices.

c. The Office shall provide quarterly updates to the Virginia Crime Commission and submit an annual report by November 1 of each year to the Chairs of the Virginia Crime Commission, House Courts of Justice Committee, Senate Judiciary Committee, House Appropriations Committee, and Senate Finance and Appropriations Committee. The updates and annual reports shall summarize the efforts of the Office, to include information collected pursuant to provision (iv) of the preceding paragraph and the findings of the Office's research on best practices.

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*d. Out of the amounts in subsection N.4.a of this item, $500,000 is provided to support the Office, to include positions and support services for research, outreach, and reporting. The Office shall employ at least one position focused on coordination and outreach and at least one position focused on research and evidence. In addition, existing administrative funding and positions authorized under paragraphs M. and N. of this item shall support the O*ffice.

O. 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.

P. Included within the appropriation for this item is $113,790 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. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.

Q. Included in the appropriation for this item is $2,000,000 the first year from the general fund as a one-time appropriation for the Big H.O.M.I.E.S. program.

R. Included in the appropriation for this item is $400,000 the first year and $400,000 the second year from the general fund to support the Virginia Victim Assistance Network.

S. To support campus safety and security initiatives at the Commonwealth’s Historically Black Colleges and Universities, $4,000,000 the first year from the general fund. Of this amount, $1,000,000 shall be provided to each of (i) Virginia State University, (ii) Norfolk State University, (iii) the City of Richmond in support of campus safety and security initiatives undertaken by Virginia Union University, and (iv) the City of Hampton in support of campus safety and security initiatives undertaken by Hampton University.

T. Out of the amounts appropriated in this item, $95,000 the second year from the general fund is provided for a contract with Impact Living Services for the Impact First Responders program in Virginia to provide education and training related to trauma, resiliency, and critical incidence stress management, as well as peer and mental health support to first responders.

U. Included in the appropriation for this item is $1,000,000 the second year from the general fund for a witness protection program. Subject to the development of criteria for the distribution of grants, including procedures for the application process and determination of the actual amount of any grant issued by the department, the Director shall award grants to local law enforcement agencies, Commonwealth's Attorneys' offices, and other local government agencies as appropriate to provide temporary assistance to help alleviate potential intimidation of witnesses. The purpose of the grant program is to support witnesses and their families who may be in danger because of their cooperation with the investigation and prosecution of serious crimes. Grant awards shall be used to provide time-limited assistance of up to 90 days to witnesses to defray the costs associated with their ability to safely serve as a witness including, but not limited to, lodging, medical, transportation, food, and relocation expenses. The department shall work with the Virginia State Police, Office of the Attorney General, Virginia Sheriffs' Association, Virginia Association of the Chiefs of Police, Virginia Association of Commonwealth's Attorneys, and other appropriate stakeholders to establish an application process for awarding grants, to include criteria and procedures to determine the amount of the grant, eligible expenses, a reasonable maximum amount for witness assistance during the 90-day

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period, and a verification process to ensure funding is used for eligible witness expenses. The department, in consultation with stakeholders, may also recommend options for potential extensions of the 90-day period in extenuating circumstances for consideration by the General Assembly. Of this amount, the department is authorized to expend up to $200,000 for a position and other expenses related to state administration of this program. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

V. Out of this appropriation, $5,074,631 the second year from the general fund shall be available for the Department to contract with local law enforcement agencies to provide transportation services or assume custody of an individual under an emergency custody order or a temporary detention order who is awaiting admission to a facility or for whom a bed has not yet been identified. For the purposes of this program, local law enforcement agencies shall include police departments, jails, regional jails, and sheriffs' offices who have agreed to utilize off-duty or on-duty officers performing overtime. The Department shall coordinate with the Department of Behavioral Health and Developmental Services (DBHDS) to set criteria for awarding contracts, including weighing localities who are disproportionately impacted by a high number of emergency custody or temporary detention orders and must travel far distances to transport an individual to a state facility. DCJS and DBHDS shall also coordinate to ensure DCJS contracts awarded are not duplicative of contracts under the Off Duty Officer Program at DBHDS. This appropriation shall be one-time and shall be removed from the base budget for 2024-26 biennium. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year. Of this amount, the Director is authorized to expend reasonable amounts for state administration of the program including up to one position.

409.	Regulation of Professions and Occupations (56000)...			$3,662,569	$3,662,569
	Towing Licensing Oversight Services (56035).....	$302,150	$302,150		
	Licensure, Certification, and Registration of Professions and Occupations (56046).....	$1,881,040	$1,881,040		
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	$1,479,379	$1,479,379		
	Fund Sources: Special.....	$3,662,569	$3,662,569		

Authority: Title 9.1, Chapter 1, Article 4, §§ 9.1-141, 9.1-139, 9.1-143, and 9.1-149, Code of Virginia.

410.	Financial Assistance to Localities - General (72800)...			$210,797,081	~~$219,650,081~~ *$221,713,001*
	Financial Assistance to Localities Operating Police Departments (72813).....	$210,797,081	~~$219,650,081~~ *$221,713,001*		
	Fund Sources: General.....	$210,797,081	~~$219,650,081~~ *$221,713,001*		

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 $210,797,081 the first year and ~~$219,650,081~~ *$221,713,001* the second year, *including $2,062,920 the second year designated as one-time funding*. 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.

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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 date as determined by the department. The department shall provide this information to the Chairs of the House Appropriations and Senate Finance and Appropriations 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.

411. Administrative and Support Services (39900)			$4,534,670	$4,360,670
General Management and Direction (39901)	$1,209,886	$1,009,886		
Information Technology Services (39902)	$1,423,788	$1,423,788		
Accounting and Budgeting Services (39903)	$1,900,996	$1,926,996		
Fund Sources: General	$4,183,697	$4,009,697		
Special	$350,973	$350,973		

Authority: Title 9.1, Chapter 1, Code of Virginia.

Out of the amounts appropriated for this item is $200,000 the first year from the general fund as one-time support to alleviate hardship expenses for the families of the two officers who lost their lives during the February 2022 Bridgewater College shooting incident.

Total for Department of Criminal Justice Services			**$420,914,546**	**~~$425,126,629~~** ***$465,880,058***
General Fund Positions	99.50	~~101.50~~ *105.50*		
Nongeneral Fund Positions	83.50	81.50		
Position Level	183.00	~~183.00~~ *187.00*		
Fund Sources: General	$312,335,652	~~$316,547,735~~ *$357,301,164*		
Special	$10,498,796	$10,498,796		
Trust and Agency	$4,298,130	$4,298,130		

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	Dedicated Special Revenue	$13,605,820	$13,605,820		
	Federal Trust	$80,176,148	$80,176,148		

§ 1-117. DEPARTMENT OF EMERGENCY MANAGEMENT (127)

412.	Emergency Preparedness (77500)			$32,477,735	$32,290,835
	Financial Assistance for Emergency Management and Response (77501)	$20,370,257	$20,370,257		
	Emergency Training and Exercises (77502)	$4,223,650	$3,923,952		
	Emergency Planning Preparedness Assistance (77503)	$3,198,391	$3,198,391		
	Emergency Preparedness and Response (77504)	$2,779,130	$2,891,928		
	Emergency Management Regional Coordination (77506)	$1,906,307	$1,906,307		
	Fund Sources: General	$6,887,369	$6,700,469		
	Special	$1,932,635	$1,932,635		
	Federal Trust	$23,657,731	$23,657,731		

Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.

A. Included within this appropriation is the continuation of $160,810 the first year and $160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.

B. This appropriation includes $500,000 in the first year and $500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness.

C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.

2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.

3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 349, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.

D. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.

E. Out of this appropriation, $96,000 the first year and $96,000 the second year from the general fund to establish the Partners in Preparedness Program.

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413.	Emergency Response and Recovery (77600)			$33,396,273	$25,321,972
	Emergency Response and Recovery Services (77601)	$3,024,997	$3,024,997		
	Financial Assistance for Emergency Response and Recovery (77602)	$20,189,470	$20,189,470		
	Emergency Response Direct Support (77603)	$102,604	$102,604		
	Disaster Recovery Services (77604)	$10,079,202	$2,004,901		
	Fund Sources: General	$8,740,599	$666,298		
	Special	$306,340	$306,340		
	Commonwealth Transportation	$1,295,713	$1,295,713		
	Federal Trust	$23,053,621	$23,053,621		

Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-146.28(a) Code of Virginia.

A. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.

B. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.

C.1. Localities receiving reimbursements from the Department of Emergency Management for Emergency Management Assistance Compact (EMAC) mission costs shall reimburse the Department of Emergency Management for any overpayments within sixty (60) days of written notification of such overpayment.

2. Overpayment amounts shall be based on the difference between the amount reimbursed to the locality by the Department of Emergency Management and the amount reimbursed to the Department of Emergency Management by the state requesting emergency aid under the Compact.

3. If the locality does not reimburse the Department of Emergency Management the overpaid amount within sixty (60) days of being notified, the Comptroller is authorized to withhold from any funds to be transferred to the locality the amount overpaid to the locality and transfer such withheld funds to the Department of Emergency Management.

D. Consistent with any Executive Order signed by the Governor, the Secretary of Finance or his designee may provide the Department of Emergency Management anticipation loans in such amounts as may be needed to appropriately reimburse the Department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary.

E. Out of this appropriation, $8,074,301 the first year from the general fund is provided for coordinating response and recovery efforts related to the COVID-19 pandemic, including but not limited to covering the cost of the state share of COVID-19 related expenses, including the Hazard Mitigation Grant Program for the COVID-19 disaster, as required by the Federal Emergency Management Agency (FEMA), and for the pandemic response purposes listed below:

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1. $1,087,635 the first year is provided for warehouse operations, storage, and distribution of personal protective equipment (PPE) to fulfill requests received through the Virginia Emergency Support Team and the Unified Command;

2. $865,000 the first year is provided for continuing operations of the Joint Information Center including coordinating communications and broadcasting official press conferences;

3. Prior to obligating the appropriation, except for expenses related to subparagraphs 1 and 2 of this Item, the Department shall develop a detailed plan for expenditures of these funds and must request approval from the Governor related to all other COVID-19 pandemic response efforts, including the costs of the state share as required by FEMA.

4. The Department shall maintain sufficient records and documentation to report the specific use of these funds. No later than August 15 of each year, the department shall report the use of these funds along with an estimate of the proposed use of the remaining funding and any additional funds that may be required to respond to the COVID-19 pandemic to the Governor, the Chairperson of the House Appropriations Committee, the Chairperson of the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget.

414.	Virginia Emergency Operations Center (77800).....		$4,022,015	$4,037,417
	Emergency Communications and Warning Point (77801).....	$4,022,015	$4,037,417	
	Fund Sources: General.....	$1,907,882	$1,907,882	
	Special.....	$1,289,164	$1,304,566	
	Federal Trust.....	$824,969	$824,969	

Authority: Title 44 and § 52-47, Code of Virginia.

A. Included within this appropriation is $424,874 the first year and $424,874 the second year from the general fund to support the Integrated Flood Observation and Warning System (IFLOWS) program.

B. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is provided for evaluating, upgrading, and maintaining the Integrated Flood Observation and Warning System (IFLOWS).

415.	Administrative and Support Services (79900).....		$11,869,423	$11,900,089
	General Management and Direction (79901).....	$4,851,332	$4,881,998	
	Information Technology Services (79902).....	$3,876,441	$3,876,441	
	Accounting and Budgeting Services (79903).....	$1,801,173	$1,801,173	
	Public Information Services (79919).....	$324,705	$324,705	
	Telecommunications (79930).....	$1,015,772	$1,015,772	
	Fund Sources: General.....	$4,569,539	$4,600,205	
	Special.....	$419,481	$419,481	
	Commonwealth Transportation.....	$63,762	$63,762	
	Federal Trust.....	$6,816,641	$6,816,641	

Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.

A.1. By September 1 of each year, the State Coordinator of Emergency Management shall assess emergencies and disasters that have been authorized sum sufficient funding by the Governor and provide to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees written justification to support continuing sum sufficient funding longer than one year for a locally declared emergency (or disaster), three years for a state declared disaster, and five years for a nationally declared disaster. At the same time, the state coordinator shall identify any disasters that can be closed due to fulfillment of the state's obligations.

2. The Department shall report on annual disaster expenditures and contracting. The report shall at minimum i) specify by event and state agency or locality, the amount spent per year from the Disaster Recovery Fund separate from any other state, local, federal or private

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contributions; ii) identify any Federal Emergency Management Agency (FEMA) reimbursements received during the previous fiscal year, itemizing for which event such reimbursements were made; iii) any contracts executed during a disaster and the expenditures and purposes for which they were executed. The State Coordinator shall provide the report to the Governor; Director, Department of Planning and Budget; and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1 of each year.

B.1. Localities and eligible private non-profit organizations that have received cost reimbursement through state and/or federal assistance programs to support homeland security and eligible recovery and mitigation projects and initiatives associated with disaster events, that are subsequently notified that either a portion or all of the funds provided are to be returned, shall reimburse the Virginia Department of Emergency Management for such overpayments, including any interest accrued on such funds, within sixty (60) days of being notified and receiving the request for reimbursement.

2. Overpayment amounts shall be based on the difference between the amount reimbursed or prepaid to the entity involved by the Department of Emergency Management and the final amount approved by the granting agency. Localities and eligible private non-profit organizations shall certify that no interest was earned on overpaid funds if no interest is included in the remittance.

3. If the entity does not reimburse the Virginia Department of Emergency Management within 60 days of being notified, the Comptroller is authorized to withhold the amount of overpayment from any eligible funds to be transferred to the locality or organization and redirect the funds withheld to the Virginia Department of Emergency Management to satisfy the outstanding liability.

4. The Department of Emergency Management shall not provide future prepayments to any locality or eligible private non-profit organization once the Comptroller has been required to withhold funding.

C. Included within this appropriation is $570,901 the first year and $570,901 the second year from the general fund that shall only be used for costs associated with transforming the agency's information systems to conform with standards of the Virginia Information Technologies Agency.

D. Out of this appropriation, $218,775 the first year and $281,240 the second year from the general fund is included for the financing costs of purchasing vehicles through the state's master equipment lease purchase program. It is the intent that the Department of Emergency Management establish a schedule for replacing emergency response vehicles using the master equipment lease purchase program.

E. Included in this appropriation is $90,000 in the first year and $90,000 in the second year from the general fund to support regional satellite communications used by the agency in the event of an emergency.

F. Included in this appropriation is $42,000 the first year and $42,000 the second year from the general fund to replace radios for regional coordinators, hazardous materials officers, disaster response and recovery officers, and other regional staff. The radios shall be inter-operable with the State Agencies Radio System (STARS), and shall be acquired through the master equipment lease program.

416. A. All funds transferred to the Department of Emergency Management pursuant to the Governor's authority under § 44-146.28, Code of Virginia, shall be deposited into a special fund account to be used only for Disaster Recovery.

B. Included in the Federal Trust appropriation are amounts estimated at $34,592 the first year and $34,592 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.

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417.	Information Systems Management and Direction (71100)			$2,755,882	$2,755,882
	Geographic Information Access Services (71105)	$2,755,882	$2,755,882		
	Fund Sources: Dedicated Special Revenue	$2,755,882	$2,755,882		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. All state and nonstate agencies receiving an appropriation in Part 1 shall comply with the guidelines and related procedures issued by Department of Emergency Management for effective management of geographic information systems in the Commonwealth.

2. All state and nonstate agencies identified in paragraph A.1. that have a geographic information system, shall assist the department by providing any requested information on the systems including current and planned expenditures and activities, and acquired resources.

3. The State Corporation Commission, the Virginia Employment Commission, the Department of Game and Inland Fisheries, and other nongeneral fund agencies are encouraged to use their own fund sources for the acquisition of hardware and development of data for the spatial data library in the Virginia Geographic Information Network.

B. The Department of Emergency Management, through its Geographic Information Network Division (VGIN), or its counterpart, shall acquire on a four-year cycle high-resolution digital orthophotography of the land base of Virginia pursuant to VGIN's Virginia Base Mapping Program (VBMP) and digital road centerline files. VGIN shall administer the maintenance of the VBMP and appropriate addressing and standardized attribution in collaboration with local governments. All digital orthophotography, Digital Terrain Models and ancillary data produced by the VBMP, but not including digital road centerline files, shall be the property of the Commonwealth of Virginia and administered by VGIN. The VGIN, or its counterpart, will be responsible for protecting the data through appropriate license agreements and establishing appropriate terms, conditions, charges and any limitations on use of the data. VGIN will license the data at no charge (other than media / transfer costs) to Virginia governmental entities or their agents. Such data shall not be subject to release by such entities under the Freedom of Information Act or similar laws. VGIN in its discretion may release certain data by posting to the Internet. Distribution of the data for commercial or private use or to users outside the Commonwealth will be the sole responsibility of VGIN or its agent(s) and shall require payment of a license fee to be determined by VGIN. All fees collected as a result will be added to the GIS Fund as established in the Code of Virginia § 44-146.18:7. Collected fees and grants are hereby appropriated for future data updates or to cover the costs of existing digital ortho acquisition or for other purposes authorized in § 44-146.18:7.

C. Funding in this item shall be used to support the efforts of the Virginia Geographic Information Network which provides for the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services. Funding is to be earmarked for major updates of the VBMP and digital road centerline files.

D. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $1,750,000 the first year and $1,750,000 the second year from Emergency Response Systems Development Technology Services dedicated special revenue shall be used to support the efforts of the Virginia Geographic Information Network, or its counterpart, for providing the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services.

418.	Emergency Response Systems Development Technology Services (71200)			$23,006,035	$23,006,035
	Emergency Communication Systems Development Services (71201)	$7,029,427	$7,029,427		
	Financial Assistance to Localities for Enhanced Emergency Communications Services (71202)	$10,984,640	$10,984,640		
	Financial Assistance to Service Providers for Enhanced Emergency Communications Services (71203)	$4,991,968	$4,991,968		
	Fund Sources: Dedicated Special Revenue	$23,006,035	$23,006,035		

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Authority: Title 2.2, Chapter 20.1, and Title 56, Chapter 15, Code of Virginia.

A.1.a. Out of the amounts for Emergency Communication Systems Development Services, $1,000,000 the first year and $1,000,000 the second year from dedicated special revenue shall be used for development and deployment of improvements to the statewide E-911 network.

b. These funds shall remain unallotted until their expenditure has been approved by the Wireless E-911 Services Board.

2. Out of the amounts for Emergency Communication Systems Development Services, $4,000,000 the first year and $4,000,000 the second year from dedicated special revenue shall be used for wireless E-911 service costs as determined by the Wireless E-911 Services Board.

B. The operating expenses, administrative costs, and salaries of the employees of the Public Safety Communications Division shall be paid from the Wireless E-911 Fund created pursuant to § 56-484.17.

C. During next generation 911 service planning and deployment, the 911 Services Board may reimburse a provider for its wireless E-911 CMRS costs, in lieu of reimbursing the provider's costs to deliver 911 calls to the ESInet points of interconnection pursuant to § 56-484.17(D), Code of Virginia. The 911 Services Board may establish the process, criteria, and duration for such reimbursement of CMRS costs but shall continue to ensure that necessary 911 service and ESInet objectives are achieved.

Total for Department of Emergency Management....			**$107,527,363**	**$99,312,230**
General Fund Positions.....	69.85	73.85		
Nongeneral Fund Positions.....	159.15	155.15		
Position Level.....	229.00	229.00		
Fund Sources: General.....	$22,105,389	$13,874,854		
Special.....	$3,947,620	$3,963,022		
Commonwealth Transportation.....	$1,359,475	$1,359,475		
Dedicated Special Revenue.....	$25,761,917	$25,761,917		
Federal Trust.....	$54,352,962	$54,352,962		

§ 1-118. DEPARTMENT OF FIRE PROGRAMS (960)

419. Fire Training and Technical Support Services (74400).....			$10,899,622	~~$10,899,622~~ *$11,003,422*
Fire Services Management and Coordination (74401).....	$4,768,034	$4,768,034		
Virginia Fire Services Research (74402).....	$302,274	$302,274		
Fire Services Training and Professional Development (74403).....	$4,114,054	~~$4,114,054~~ *$4,217,854*		
Technical Assistance and Consultation Services (74404).....	$675,132	$675,132		
Emergency Operational Response Services (74405).....	$107,073	$107,073		
Public Fire and Life Safety Educational Services (74406).....	$933,055	$933,055		
Fund Sources: *General*.....	*$0*	*$103,800*		
Special.....	$10,899,622	$10,899,622		

Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.

A. Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the revenue available from the Fire Programs Fund, after making the distributions set out in § 38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the administrative costs of all activities assigned to it by law.

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B. Included in the amounts appropriated for this item is $123,100 the first year and $123,100 the second year from the Fire Programs Fund to implement a modular training program for volunteer firefighters in accordance with House Bill 729 of the 2018 Session of the General Assembly.				
420. Financial Assistance for Fire Services Programs (76400)			$35,435,644	$35,435,644
Fire Programs Fund Distribution (76401)	$32,110,644	$32,110,644		
Live Fire Training Structure Grant (76402)	$2,500,000	$2,500,000		
Categorical Grants (76403)	$825,000	$825,000		
Fund Sources: Special	$35,185,644	$35,185,644		
Federal Trust	$250,000	$250,000		
Authority: §§ 38.2-401, Code of Virginia.				
421. Regulation of Structure Safety (56200)			$3,395,720	$3,395,720
State Fire Prevention Code Administration (56203)	$3,395,720	$3,395,720		
Fund Sources: General	$2,835,598	$2,835,598		
Special	$560,122	$560,122		
Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
The State Fire Marshal may charge no fee for any permits or inspections of any school, whether it be public or private.				
Total for Department of Fire Programs			**$49,730,986**	**~~$49,730,986~~** ***$49,834,786***
General Fund Positions	29.25	29.25		
Nongeneral Fund Positions	52.75	52.75		
Position Level	82.00	82.00		
Fund Sources: General	$2,835,598	~~$2,835,598~~ *$2,939,398*		
Special	$46,645,388	$46,645,388		
Federal Trust	$250,000	$250,000		
§ 1-119. DEPARTMENT OF FORENSIC SCIENCE (778)				
422. Law Enforcement Scientific Support Services (30900)			$59,127,378	~~$58,320,478~~ *$58,568,513*
Biological Analysis Services (30901)	$14,487,439	$14,487,439		
Chemical Analysis Services (30902)	$14,465,511	$14,465,511		
Toxicology Services (30903)	$12,453,980	$11,647,080		
Physical Evidence Services (30904)	$9,688,531	~~$9,688,531~~ *$9,936,566*		
Training Services (30905)	$590,966	$590,966		
Administrative Services (30906)	$7,440,951	$7,440,951		
Fund Sources: General	$56,446,890	~~$55,639,990~~ *$55,888,025*		
Federal Trust	$2,680,488	$2,680,488		

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

B.1. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence

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exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chair of the Forensic Science Board and to the respective Chairs of the House Committee for Courts of Justice and the Senate Judiciary Committee. The Department of Corrections shall assist the board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chair of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of analysis that has been issued in connection with the Post Conviction DNA Testing Program and that reflects that a convicted person's DNA profile was not indicated on items of evidence tested, the Department of Forensic Science shall make available for inspection and copying such requested record after all personal and identifying information about the victims, their family members, and consensual partners has been redacted, except where disclosure of the information contained therein is expressly prohibited by law or the Commonwealth's Attorney to whom the certificate was issued states that the certificate is critical to an ongoing active investigation and that disclosure jeopardizes the investigation.

C. Out of the appropriation for this Item, $403,250 the first year and $403,250 the second year from the general fund is provided for the ongoing financing costs of scientific equipment in the toxicology, controlled substances, breath alcohol, and DNA sections through the state's master equipment lease purchase program.

D. Included in the appropriation for this item is $144,336 each year from the general fund for the estimated costs of materials needed for the additional DNA testing required pursuant to Chapters 543 and 544 of the 2018 Session of the General Assembly.

E. Notwithstanding § 9.1-1101.1, Code of Virginia, the Department of Forensic Science shall not enter into contracts or agreements for forensic laboratory services that i) require additional general fund resources for laboratory services that can otherwise be procured at lower costs, or ii) impose additional regulatory burdens on the staff of the Department to implement.

F. Included in the appropriation for this item is $641,200 the first year and $641,200 the second year from the general fund for four additional toxicology positions and associated equipment and supplies to support the Department's tetrahydrocannabinol (THC) data collection initiative. Of the four positions, no fewer than one shall be assigned to the Western Laboratory in the City of Roanoke.

Total for Department of Forensic Science			**$59,127,378**	**~~$58,320,478~~** ***$58,568,513***
General Fund Positions	341.00	~~341.00~~ *345.00*		
Nongeneral Fund Positions	14.00	14.00		
Position Level	355.00	~~355.00~~ *359.00*		
Fund Sources: General	$56,446,890	~~$55,639,990~~ *$55,888,025*		
Federal Trust	$2,680,488	$2,680,488		

§ 1-120. DEPARTMENT OF JUVENILE JUSTICE (777)

423.	Instruction (19700)			$15,954,828	$15,954,828
	Youth Instructional Services (19711)	$9,614,758	$9,614,758		
	Career and Technical Instructional Services for Youth and Adult Schools (19712)	$2,690,137	$2,690,137		
	Instructional Leadership and Support Services (19714)	$3,649,933	$3,649,933		

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Fund Sources: General	$13,386,761	$13,386,761		
Special	$181,288	$181,288		
Federal Trust	$2,386,779	$2,386,779		

Authority: § 66-13.1, Code of Virginia.

424. Operation of Community Residential and Nonresidential Services (35000)			$3,320,293	$3,320,293
Community Residential and Non-residential Custody and Treatment Services (35008)	$3,320,293	$3,320,293		
Fund Sources: General	$3,247,866	$3,247,866		
Special	$50,000	$50,000		
Federal Trust	$22,427	$22,427		

Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia.

A. Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles.

B. Included in the appropriation for this Item is $2,920,000 in the first year and $2,920,000 in the second year from the general fund for a Juvenile Community Placement Program, in which the department may contract with local juvenile detention centers to house juveniles committed to the department prior to their release. The funding provided shall support a minimum of 40 juvenile detention center beds. The department shall develop program guidelines that at a minimum will include which juveniles qualify for placement, length of stay, level of security, mental health services, alcohol and substance abuse services, as well as other services that will be provided to the juvenile while in the detention center.

425. Supervision of Offenders and Re-entry Services (35100)			$69,178,106	$71,167,932
Juvenile Probation and Aftercare Services (35102)	$13,621,115	$13,621,115		
Probation and Parole Services (35106)	$44,613,540	$46,603,366		
Community Residential Programs (35108)	$8,085,438	$8,085,438		
Administrative Services (35109)	$2,858,013	$2,858,013		
Fund Sources: General	$68,296,157	$70,285,983		
Special	$145,000	$145,000		
Federal Trust	$736,949	$736,949		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of Virginia.

A. Notwithstanding the provisions of § 16.1-273 of the Code of Virginia, the Department of Juvenile Justice, including locally-operated court services units, shall not be required to provide drug screening and assessment services in conjunction with investigations ordered by the courts.

B. Included in the appropriation for this Item is $1,626,575 in the first year and $1,626,575 in the second year from the general fund to support mental health and substance abuse evaluation and treatment services for juveniles under state probation or parole. Out of this item, up to $325,315 each year may be used for the provision of inpatient mental health treatment by private providers for residents committed to the Department and found to be in need of mental health treatment pursuant to § 66-20 of the Code of Virginia. The department shall develop a plan to ensure continuation of mental health and substance abuse treatment services, including contracting with local providers as necessary.

C. Included in the appropriation for this Item is $240,000 in the first year and $240,000 in the second year from the general fund that shall be used for emergency housing upon release from department custody. The department shall develop guidelines which at a minimum includes a juvenile selection process for placement and maximum lengths of stay.

ITEM 426.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
426.	Financial Assistance to Local Governments for Juvenile Justice Services (36000)			$52,320,514	$52,320,514
	Financial Assistance for Juvenile Confinement in Local Facilities (36001)	$37,352,256	$37,352,256		
	Financial Assistance for Probation and Parole - Local Grants (36002)	$4,138,720	$4,138,720		
	Financial Assistance for Community based Alternative Treatment Services (36003)	$10,829,538	$10,829,538		
	Fund Sources: General	$50,510,835	$50,510,835		
	Federal Trust	$1,809,679	$1,809,679		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia.

A. From July 1, 2022 to June 30, 2024, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety and Homeland Security is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of $50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of § 16.1-322.1 of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this Item.

E.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes $10,379,926 the first year and $10,379,926 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia. Notwithstanding § 16.1-309.6, Code of Virginia, localities participating in this program and contributing through their local match an amount of local funds which is greater than they receive from the Commonwealth under this program are authorized, but not required, to provide a contribution greater than the state general fund contribution. In no case shall their local match be less than their state share.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, Code of Virginia, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. The Director, Department of Planning and Budget, may increase the general fund appropriation for this Item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.

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b. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

c. The Department of Juvenile Justice, with the assistance of the Department of Corrections, the Virginia Council on Juvenile Detention, juvenile court service unit directors, juvenile and domestic relations district court judges, and juvenile justice advocacy groups, shall provide a report on the types of programs supported by the Juvenile Community Crime Control Act and whether the youth participating in such programs are statistically less likely to be arrested, adjudicated or convicted, or incarcerated for either misdemeanors or crimes that would otherwise be considered felonies if committed by an adult.

F. The department shall consolidate the annual reporting requirements in §§ 2.2-222 and 66-13 and in Chapters 755 and 914 of the 1996 Acts of the General Assembly concerning juvenile offender demographics. The consolidated annual report shall address the progress of Virginia Juvenile Community Crime Control Act programs including the requirements in Article 12.1 of Chapter 11 of Title 16.1 (§ 16.1-309.2 et seq.) relating to the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities. Notwithstanding any other provisions of the Code of Virginia, the consolidated report shall be submitted to the Governor, the General Assembly, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget by the first day of the regular General Assembly session.

427.	Operation of Secure Correctional Facilities (39800)....		$77,528,354	$78,199,898
	Juvenile Corrections Center Management (39801).....	$2,668,230	$4,839,774	
	Food Services - Prisons (39807).....	$3,074,590	$3,074,590	
	Medical and Clinical Services - Prisons (39810).....	$8,409,121	$8,409,121	
	Physical Plant Services - Prisons (39815).....	$8,008,019	$6,508,019	
	Offender Classification and Time Computation Services (39830).....	$1,342,859	$1,342,859	
	Juvenile Supervision and Management Services (39831).....	$46,946,327	$46,946,327	
	Juvenile Rehabilitation and Treatment Services (39832).....	$7,079,208	$7,079,208	
	Fund Sources: General.....	$74,264,999	$74,936,543	
	Special.....	$1,670,067	$1,670,067	
	Dedicated Special Revenue.....	$48,000	$48,000	
	Federal Trust.....	$1,545,288	$1,545,288	

Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of Virginia.

A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care, and treatment of said children.

B.1. The Director, Department of Juvenile Justice, (the “Department”) shall develop a transformation plan to provide more effective and efficient services for juveniles, using data-based decision-making, that improves outcomes and safely reduces the number of juveniles housed in state-operated juvenile correctional centers, consistent with public safety. To accomplish these objectives, the Department will provide, when appropriate, alternative placements and services for juveniles committed to the Department that offer treatment, supervision and programs that meet the levels of risk and need, as identified by the Department's risk and needs assessment instruments, for each juvenile placed in such

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placements or programs. Prior to implementation, the plan shall be approved by the Secretary of Public Safety and Homeland Security.

2. The Department shall reallocate any savings from the reduced cost of operating state juvenile correctional centers to support the goals of the transformation plan including, but not limited to: (a) increasing the number of male and female local placement options, and post-dispositional treatment programs and services; (b) ensuring that appropriate placements and treatment programs are available across all regions of the Commonwealth; and (c) providing appropriate levels of educational, career readiness, rehabilitative, and mental health services for these juveniles in state, regional, or local programs and facilities, including but not limited to, community placement programs, independent living programs, and group homes. The goals of such transformation services shall be to reduce the risks for reoffending for juveniles supervised or committed to the Department and to improve and promote the skills and resiliencies necessary for the juveniles to lead successful lives in their communities.

3. No later than November 1 of each year, the Department of Juvenile Justice shall provide a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security and the Director, Department of Planning and Budget, assessing the impact and results of the transformation plan and its related actions. The report shall include, but is not limited to, assessing juvenile offender recidivism rates, fiscal and operational impact on detention homes; changes (if any) in commitment orders by the courts; and use of the savings redirected as a result of transformation, including the amount expended for contracted programs and treatment services, including the number of juveniles receiving each specific service. The report should also include the average length of stay for juveniles in each placement option.

4. The Director, Department of Planning and Budget, is authorized to transfer appropriations between items and programs within the Department of Juvenile Justice to reallocate any savings achieved through transformation to accomplish the goals of transformation.

5. If the Department of Juvenile Justice deems it necessary, due to facility population decline, efficient use of resources, and the need to further reduce recidivism, to close a state juvenile correctional center, the Department shall (i) work cooperatively with the affected localities to minimize the effect of the closure on those communities and their residents, and (ii) implement a general closure plan, preferably not less than 12 months from announcement of the closure, to create opportunities to place affected state employees in existing departmental vacancies, assist affected employees with placement in other state agencies, create training opportunities for affected employees to increase their qualifications for additional positions, and safely reduce the population of the facility facing closure, consistent with public safety.

C.1. Included in the appropriation for this Item is $1,500,000 the first year from the general fund for security camera upgrades, external lighting, walk-through detection system, perimeter fencing upgrades, and a man-down communication system to enhance security at the Bon Air Juvenile Correctional Center.

2. In procuring any new security systems or components for the existing facility at Bon Air from such funds available in this Item, the Department shall consider ways to reuse the system procured in a future facility. To that end, the Department shall work with the Department of General Services to plan for reuse of a previously acquired security system in any future new facility constructed, to the extent feasible.

D. The Department shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee, no later than December 1, 2023, a report on the impact of the revisions to the Guidelines for Determining the Length of Stay (LOS) for Juveniles Indeterminately Committed to the Department of Juvenile Justice ("LOS Guidelines") adopted by the Board of Juvenile Justice on November 9, 2022. The report shall include: (i) the research and evidence base used to determine the Guidelines, to include (a) best practices on secure custody treatment "dosage" for programs the Department currently offers and (b) the data, including recidivism data, used to revise the offense-based tiers; (ii) historical data that shows juveniles' length of stay compared to the

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length of their assigned treatment program, including data breakouts for (a) each year over the past decade, (b) youth who did and did not complete their treatment plans, (c) youth organized by offense level, (d) youth organized by initial risk level, and (e) youth organized by treatment need; (iii) recent revisions in programming and treatment length at the Bon Air Juvenile Correctional Center, including a detailed comparison to programming and treatment length before fiscal year 2023; (iv) a six-year forecast of the juvenile direct care population that includes the same assumptions as the 2023 official forecast, except that length-of-stay data is projected based on the LOS Guidelines adopted in 2015, to show the impact of the Guidelines on the six-year population forecast; (v) an analysis of the impact of the current LOS Guidelines on (a) staffing ratios, to include best practices, current ratios, and the staffing levels necessitated by the 2023 official forecast for the juvenile direct care population, (b) bedscape needs and related needs for treatment, rehabilitation, and reentry services; (vi) current bed capacity at the Bon Air Juvenile Correctional Center, including maximum capacity based on physical bedspace and maximum capacity based on staffing levels; (vii) consideration of options for meeting the Department's anticipated capital and operating needs (including construction, renovation, contracts, and leases), addressing estimated capacity levels, costs, timeline, and staffing needs for each option; (viii) an assessment of the feasibility of evaluating treatment needs prior to determining the projected length of stay and incorporating projected treatment plan length into such determinations; and (ix) an assessment of the options available for youth to complete or continue programming started in direct care once they return to the community.

428. Administrative and Support Services (39900)			$21,980,675	$21,980,675
General Management and Direction (39901)	$3,182,080	$3,182,080		
Information Technology Services (39902)	$6,311,244	$6,311,244		
Accounting and Budgeting Services (39903)	$5,288,477	$5,288,477		
Architectural and Engineering Services (39904)	$660,073	$660,073		
Food and Dietary Services (39907)	$305,127	$305,127		
Human Resources Services (39914)	$4,041,530	$4,041,530		
Planning and Evaluation Services (39916)	$2,192,144	$2,192,144		
Fund Sources: General	$20,504,798	$20,504,798		
Special	$979,387	$979,387		
Federal Trust	$496,490	$496,490		

Authority: §§ 66-3 and 66-13, Code of Virginia.

A.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Juvenile Justice, shall implement the recommendations relating to the Department of Juvenile Justice 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 amounts appropriated for this item is $112,200 the first year and $112,200 the second year from nongeneral funds and two positions.

B. The Department of Juvenile Justice shall conduct a review of staffing levels, including vacancies, rates of staff turnover and recruitment statistics, employment conditions, employee health and safety, and employee compensation at the Department. The review shall include an analysis of the impact reductions in census levels have on the Department's staffing requirements. The Department shall deliver a report containing such data and information to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by October 1, 2022.

Total for Department of Juvenile Justice			**$240,282,770**	**$242,944,140**
General Fund Positions	2,149.50	2,149.50		
Nongeneral Fund Positions	22.00	22.00		
Position Level	2,171.50	2,171.50		
Fund Sources: General	$230,211,416	$232,872,786		
Special	$3,025,742	$3,025,742		

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Dedicated Special Revenue	$48,000	$48,000		
Federal Trust	$6,997,612	$6,997,612		

§ 1-121. DEPARTMENT OF STATE POLICE (156)

429. Information Technology Systems, Telecommunications and Records Management (30200)			$99,733,179	~~$97,757,865~~ *$102,757,865*
Information Technology Systems and Planning (30201)	$25,927,868	~~$25,929,102~~ *$30,929,102*		
Criminal Justice Information Services (30203)	$25,605,042	$23,616,151		
Telecommunications and Statewide Agencies Radio System (STARS) (30204)	$20,292,653	$20,295,122		
Firearms Purchase Program (30206)	$2,991,926	$2,992,543		
Sex Offender Registry Program (30207)	$12,145,333	$12,153,973		
Concealed Weapons Program (30208)	$335,139	$335,139		
Dispatch and Telecommunications Support (30209)	$12,435,218	$12,435,835		
Fund Sources: General	$82,582,430	~~$80,607,116~~ *$85,607,116*		
Special	$11,169,898	$11,169,898		
Dedicated Special Revenue	$3,716,561	$3,716,561		
Federal Trust	$2,264,290	$2,264,290		

Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.

A.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever possible.

2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $3,700,000 the first year and $3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.

B. Out of the Motor Carrier Special Fund, $900,000 the first year and $900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.

C.1. This appropriation includes $9,175,535 the first year and $9,175,535 the second year from the general fund for maintaining the Statewide Agencies Radio System (STARS).

2. The Secretary of Public Safety and Homeland Security, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) annual operating costs; (2) the status of site enhancements to support the system; (3) the project timelines for implementing the enhancements to the system; and (4) other matters as the secretary may deem appropriate. This report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1 of each year.

3. Any bond proceeds authorized for the STARS project that remain after the full implementation of the STARS network shall be made available for the STARS equipment needs of the Department of Military Affairs.

4. Any general fund appropriation given for STARS operating and maintenance under the service area 30204, is designated for such purposes. If the Department of State Police cannot expend its STARS appropriation within a given fiscal year, there shall remain an appropriation balance at the end of the fiscal year. The Department may request a discretionary re-appropriation in the subsequent year as provided in § 4-1.05 of this act if

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necessary for the payment of preexisting obligations for the purchase of goods or services.

D. The department shall deposit to the general fund an amount estimated at $100,000 the first year and $100,000 the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to § 15.2-1503.1 of the Code of Virginia.

E. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account – State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.

F. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.

G.1. The Virginia State Police shall, upon request, provide to the Department of Behavioral Health and Developmental Services any information it possesses as a result of carrying out the provisions of §§ 19.2-389, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to make anonymous the data held pursuant to those provisions and link it with other relevant data held by the Commonwealth for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a grant from the National Science Foundation to Duke University and a subcontract with the University of Virginia.

2. The Department of State Police shall, upon request, provide to the Department of Juvenile Justice any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to link the data held pursuant to those provisions with other relevant data held by the Commonwealth, and then to de-identify it, for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia.

3. The Department of State Police shall, upon request, provide to the Department of Health any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819, 19.2-182.2 and 64.2-2014, Code of Virginia, to enable the Department of Health to link the data held pursuant to those provisions with other relevant data held by the Commonwealth. Once received, the Department of Health will provide the linked data to the Department of Juvenile Justice for de-identification and for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia.

H. Included in the amounts provided for this Item is $99,479 the first year and $99,479 the second year from the general fund for the public safety information exchange program with those states that share a border with Canada or Mexico and are willing to participate in the exchange program pursuant to § 2.2-224.1, Code of Virginia.

I. Included in this appropriation is $620,371 the first year and $620,371 the second year from the general fund for the annual debt service for the Department to purchase fixed repeaters for the Statewide Agencies Radio System (STARS) through the Department of Treasury's Master Equipment Leasing Program.

J. Included within this appropriation is $350,200 the first year and $350,200 the second year from the general fund to support maintenance costs of the state's Commonwealth Link to Interoperable Communications (COMLINC) system.

K. Included within this appropriation is $300,000 the first year and $300,000 the second year and four positions to support the COMLINC system.

L. Included in the amounts provided for in this Item is $500,000 the first year for project

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management costs to upgrade the STARS system. This amount shall not be allotted until the project management costs are determined to be ineligible costs for a bond-funded capital project.

M. Included within the amounts for this item is $211,947 the first year and $211,947 the second year and three positions from the general fund for the Department to address the recommendation of the Crime Commission to provide a reference to the "Hold File" for criminal history records checks.

N. Included in the amounts appropriated in this item is $1,479,302 the first year and $1,479,302 the second year from the general fund to comply with and implement the provisions of the Community Policing Act pursuant to House Bill 1250 of the 2020 Session of the General Assembly.

O. Included in the appropriation for this Item is $5,209,045 the first year and ~~$5,209,045~~ *$10,209,045* the second year from the general fund to implement Phase I *and II* transformation of select components of the department's information technology in order to comply with §2.2-2011 of the Code of Virginia.

P. Included in the appropriation for this item is $438,464 the first year and $438,464 the second year from the general fund and four positions for the ongoing costs of operating an automatic expungement process pursuant to legislation adopted by the 2021 Session of the General Assembly.

Q. Out of this appropriation, $301,194 the first year and $301,194 the second year from the general fund is provided to the Department of State Police for three positions for cold case investigators to support efforts to resolve such cases.

430. Law Enforcement and Highway Safety Services (31000)			$347,672,543	~~$348,183,778~~ *$349,290,158*
Aviation Operations (31001)	$9,948,381	~~$9,957,638~~ *$10,160,638*		
Commercial Vehicle Enforcement (31002)	$5,930,267	$5,934,588		
Counter-Terrorism (31003)	$7,346,931	$7,372,851		
Help Eliminate Auto Theft (HEAT) (31004)	$2,405,658	$2,407,510		
Drug Enforcement (31005)	$27,530,193	$27,608,573		
Crime Investigation and Intelligence Services (31006)	$46,028,272	~~$45,552,663~~ *$46,456,043*		
Uniform Patrol Services (Highway Patrol) (31007)	$212,021,142	$212,780,253		
Insurance Fraud Program (31009)	$7,833,119	$7,846,697		
Vehicle Safety Inspections (31010)	$27,558,144	$27,635,289		
Sex Offender Registry Program Enforcement (31011)	$1,070,436	$1,087,716		
Fund Sources: General	$272,380,548	~~$272,891,783~~ *$273,998,163*		
Special	$44,135,983	$44,135,983		
Commonwealth Transportation	$9,179,045	$9,179,045		
Dedicated Special Revenue	$12,605,342	$12,605,342		
Federal Trust	$9,371,625	$9,371,625		

Authority: §§ 27-56, 33.2-1726, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. Included in this appropriation is $810,687 the first year and $810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.

B. Included in this appropriation is $4,831,625 the first year and $4,831,625 the second year from the Commonwealth Transportation Fund to support enforcement operations at weigh stations statewide.

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C. Included in this appropriation is $1,631,282 the first year and $1,631,282 the second year from Commonwealth Transportation Funds that shall be used to support the personal and associated nonpersonal services costs for trooper positions. These positions will be assigned to the “Highway Safety Corridors" and work to supplement the Department of State Police's enforcement efforts in those corridors.

D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.

E. Included within this appropriation is $3,098,098 the first year and $3,098,098 the second year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight) operations.

F. Included within this appropriation is $450,000 the first year and $450,000 the second year from the general fund, which shall be provided to the County of Chesterfield for use in funding the paramedics assigned to the Department of State Police for aviation (med-flight) operations, and for related med-flight expenses.

G. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

H. Included in this appropriation is $110,000 the first year and $110,000 the second year from the general fund to maintain increased traffic enforcement on Interstate 81. These funds shall be used to provide overtime payments for extended and additional work shifts so as to maintain the enhanced level of State Police patrols on this and other public highways in the Commonwealth.

I.1. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.

2. The Secretary of Public Safety and Homeland Security, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted; (2) the number of investigations of violations; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's current "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees each year by January 1.

J. Included within this appropriation is $15,500,000 the first year and $15,500,000 the second year from nongeneral funds to be used by the Department of State Police to record expenditures related to law enforcement activity that is performed for other entities and is billed and recorded as revenue, which may not be received until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue.

K. Included within this appropriation is $100,000 the first year and $100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.

L. Included within this appropriation is $116,988 the first year and $116,988 the second year from the Department of Aviation's special fund to support the aviation operations of the

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Department of State Police.

M.1. Out of the amounts appropriated for this Item, $1,450,000 the first year and $1,450,000 the second year from nongeneral funds *and $517,000 the second year from the general fund* shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to paragraph H.2 of Item 408, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report on the actual expenditures and performance results achieved each year. Copies of this report shall be provided each year to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1.

N. Out of the appropriation for this Item, $3,406,365 the first year and ~~$3,406,365~~ *$3,609,365* the second year from the general fund is continued for the ongoing financing costs of purchasing four helicopters through the state's master equipment lease purchase program.

O. Effective July 1, 2015, the Superintendent of State Police shall provide training to all local law enforcement agencies on the proper method to register and re-register persons required to be registered with the Sex Offender and Crimes Against Minors Registry. Should the Superintendent have reason to believe that any local law enforcement agency is not registering sex offenders as required by § 9.1-903, Code of Virginia, the Superintendent shall notify the local law enforcement agency, as well as the Executive Secretary of the Compensation Board and the Director of the Department of Criminal Justice Services.

P. Included in this appropriation for this item is $1,129,554 the first year and $1,129,554 the second year from the general fund to establish the second Special Operations Division, which shall serve the Sixth Division. Positions from the Sixth Division that are transferred into the Special Operations Sixth Division shall be backfilled in the Sixth Division.

Q. Included in this appropriation is $103,470 each year from the general fund for the Department of State Police to hire an aviation mechanic for the Fourth Aviation Division in Abingdon.

R. Included in this appropriation is $7,177,484 the first year and $7,177,484 the second year from the general fund as supplemental funding to the base funding for patrol vehicle replacement due to the increased costs associated with new replacement vehicles.

S. Included in this appropriation is $2,170,965 the first year and $1,573,157 the second year from the general fund to establish the Office of the Gaming Enforcement Coordinator and regional support consistent with the provisions of § 52-54 and § 18.2-340.35, Code of Virginia.

T. Included in this appropriation is $386,380 the second year from the general fund and five positions to support a software database to address organized retail crime in the Commonwealth.

431.	Administrative and Support Services (39900)			$34,223,743	~~$36,240,014~~ *$36,692,696*
	General Management and Direction (39901)	$9,533,807	$11,522,923		
	Accounting and Budgeting Services (39903)	$2,325,316	$2,326,550		
	Human Resources Services (39914)	$3,001,511	$3,002,745		
	Physical Plant Services (39915)	$7,536,571	$7,536,571		
	Procurement and Distribution Services (39918)	$3,095,749	$3,096,366		
	Training Academy (39929)	$7,982,531	~~$8,006,601~~ *$8,459,283*		
	Cafeteria (39931)	$748,258	$748,258		
	Fund Sources: General	$33,431,677	~~$35,447,948~~ *$35,900,630*		
	Special	$756,310	$756,310		
	Dedicated Special Revenue	$35,756	$35,756		

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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.

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 $278,976 the first year and $278,976 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, $65,207 the first year and $65,207 the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses.

D.*1.* Included in this appropriation is $1,000,000 the first year and $1,000,000 the second year from the general fund for the Department to provide training to state and local law enforcement officers in Drug Recognition Expert techniques.

2. Included in this appropriation is $452,682 the second year from the general fund to support six positions for the Department to provide expanded impaired driving training for state and local law enforcement officers.

E. Included in the Department's budget is $21,656,250 the first year and $24,806,250 the second year from the general fund to support a compensation plan to address pay compression, recruitment, and retention of sworn employees effective July 10, 2022. The Department shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges identified by the workgroup under Chapter 1, Virginia Acts of Assembly, 2021 Special Session II. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of vacancies, and discuss other ongoing efforts implemented by the Department to recruit and retain qualified and diverse law enforcement personnel. A report shall be submitted to the Governor, the Chair of the House Appropriations Committee, the Chair of the Senate Finance and Appropriations Committee, the Director of the Department of Human Resource Management, and the Director of the Department of Planning and Budget, no later than October 15, 2023.

432. All revenue received from the sale of motor vehicles shall be reported separately from that received from the sale of other property of the department.

Total for Department of State Police.....			**$481,629,465**	**~~$482,181,657~~** ***$488,740,719***

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General Fund Positions	2,674.00	~~2,674.00~~ *2,693.00*		
Nongeneral Fund Positions	397.00	397.00		
Position Level	3,071.00	~~3,071.00~~ *3,090.00*		
Fund Sources: General	$388,394,655	~~$388,946,847~~ *$395,505,909*		
Special	$56,062,191	$56,062,191		
Commonwealth Transportation	$9,179,045	$9,179,045		
Dedicated Special Revenue	$16,357,659	$16,357,659		
Federal Trust	$11,635,915	$11,635,915		

§ 1-122. VIRGINIA PAROLE BOARD (766)

433.	Probation and Parole Determination (35200)			$2,733,835	$2,733,835
	Adult Probation and Parole Services (35201)	$2,733,835	$2,733,835		
	Fund Sources: General	$2,683,835	$2,683,835		
	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.

Total for Virginia Parole Board			**$2,733,835**	**$2,733,835**
General Fund Positions	15.00	15.00		
Position Level	15.00	15.00		
Fund Sources: General	$2,683,835	$2,683,835		
Federal Trust	$50,000	$50,000		
TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY			**$3,875,692,814**	**~~$3,936,309,518~~** ***$3,985,607,141***
General Fund Positions	18,335.10	~~18,514.10~~ *18,578.10*		
Nongeneral Fund Positions	2,612.90	2,657.90		
Position Level	20,948.00	~~21,172.00~~ *21,236.00*		
Fund Sources: General	$2,445,757,226	~~$2,451,848,420~~ *$2,501,146,043*		
Special	$185,536,186	$185,551,588		
Commonwealth Transportation	$10,538,520	$10,538,520		
Enterprise	$1,011,463,193	$1,065,973,301		
Trust and Agency	$4,298,130	$4,298,130		
Dedicated Special Revenue	$58,624,033	$58,624,033		
Federal Trust	$159,475,526	$159,475,526		

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OFFICE OF TRANSPORTATION

§ 1-123. SECRETARY OF TRANSPORTATION (186)

434.	Administrative and Support Services (79900).....			$1,023,114	$1,023,114
	General Management and Direction (79901).....	$1,023,114	$1,023,114		
	Fund Sources: Commonwealth Transportation.....	$1,023,114	$1,023,114		

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. 117-58 of the 117th 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.

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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.

11. The Commonwealth Transportation Board, with the assistance of the Virginia Department of Transportation, shall develop a plan for the allocation of funds made available through a bridge replacement, rehabilitation, preservation, protection and construction program established pursuant to the Infrastructure Investment and Jobs Act. Such plan shall include (i) an investment strategy that provides for long-term sustainable performance of the Commonwealth's bridges, (ii) allocation of funds without regard to whether a structure is state-maintained or locally-maintained, and (iii) be developed considering the investment strategy and outcomes of the comprehensive review of pavements and bridges submitted to the Governor and General Assembly pursuant to the second enactment of Chapters 83 and 349 of the 2019 Acts of Assembly.

12. The Commonwealth Transportation Board shall develop a plan for the use of funds made available through the National Electric Vehicle Formula Program established by the Infrastructure Investment and Jobs Act by the deadline established by the United States Secretary of Transportation. The plan shall consider designated national electric vehicle charging corridors, opportunities to partner with private parties, and other factors included in federal guidance for such program.

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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 451. 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 processes pursuant to §§ 33.2-214.1 and 33.2-372 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-capita vehicle miles traveled pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly.

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.

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.

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.

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.

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.

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.

I. 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), Chapters 837 and 846 of the 2019 Acts of Assembly, and Chapters 1230 and 1275 of the 2020 Acts of Assembly that were dedicated to transportation-related funds have been appropriated in conformity with the requirements of those respective chapters.

J. 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-

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1800 et. seq.) (i) 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, or (ii) that is located on the same Interstate corridor and partially located within the same urbanized areas.				
K. It is the intent of the General Assembly that state funds in the Commonwealth Transportation Fund and federal funds provided on a recurring, non-one-time basis, for surface transportation be distributed and allocated at the discretion of the entities responsible for such funds based on the policy direction and requirements set forth in the Code of Virginia.				
L. Notwithstanding the provisions of § 33.2-3603, Code of Virginia, the I-81 Advisory Committee shall be required to meet at a minimum of two times a year, with additional meetings called at the discretion of the Chair.				
Total for Secretary of Transportation.....			**$1,023,114**	**$1,023,114**
Nongeneral Fund Positions.....	6.00	6.00		
Position Level.....	6.00	6.00		
Fund Sources: Commonwealth Transportation.....	$1,023,114	$1,023,114		
§ 1-124. VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY (509)				
435. Space Flight Support Services (60800).....			$23,380,866	$21,848,572
Maintenance and Operation of Space Flight Facilities (60801).....	$23,380,866	$21,848,572		
Fund Sources: Commonwealth Transportation.....	$23,380,866	$21,848,572		
Authority: Title 2.2, Chapter 22, Code of Virginia.				
Total for Virginia Commercial Space Flight Authority.....			**$23,380,866**	**$21,848,572**
Fund Sources: Commonwealth Transportation.....	$23,380,866	$21,848,572		
§ 1-125. DEPARTMENT OF AVIATION (841)				
436. Financial Assistance for Airports (65400).....			$32,748,695	$32,157,020
Financial Assistance for Airport Maintenance (65401).....	$1,000,000	$1,000,000		
Financial Assistance for Airport Development (65404).....	$30,748,695	$30,157,020		
Financial Assistance for Aviation Promotion (65405).....	$1,000,000	$1,000,000		
Fund Sources: Commonwealth Transportation.....	$32,748,695	$32,157,020		
Authority: Title 5.1, Chapters 1, 3, and 5; Title 58.1, Chapter 6, Code of Virginia.				
A. It is the intent of the General Assembly that the Department of Aviation match federal funds for Airport Assistance to the maximum extent possible. In furtherance of this maximization, the Commonwealth Transportation Board may request funding from the Commonwealth Airport Fund for surface transportation projects that provide airport access. The Aviation Board shall consider such requests and provide funding as it so approves. However, the legislative intent expressed herein shall not be construed to prohibit the Virginia Aviation Board from allocating funds for promotional activities in the event that federal matching funds are unavailable.				
B. The department is authorized to expend up to $400,000 the first year and $400,000 the second year from Aviation Special Funds to support a partnership between industry, academia, and Virginia Small Aircraft Transportation System. The project shall target research efforts to promote safety and greater access for rural airports.				
C. The department is authorized to pay to the Civil Air Patrol $100,000 the first year and				

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$100,000 the second year from Aviation Special Funds. The provisions of § 2.2-1505, Code of Virginia, and § 4-5.05 of this act shall not apply to the Civil Air Patrol.

D. Out of the amounts included in this Item, $500,000 the first year and $500,000 the second year shall be paid to the Washington Airports Task Force.

E.1. By November 1 of each year, the Virginia Aviation Board shall report to the Governor and the General Assembly on the use of Commonwealth Airport Fund revenues allocated the previous fiscal year. The report shall include at a minimum the following: (i) the use of entitlement funds allocated by each air carrier airport, including the amount of funds that are unobligated; (ii) the award and use of discretionary funds allocated for air carrier and reliever airports by every such airport; and (iii) the award and use of discretionary funds allocated for general aviation airports by every such airport. Such report shall also include the status of ongoing projects funded in whole or in part by the Commonwealth Airport Fund pursuant to subdivision A 3 of § 58.1-638.

2. The Board shall have the right to withhold entitlement funds allocated pursuant to subdivision A 3 a of § 58.1-638 in the event that the entitlement utilization plan is not approved by the Board or the airport uses the funds in a manner that is inconsistent with the approved plan.

F. It is the intent of the General Assembly that state moneys allocated pursuant to § 33.2-1526.6 shall not be used for (i) operating costs unless otherwise approved by the Virginia Aviation Board, or (ii) purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancements, or other related means.

437.	Air Transportation System Planning, Regulation, Communication and Education (65500)		$3,861,228	$3,861,228
	Aviation Licensing and Regulation (65501)	$287,722	$287,722	
	Aviation Communication and Education (65502)	$1,275,586	$1,275,586	
	General Aviation Personnel Development (65503)	$26,400	$26,400	
	Air Transportation Planning and Development (65504)	$2,271,520	$2,271,520	
	Fund Sources: Commonwealth Transportation	$3,155,673	$3,155,673	
	Federal Trust	$705,555	$705,555	

Authority: Title 5.1, Chapter 1, Code of Virginia.

438.	State Aircraft Flight Operations (65600)		$11,112,048	$3,512,048
	State Aircraft Operations and Maintenance (65602)	$11,112,048	$3,512,048	
	Fund Sources: General	$30,246	$30,246	
	Commonwealth Transportation	$11,081,802	$3,481,802	

Authority: Title 5.1, Chapter 1, Code of Virginia.

Pursuant to § 5.1-4 of the Code of Virginia, the Department of Aviation is authorized to purchase a jet aircraft using Aviation Special Funds to replace one existing King Air 350 aircraft. The department is directed to either trade-in or sell the King Air 350 aircraft to reduce financing requirements. Any proceeds related to a sale of the King Air 350 shall be retained by the department and used toward this purchase. Included in this item is $8,100,000 in the first year and $500,000 in the second year from the Aviation Special Fund to support this procurement.

439.	Administrative and Support Services (69900)		$2,803,043	$2,803,043
	General Management and Direction (69901)	$2,803,043	$2,803,043	
	Fund Sources: Commonwealth Transportation	$2,803,043	$2,803,043	

Authority: Title 5.1, Chapter 1, Code of Virginia.

A. The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record-keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing

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and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.				
B. The Virginia Aviation Board and the Department of Aviation may obligate funds in excess of the current biennium appropriation for aviation financial assistance programs supported by the Commonwealth Transportation Fund provided 1) sufficient cash is available to cover projected costs in each year and 2) sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.				
Total for Department of Aviation			**$50,525,014**	**$42,333,339**
Nongeneral Fund Positions	37.00	37.00		
Position Level	37.00	37.00		
Fund Sources: General	$30,246	$30,246		
Commonwealth Transportation	$49,789,213	$41,597,538		
Federal Trust	$705,555	$705,555		

§ 1-126. DEPARTMENT OF MOTOR VEHICLES (154)

440. Ground Transportation Regulation (60100)			$219,245,172	$218,850,722
Customer Service Centers Operations (60101)	$157,777,659	$157,383,209		
Ground Transportation Regulation and Enforcement (60103)	$46,508,649	$46,508,649		
Motor Carrier Regulation Services (60105)	$14,958,864	$14,958,864		
Fund Sources: Commonwealth Transportation	$211,798,572	$211,404,122		
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 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.

B. 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.

C. 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

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$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.

D. Out of the amounts identified in this Item, an amount estimated at $372,873 the first year and $372,873 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

E.1. Notwithstanding any other provision of law, the department shall assess a minimum fee of $15 for all titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.

2. Notwithstanding any other provision of law, the department shall assess a $10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.

3. Notwithstanding any other provision of law, the department shall establish a $20 minimum fee for original driver's licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.

F. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.

G. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.

H. The Department of Motor Vehicles is hereby granted approval to distribute the transactional charges of the Cardinal accounting system to state agencies, when the transactions involve funds passed through the department to the benefiting agency. This paragraph shall not pertain to Direct Aid to Public Education.

I. The Department of Motor Vehicles is hereby granted approval to distribute a portion of its indirect cost allocation charge to another state agency when the charge is related to revenue collected and transferred by the department to the state agency. Such transfers shall be based on the agency's proportionate share of the department's total transactions in the immediately preceding fiscal year. The Department shall annually submit to the Department of Planning and Budget a summary of the transfer amounts and the transaction volumes used to allocate the internal cost amounts.

J. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall not be required to include organ donation brochures with every driver's license renewal notice or application mailed to licensed drivers.

K. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such refusal, the toll operator has offered the individual a settlement of no more than $2,200.

L. The Department is authorized to impose a $10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes.

M. Notwithstanding § 4-2.03 of this act, the Virginia Department of Motor Vehicles shall be exempt from recovering statewide and agency indirect costs from the federal grants until an indirect cost plan can be evaluated and developed by the agency.

N. Notwithstanding the provisions of Title 46.2 of the Code of Virginia, only entities that both

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(i) provide commercial motor vehicle training to the general public and (ii) are not Virginia governmental entities shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in accordance with Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations in the Commonwealth of Virginia. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia. No other person as defined in § 1-230 shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in the Commonwealth.

O. The Commissioner, in consultation with the Secretary of Administration and the Governor's Chief Transformation Officer, is authorized to issue a Request for Information for (i) updating customer-facing web applications; (ii) pursuing the use of artificial intelligence in day-to-day activities; (iii) the issuance of digital passports and mobile driver's licenses; (iv) improving customer service, specifically through smart phone technologies and the use of self-service kiosks; and (v) other innovative technologies to improve the overall customer experience. The Commissioner is further authorized to enter into agreements with surrounding states for the purpose of building a multi-state consortium to improve the overall customer experience across state lines.

441.	Ground Transportation System Safety Services (60500)		$10,377,202	$10,377,202
	Highway Safety Services (60508)	$10,377,202	$10,377,202	
	Fund Sources: Commonwealth Transportation	$5,644,878	$5,644,878	
	Federal Trust	$4,732,324	$4,732,324	

Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.

442.	Administrative and Support Services (69900)		$94,388,732	$94,388,732
	General Management and Direction (69901)	$51,585,816	$51,585,816	
	Information Technology Services (69902)	$37,494,332	$37,494,332	
	Facilities and Grounds Management Services (69915)	$5,308,584	$5,308,584	
	Fund Sources: Commonwealth Transportation	$92,051,732	$92,051,732	
	Dedicated Special Revenue	$100,000	$100,000	
	Federal Trust	$2,237,000	$2,237,000	

Authority: Title 46.2, Chapters 1 and 2, and § 46.2-214.3; Title 58.1, Chapters 17, 21, and 24, Code of Virginia.

The Department of Transportation shall reimburse the Department of Motor Vehicles for the operating costs of the Fuels Tax Evasion Program.

	Total for Department of Motor Vehicles		**$324,011,106**	**$323,616,656**
	Nongeneral Fund Positions	2,225.00	2,225.00	
	Position Level	2,225.00	2,225.00	
	Fund Sources: Commonwealth Transportation	$309,495,182	$309,100,732	
	Trust and Agency	$5,446,600	$5,446,600	
	Dedicated Special Revenue	$100,000	$100,000	
	Federal Trust	$8,969,324	$8,969,324	

Department of Motor Vehicles Transfer Payments (530)

443.	Ground Transportation System Safety Services (60500)		$23,255,029	$23,255,029
	Financial Assistance for Transportation Safety (60507)	$23,255,029	$23,255,029	
	Fund Sources: Federal Trust	$23,255,029	$23,255,029	

Authority: §§ 46.2-222 through 46.2-223, Code of Virginia; Chapter 4, United States

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	Code.				
444.	Financial Assistance to Localities - General (72800)...			$109,591,500	$109,591,500
	Financial Assistance to Localities - Mobile Home Tax (72803).....	$5,500,000	$5,500,000		
	Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814).....	$391,500	$391,500		
	Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815).....	$103,700,000	$103,700,000		
	Fund Sources: Commonwealth Transportation.....	$391,500	$391,500		
	Trust and Agency.....	$5,500,000	$5,500,000		
	Dedicated Special Revenue.....	$103,700,000	$103,700,000		

Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1207, Code of Virginia.

A. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from the sales tax on fuel in certain transportation districts in this item are estimated at $43,770,000 in the Northern Virginia Transportation Commission and $34,930,000 in the Potomac and Rappahannock Transportation Commission in the first year and $44,550,000 in the Northern Virginia Transportation Commission and $35,450,000 in the Potomac and Rappahannock Transportation Commission in the second year. These estimates are listed for informational purposes only. Pursuant to § 58.1-2299.20, Code of Virginia, $15,000,000 is transferred each year from these amounts to the Commuter Rail Operating and Capital Fund. In addition to these amounts, $22,183,000 generated in the Northern Virginia Transportation Commission is transferred each year in Item 447 to the Washington Metropolitan Area Transit Authority Capital Fund pursuant to § 58.1-2299.20, Code of Virginia. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 460.

B. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Central Virginia Transportation Authority, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section.

	Total for Department of Motor Vehicles Transfer Payments.....			**$132,846,529**	**$132,846,529**
	Fund Sources: Commonwealth Transportation.....	$391,500	$391,500		
	Trust and Agency.....	$5,500,000	$5,500,000		
	Dedicated Special Revenue.....	$103,700,000	$103,700,000		
	Federal Trust.....	$23,255,029	$23,255,029		
	Grand Total for Department of Motor Vehicles.....			**$456,857,635**	**$456,463,185**
	Nongeneral Fund Positions.....	2,225.00	2,225.00		
	Position Level.....	2,225.00	2,225.00		
	Fund Sources: Commonwealth Transportation.....	$309,886,682	$309,492,232		
	Trust and Agency.....	$10,946,600	$10,946,600		
	Dedicated Special Revenue.....	$103,800,000	$103,800,000		
	Federal Trust.....	$32,224,353	$32,224,353		

§ 1-127. VIRGINIA PASSENGER RAIL AUTHORITY (522)

445.	Financial Assistance for Rail Programs (61000).....			$341,267,073	$274,075,784

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Passenger Rail Development and Operation Programs (61004)	$341,267,073	$274,075,784		
Fund Sources: Commonwealth Transportation	$341,267,073	$274,075,784		

Authority: Titles 33.2 and 58.1, Code of Virginia

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 Virginia Passenger Rail Authority 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.

Total for Virginia Passenger Rail Authority			**$341,267,073**	**$274,075,784**
Fund Sources: Commonwealth Transportation	$341,267,073	$274,075,784		

§ 1-128. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)

446.	Ground Transportation Planning and Research (60200)			$3,347,198	$3,347,198
	Rail and Public Transportation Planning, Regulation, and Safety (60203)	$3,347,198	$3,347,198		
	Fund Sources: Commonwealth Transportation	$3,347,198	$3,347,198		

Authority: Titles 33.2 and 58.1, Code of Virginia.

447.	Financial Assistance for Public Transportation (60900)			$745,028,796	$751,660,063
	Public Transportation Programs (60901)	$567,024,991	$573,656,258		
	Congestion Management Programs (60902)	$8,741,503	$8,741,503		
	Human Service Transportation Programs (60903)	$9,862,302	$9,862,302		
	Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues (60905)	$159,400,000	$159,400,000		
	Fund Sources: Special	$1,139,844	$1,139,844		
	Commonwealth Transportation	$584,488,952	$591,120,219		
	Dedicated Special Revenue	$159,400,000	$159,400,000		

Authority: Titles 33.2 and 58.1, Code of Virginia.

A.1. Except as provided in Item 449, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided herein and in § 33.2-1526.1, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is estimated to be $445,700,000 the first year and $451,700,000 the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. $111,700,000 the first year and $101,300,000 the second year to statewide Operating Assistance as provided in § 33.2-1526.1, Code of Virginia.

b. $52,500,000 the first year and $67,500,000 the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. $183,300,000 the first year and $174,400,000 the second year from the Commonwealth Mass Transit Fund to the Northern Virginia Transportation Commission to support the operating and capital costs of the Washington Metropolitan Area Transit Authority.

d. Notwithstanding the provisions of paragraph A.1.a, A.1.b, and A.1.c of this item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the Commonwealth Mass Transit Fund to implement the transit and transportation demand management improvements identified for the I-95 corridor. Such costs shall include only direct transit capital and operating costs as well as transportation demand management activities. Costs associated with additional

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park and ride lots required to be funded by the Commonwealth under the provisions of the Comprehensive Agreement for the Interstate 95 High Occupancy Toll Lanes project shall be borne by the Department of Transportation as set out in Item 452 of this act.

2. Included in this item is $1,500,000 the first year and $1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for “paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. Included in this item is an amount estimated at $2,000,000 the first year and $2,000,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for federally mandated state safety oversight of fixed rail guideway transit agencies located in the Commonwealth.

4. Included in this item is $50,000,000 the first year as provided in Chapters 854 and 856 of the 2018 Acts of Assembly and $50,000,000 the second year from the Commonwealth Mass Transit Fund for the state match for the Passenger Rail Investment and Improvement Act (PRIIA) funding.

B. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro from payments authorized and allocated in this program and pursuant to §58.1-2295, Code of Virginia. Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.

C. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 33.2-1526.1, Code of Virginia.

D. It is the intent of the General Assembly that no transit operating assistance funding, as provided in A.1.a. of this item, be used to support any new transit system or route at a level higher than such project would be eligible for under the allocation formula set out in § 33.2-1526.1 C. 1., Code of Virginia, beyond the first two years of its operation.

E. Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Washington Metropolitan Area Transit Authority for uses pursuant to Chapter 34 of Title 33.2, Code of Virginia.

448.	Financial Assistance for Rail Programs (61000).....			$87,964,945	$87,768,213
	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).....	$70,441,575	$70,244,843		
	Fund Sources: Special.....	$1,000,000	$1,000,000		
	Commonwealth Transportation.....	$86,964,945	$86,768,213		

Authority: Title 33.2, Code of Virginia.

A. Except as provided in Item 449, 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.

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449.	Administrative and Support Services (69900)			$22,091,475	$21,627,504
	General Management and Direction (69901)	$22,091,475	$21,627,504		
	Fund Sources: Commonwealth Transportation	$22,091,475	$21,627,504		

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 33.2-1526.4 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.

C. The Department of Rail and Public Transportation, with assistance from the Virginia Economic Development Partnership, shall conduct a study to evaluate rail-centric economic development opportunities in the Bedford, Campbell, and Lynchburg region of central Virginia, including both passenger and freight rail enhancements that encourage intermodal and other non-intermodal market opportunities that may yield long-term success and growth in the region. The department shall submit the results of the study to the Governor and General Assembly on or before November 1, 2024.

	Total for Department of Rail and Public Transportation			**$858,432,414**	**$864,402,978**
	Nongeneral Fund Positions	72.00	72.00		
	Position Level	72.00	72.00		
	Fund Sources: Special	$2,139,844	$2,139,844		
	Commonwealth Transportation	$696,892,570	$702,863,134		
	Dedicated Special Revenue	$159,400,000	$159,400,000		

§ 1-129. DEPARTMENT OF TRANSPORTATION (501)

450.	Environmental Monitoring and Evaluation (51400)			$27,229,549	$27,600,315
	Environmental Monitoring and Compliance for Highway Projects (51408)	$9,863,320	$10,046,737		
	Environmental Monitoring Program Management and Direction (51409)	$3,693,464	$3,783,092		
	Municipal Separate Storm Sewer System (MS4) Compliance Activities (51410)	$13,672,765	$13,770,486		
	Fund Sources: Commonwealth Transportation	$27,229,549	$27,600,315		
451.	Ground Transportation Planning and Research (60200)			$94,878,980	$96,749,414
	Ground Transportation System Planning (60201)	$80,101,802	$81,579,422		
	Ground Transportation System Research (60202)	$10,464,377	$10,620,207		
	Ground Transportation Program Management and Direction (60204)	$4,312,801	$4,549,785		
	Fund Sources: Commonwealth Transportation	$94,878,980	$96,749,414		

Authority: Title 33.2, Code of Virginia.

A. Included in the amount for ground transportation system planning and research is no less than $7,000,000 the first year and no less than $7,000,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs. Included in the amounts in this item, $50,000 the first year from the allocations to the Office of Intermodal Planning and Investment is provided for sponsorship support of the annual Mobility Talks International (MTI) Conference in

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January, 2023. The Director of the Office of Innovation shall actively identify and engage connected and autonomous vehicle stakeholders in the Commonwealth in order to most effectively maximize the return on investment from participation in the MTI Conference for the operation of unmanned systems throughout Virginia.

B. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of Assembly, the Commonwealth Transportation Board shall not reallocate any funds from projects on roadways controlled by any county that has withdrawn or elects to withdraw from the secondary system of state highways, nor from any roadway controlled by a city or town as part of the state's urban roadway system, based on a determination of nonconformity with the Commonwealth Transportation Board's Statewide Transportation Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within their boundaries, the provisions of § 33.2-214, Code of Virginia, shall apply only to highways controlled by the Department of Transportation.

C. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from the federal apportionments in the State Planning and Research Program.

D. The Department of Transportation, with the assistance of the Virginia Institute for Marine Science, shall provide an annual update on the status of the Coastal Virginia Transportation Infrastructure Inundation Study no later than December 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Chairs of the House and Senate Transportation Committees, Chair of the Joint Subcommittee on Coastal Flooding and Adaptation, and the Secretaries of Transportation and Natural Resources. The report shall include at a minimum: an up-to-date identification of at-risk rural, suburban and urban infrastructure, and planning and options to mitigate or eliminate the identified risks; and a report on what work remains to be completed and estimated time frame for the completion of its work.

452.	Highway Construction Programs (60300)		$4,374,346,266	~~$4,593,972,346~~ *$4,743,972,346*
	Highway Construction Program Management (60315)	$46,956,765	$48,038,665	
	Virginia Highway Safety Improvement Program (60317)	$63,800,454	$88,582,717	
	Interstate Operations and Enhancement Program (60318)	$219,189,678	~~$218,881,273~~ *$368,881,273*	
	State of Good Repair Program (60320)	$407,807,470	$424,298,806	
	High Priority Projects Program (60321)	$446,978,496	$416,973,407	
	Construction District Grant Programs (60322)	$509,553,339	$513,843,256	
	Specialized State and Federal Programs (60323)	$2,424,943,587	$2,628,237,745	
	Legacy Construction Formula Programs (60324)	$255,116,477	$255,116,477	
	Fund Sources: General	$51,504,000	~~$110,000,000~~ *$260,000,000*	
	Commonwealth Transportation	$3,647,666,793	$3,554,925,678	
	Trust and Agency	$497,079,550	$500,881,791	
	Dedicated Special Revenue	$178,095,923	$428,164,877	

Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. From the appropriation for specialized state and federal programs funds shall be distributed as follows:

1. An estimated $115,575,647 the first year and $117,783,238 the second year in federal state and matching funds shall be allocated for regional Surface Transportation Block Grant Funds and distributed to applicable metropolitan planning organizations pursuant to 23 USC 133;

2. An estimated $44,338,091 the first year and $45,224,852 the second year in federal and state matching funds shall be allocated for the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program pursuant to 23 USC 176;

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3. An estimated $83,848,855 the first year and $208,066,648 the second year in federal and state matching funds shall be allocated for the Congestion Mitigation Air Quality program pursuant to 23 USC 149;

4. $197,288,735 the first year and $208,066,648 the second year shall be allocated for the Revenue Sharing Program pursuant to § 33.2-357, Code of Virginia;

5. An estimated $20,265,939 the first year and $20,087,475 the second year in federal funds shall be allocated for the Surface Transportation Block Grant Program Set-Aside to 23 USC 133(h).

6. An estimated $1,433,969,013 the first year and $887,356,470 the second year in appropriation represents the estimated project participation costs from localities and regional entities.

7. $152,200,000 the second year in this appropriation represents the bond proceeds to be used for the Route 58 Corridor Development Program.

8. $15,333,333 the first year and $15,333,333 the second year in state funds shall be allocated to the Virginia Transportation Infrastructure Bank pursuant to § 33.2-1500 et seq, Code of Virginia.

9. $10,044,671 the first year and $10,044,011 the second year in state funds shall be allocated to the Transportation Partnership Opportunity Fund pursuant to § 33.2-1529.1, Code of Virginia;

10. An estimated $34,768,959 in the first year and $35,464,338 in the second year in federal and state matching funds shall be allocated for the Carbon Reduction Program pursuant to 23 USC 175.

B. Notwithstanding § 33.2-358, Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the State of Good Repair Program pursuant to § 33.2-369, Code of Virginia. Proceeds must be used on Federal Title 23 eligible projects.

C. The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds and adjust items to the most recent Commonwealth Transportation Board budget.

D. Funds appropriated for legacy formula construction programs shall be used for the purposes enumerated in subsection C of § 33.2-358, Code of Virginia, or as previously appropriated.

E. Included in the amounts for specialized state and federal programs is the reappropriation of $495,800,000 the first year and $559,900,000 the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Capital Projects Revenue Bond Fund, Federal Transportation Grant Anticipation Revenue Bond Fund, Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund, Interstate 81 Corridor Improvement Program, Interstate Operations and Enhancement Program, Concession Funds from the Interstate 95 Express Lanes and Interstate 66 Outside-the-Beltway Project Agreements and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to estimated revenues of the current biennium.

F. The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the Concession Payments Account to support project activities.

G. Included in the amounts for district grant programs is $104,300,000 the first year and $105,400,000 the second year from the regional fuels tax distributed pursuant to subsection E of § 58.1-2290.20.

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H. In the instance where there is a reduction in the prescribed weight of any vehicle or combination of vehicles passing over any bridge, or bridges constituting a part of the interstate, primary, or secondary system of highways, in addition to posting signage in accordance with § 46.2-1104, Code of Virginia, the Department shall make a good faith effort to notify businesses in the surrounding area of the reduction in prescribed weight via electronic, telephone or mail as well as posting in local media in the surrounding localities. The Department shall continue to maintain an updated website, and related social media pages, and shall work with its local partners to develop an electronic communication list to facilitate seamless notification of all businesses using the route for transportation purposes in the surrounding area.

I.1 Included in these amounts, $41,500,000 the first year from the general fund is provided for the establishment of the State Trails Office within the Department of Transportation, consistent with the recommendations of the January 2022 report on the "Virginia Multi-Use Trails Initiative." In addition, the Board shall set-aside $7,000,000 in the first year and $7,000,000 in the second year from funds received for the Transportation Alternatives Program pursuant to 23 USC 133(h) for regional multi-use trails. Priority shall be given by the Board to new regional trails, projects to improve connectivity of existing trail networks, and geographic diversity in the use of such funds. Funds may be awarded through a competitive solicitation conducted by the Board.

2. Prior to July 15, 2022, up to $800,000 of these amounts shall be transferred to Item 451 to support the initial operational overhead costs of establishing the State Trails Office and for the development of a State Trails Plan and State Trails Information Clearinghouse. In developing the initial State Trails Plan, the State Trails Office shall coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation to ensure consistency with the Virginia Outdoors Plan.

3. Out of the amounts appropriated for the State Trails Office included in this paragraph, and funding carried forward from the 2020-22 biennium, allocations shall be provided as follows:

a. Up to $35.0 million shall be allocated to the Shenandoah Valley Rail Trail for the purposes of land acquisition, initial planning, and site development. Any land acquisition by the Commonwealth as part of this trail's development shall not preclude the consideration of options to maintain rail transportation in the corridor.

b. $12.5 million shall be allocated for the Craig Valley Trail.

c. $1.25 million shall be allocated for the Peaks to Creeks Trail.

d. $1.25 million shall be allocated to the Tobacco Heritage Trail.

e. $4.0 million shall be allocated to the Eastern Shore Rail Trail.

f. Any remaining funding provided for trails shall be allocated by the Commonwealth Transportation Board to the trails listed above, as needed, the Fall Line Trail, or any other trail that has applied for funding that meets the criteria set out in subparagraph 1. above.

J. Included in these amounts, $5,000,000 the first year from the general fund shall be transferred to Item 447 for deposit to the Transit Ridership Incentive Fund, established pursuant to § 33.2-1526.3, Code of Virginia, and consistent with the provisions of § 4-13.00 of this act, for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes.

K. Up to $5,000,000 from the general fund in the first year from this item is provided for deposit to the special structures share of the Transportation Trust Fund to expedite the replacement of the Robert O. Norris Bridge.

L.*1*. Up to ~~$110,000,000~~ *$260,000,000* from the general fund in the second year ~~shall be transferred to Item 452~~ *is provided* to improve Interstate 64 between Exit 205 and Exit 234 with priority given to enhancements that provide long-term traffic flow improvements for the full 29-mile corridor.

2. Of the amounts included in the second year, $150,000,000 represents the appropriation of excess fiscal year 2022 general fund revenues reserved by the Comptroller in the Committed

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Fund balance pursuant to Item 485 L. of this act.

M. Appropriations from the general fund provided in this item shall be transferred to the appropriate nongeneral fund detail for expenditure.

N. Notwithstanding any other provision of law, any general fund amounts allocated by the Commonwealth Transportation Board in the Six-Year Improvement Program to a transportation project that are unspent at the end of the fiscal year shall not revert to the general fund, but shall be carried over to the next fiscal year for the identified purposes.

O.1. Out of the June 30, 2023, uncommitted balance in the Virginia Transportation Infrastructure Bank, $75,000,000 shall be transferred to the Transportation Partnership Opportunity Fund to support major economic development initiatives, in accordance with Chapters 546 and 547, 2023 Acts of Assembly.

2. Of the amounts in the Transportation Partnership Opportunity Fund, $4,800,000 the second year is provided to the City of Portsmouth to be used as the local match for the Complete High Street Innovation Corridor Project to provide multi-modal, complete streets roadway improvements along High Street between Martin Luther King Expressway to Chestnut Street. As a condition of receipt of this funding, the City shall provide, to the satisfaction of the Commissioner of Highways, evidence of federal Rebuilding American Infrastructure with Sustainability and Equity discretionary grant funding totaling at least $19.3 million for the project.

453.	Highway System Maintenance and Operations (60400)			$2,165,233,529	$2,087,068,806
	Interstate Maintenance (60401)	$507,907,362	$479,557,220		
	Primary Maintenance (60402)	$804,078,408	$738,596,407		
	Secondary Maintenance (60403)	$583,572,221	$589,759,940		
	Transportation Operations Services (60404)	$197,580,653	$202,805,001		
	Highway Maintenance Operations, Program Management and Direction (60405)	$72,094,885	$76,350,238		
	Fund Sources: Commonwealth Transportation	$2,165,233,529	$2,087,068,806		

A. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

B. Should federal law be changed to permit privatization of rest area operations, the department is hereby authorized to accept or solicit proposals for their development and/or operation.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.

D. The Commissioner's annual report pursuant to § 33.2-232, Code of Virginia, shall include an assessment of whether the department has met its secondary road pavement targets, by district and on a statewide basis.

E. Out of the amounts appropriated for this item, the Department shall authorize the fabrication and installation of highway markers and directional signs in support of the Lewis and Clark Legacy Trail during this first year of the biennium.

454.	Statewide Special Structures (61400)			$80,000,000	$81,280,000
	Statewide Special Structures - Maintenance (61402)	$80,000,000	$81,280,000		
	Fund Sources: Commonwealth Transportation	$80,000,000	$81,280,000		
455.	Commonwealth Toll Facilities (60600)			$97,602,045	$99,268,786
	Toll Facility Maintenance And Operation (60603)	$60,852,045	$62,518,786		
	Toll Facilities Revolving Fund (60604)	$36,750,000	$36,750,000		
	Fund Sources: Commonwealth Transportation	$97,602,045	$99,268,786		

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Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B. The Department shall not charge a fee to customers who have a EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.

456.	Financial Assistance to Localities for Ground Transportation (60700)		$541,727,128	$548,996,955
	Financial Assistance for City Road Maintenance (60701)	$445,796,577	$451,642,072	
	Financial Assistance for County Road Maintenance (60702)	$77,627,241	$78,825,506	
	Financial Assistance for Planning, Access Roads, and Special Projects (60704)	$18,303,310	$18,529,377	
	Fund Sources: Commonwealth Transportation	$541,727,128	$548,996,955	

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, $7,000,000 the first year and $7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be $1,500,000 the first year and $1,500,000 the second year. It is the intent of the General Assembly that up to $250,000 of the funds allocated by the Commonwealth Transportation Board for Recreational Access Roads in this Item shall be prioritized for handicapped accessibility improvements at Virginia State Parks, including improvements to handicapped access points and parking facility enhancements as may be requested by the Department of Conservation and Recreation.

B. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from federal apportionments in the Metropolitan Planning Program.

C. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702).

D. The Department of Transportation shall report on an annual basis to the Commonwealth Transportation Board on the impact of adjusting the payments made as part of Financial Assistance to Localities distributions for inflation consistent with adjustments for highway system maintenance and operations.

E. Of the amounts in this item, $1,000,000 the first year and $1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.

F. Notwithstanding the provisions of § 33.2-1509, Code of Virginia, and consistent with the provisions of § 4-13.00 of this Act, no locality that has been allocated funds for a bonded

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project by the Commonwealth Transportation Board pursuant to § 33.2-1509, Code of Virginia, shall be required to repay such funds during the 48-month period beginning on the effective date of Chapter 552, 2021 Acts of Assembly, Special Session I, provided that all of the other conditions of the Commonwealth Transportation Board's economic development access policy are met.

G. The Department of Transportation shall conduct an evaluation of the conditions of city streets. The evaluation shall include (i) an assessment of the current conditions of pavements and bridges on city-maintained streets throughout the Commonwealth, (ii) a review of the current formula used for distributing city street payments including comparisons of age, condition, vehicles miles traveled relative to per mile payments, (iii) opportunities for efficiency through partnerships with the Department, and (iv) recommendations, if any, for revisions to the formula for the distribution of city street payments. The evaluation shall be complete no later than December 1, 2023. All costs for conducting the evaluation shall be borne by the Department and under no circumstance shall funds appropriated for Financial Assistance for City Road Maintenance (60701) be reduced related to the costs of conducting the evaluation.

457.	Non-Toll Supported Transportation Debt Service (61200)		$412,542,852	$455,335,793
	Highway Transportation Improvement District Debt Service (61201)	$8,644,519	$8,644,519	
	Designated Highway Corridor Debt Service (61202)	$57,655,188	$59,853,432	
	Commonwealth Transportation Capital Projects Bond Act Debt Service (61204)	$198,525,650	$208,579,023	
	Federal Transportation Grant Anticipation Revenue Notes Debt Service (61205)	$142,713,418	$162,845,333	
	Interstate 81 Corridor Improvement Program Debt Service (61206)	$5,004,077	$15,413,486	
	Fund Sources: Commonwealth Transportation	$142,713,418	$171,881,236	
	Trust and Agency	$264,500,292	$278,452,816	
	Federal Trust	$5,329,142	$5,001,741	

Authority: Titles 15.2, 33.2, and 58.1 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of Assembly of 2007; and Chapters 830 and 868, Acts of Assembly of 2011

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the “District Commission”) dated August 30, 2002, and May 1, 2012 (the “District Contract”).

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.

3. The contract payments may be supplemented from the Construction District Grant Program pursuant to § 33.2-371 allocated to the highway construction district in which the project financed is located, or any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2012 Bonds) issued under the "Commonwealth

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of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2012 Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts in this Item, $40,000,000 the first year and $40,000,000 the second year from the Commonwealth Transportation Fund shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 33.2-2300, Code of Virginia. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at $20,000,000 the first year and $20,000,000 the second year shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly and Chapter 296 of the 2013 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 33.2-2400, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts provided from state transportation revenues estimated at $40,000,000 the first year and $40,000,000 the second year to support the debt service.

b. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at $5,387,165 the first year and $5,387,165 the second year.

c. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be $816,000 the first year and $816,000 the second year.

2. The Fund shall support the issuance of bonds at a total authorized level of $500,200,000 for the purposes provided in the “Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993,” Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.

3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph D of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

4. Should the actual distribution of funds from the Commonwealth Transportation Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.

D. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:

	FY 2023	FY 2024
Transportation Contract Revenue Refund	$8,644,519	$8,644,519

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Bonds, Series 2012 (Refunding Route 28)				
Commonwealth of Virginia Transportation Revenue Bonds: U.S. Route 58 Corridor Development Program:				
Series 2016C (Refunding)	$19,584,000			$19,580,750
Series 2020	$7,147,480			$7,145,732
Northern Virginia Transportation District Program:				
Series 2012A (Refunding)	$5,651,538			$5,650,838
Series 2016B (Refunding)	$2,263,500			$2,262,500
Series 2019A (Refunding)	$3,955,400			$3,953,900
Capital Projects Revenue Bonds:				
Series 2010 A-2	$34,955,275			$34,689,495
Series 2012	$8,445,800			$8,445,800
Series 2014	$18,225,200			$18,224,200
Series 2016	$16,796,000			$16,521,438
Series 2017	$16,525,688			$16,521,438
Series 2017A (Refunding)	$69,661,400			$69,667,400
Series 2018	$9,200,850			$9,198,600
Series 2019	$15,061,188			$15,060,188

E. Out of the amounts provided for in this Item, an estimated $128,050,875 the first year and $127,116,000 the second year from federal reimbursements shall be provided for debt service payments on the Federal Transportation Grant Anticipation Revenue Notes.

F. Out of the amounts provided for this Item, an estimated $194,006,694 the first year and $193,739,164 the second year from the Priority Transportation Fund shall be provided for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.

G. Out of the amounts provided for in this Item, an estimated $5,004,077 the first year and $15,413,486 the second year from the Interstate 81 Corridor Fund shall be provided for debt service payments on the Interstate 81 Corridor Improvement Bonds and anticipated financing from the Transportation Infrastructure Finance and Innovation Act Program.

458. Administrative and Support Services (69900).....			$305,362,913	$310,049,997
General Management and Direction (69901).....	$162,055,925	$164,545,298		
Information Technology Services (69902).....	$110,234,802	$111,998,558		
Facilities and Grounds Management Services (69915).....	$21,403,612	$21,746,070		
Employee Training and Development (69924).....	$11,668,574	$11,760,071		
Fund Sources: Commonwealth Transportation.....	$305,362,913	$310,049,997		

Authority: Title 33.2, Code of Virginia.

A. Notwithstanding any other provision of law, 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.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

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C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Commonwealth Transportation Fund.

D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

H. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

I. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction, erection, repair, upgrade, removal or demolition of any building, fixture or structure located or to be located on property of the Commonwealth of Virginia under the control of the Virginia Department of Transportation (VDOT) and within the secured area of a residency, area headquarters or district complex shall be subject to review or approval by the Art and Architectural Review Board as contemplated by that section. However, for changes to any building or fixture located on property owned or controlled by VDOT that has been designated or is under consideration for designation as a historic property, then VDOT shall submit such changes to the Art and Architectural Review Board for review and approval by the Board.

J. 1. At such time as the Virginia Department of Transportation (VDOT) determines that the VDOT Residency office, on five acres, at 626 Waddell Street, in the City of Lexingon is no longer required for VDOT's purposes, it shall offer to transfer the property to the City of Lexington prior to offering the property for transfer or sale to any other public or private agency or entity or individual, on such terms and conditions as provided below.

2. The Virginia Department of Transportation and the City of Lexington shall each obtain a separate appraisal of the property, each performed by an appraiser licensed by the Commonwealth of Virginia as Certified General Real Property Appraisers, who must meet the competency provisions of the Uniform Standards of Professional Appraisal Practice.

3. VDOT shall offer the property to the City of Lexington at a value which shall be determined by averaging the values from the two appraisals obtained in L.2. above. Any other conditions of the transfer shall be based on usual and customary terms for such intergovernmental transfers.

4. If the Virginia Department of Transportation and the City of Lexington cannot agree on the terms of the transfer of the property, VDOT may transfer or sell the property to any other public or private agency or entity or individual on such terms as it determines are in the best interest of the Virginia Department of Transportation, however it will present those terms to the City of Lexington for its consideration prior to finalizing any transfer or sale to any other party.

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5. Any proceeds from the sale of the Waddell Street property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

K. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Fulton property at 503 and 890 Bickerstaff Road and 421 Old Osborne Turnpike in Henrico, Virginia, containing 21.35 acres, more or less, as shown on a plat of survey entitled, "Commonwealth of Virginia Department of Highways and Transportation Fulton Depot" made by J.D. Hensdill, State Certified Engineer or Land Surveyor, dated October 1976. Any proceeds from the sale of the Fulton property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

L. Notwithstanding any other provisions law, in addition to the marketing, sale and conveyance of any property pursuant to item C- 41.10 of the 2017 Appropriations Act, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Hampton Roads District Bartlett Area Headquarters in Isle of Wight County, Virginia, containing 10.42 acres, more or less, as shown on a plat of survey entitled, "Newport Magisterial District Isle of Wight Count, Virginia subdivision of property of: Thomas L. Newton, Jr. & Thomas S. Word, Jr. Trustees" made by W. L. Jessee, State Certified Engineer or Land Surveyor, dated January 8, 1981. Any proceeds from the sale of the Bartlett Area Headquarters as well as any proceeds from the sale of any properties pursuant to item C- 41.10 of the 2017 Appropriations Act may be used for the acquisition, construction and other expenses related to the relocation of the Hampton Roads District Office Complex and any proceeds not so used shall be deposited in the Transportation Trust Fund.

M. Notwithstanding any other provision of law, the Commissioner of Highways is hereby authorized to convey to Norfolk Southern Railway Company by deed without consideration a variable width easement for right of way beneath the existing Interstate 264 overpass in the area of the relocated freight rail facilities, across a parcel approximately 0.5 acres in size, on terms acceptable to the Virginia Department of Transportation, Norfolk Southern Railway Company, and the Federal Highway Administration. The conveyance shall be in a form approved by the Office of the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

N. The Virginia Department of Transportation (VDOT) in coordination with the Secretary of Commerce and Trade (the Secretary) shall review the economic development, transportation, and safety benefits of expanding Van Buren Road, North Extension in Prince William County. The review shall include representatives from Prince William County, the Northern Virginia Transportation Authority, and any private sector interests required to aid in the completion of this review. In addition to assessing the economic benefits of the expansion, VDOT and the Secretary shall determine and communicate any additional benefits, potential financing, and time table option for this project. VDOT and the Secretary shall report its findings to the Chairs of the House Transportation, Senate Transportation, House Appropriations, and Senate Finance and Appropriations Committees on or before November 1, 2024.

O. Notwithstanding any other provision of law, the Virginia Department of Transportation (VDOT) is hereby authorized to convey, to the Town of Gordonsville, approximately 2.479 acres of the VDOT Gordonsville Area Headquarters, (which is more specifically described as being that property containing 16.0607 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from H. Watkins Ellerson, III, Trustee, dated October 4, 1988, recorded November 9, 1988, in the Clerk's Office of the Circuit Court of Orange County, Virginia, in Deed Book 417, page 0774), as mutually agreed to by the parties. In sole consideration for the conveyance, the Town of Gordonsville shall, within 120 days of the conveyance and at no cost to VDOT, relocate or cause to be relocated, using its own forces or a contractor, the VDOT security fence currently located on the Gordonsville

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Area Headquarters boundary line to the new property boundary line established pursuant to the conveyance contemplated hereunder, with said fence being owned and maintained by VDOT thereafter. The Town of Gordonsville shall ensure that all work performed and materials utilized in relocating the boundary line fence shall conform to VDOT specifications. The conveyance and all documentation pursuant thereto shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

P. The Department shall develop a plan for the improvement of Route 220 between Route 58 and the North Carolina border. The plan shall determine alternative routes within this region to the Southern Connector, including possibilities for realignment/reconfiguration along the existing corridor. The plan shall be completed by February 1, 2024.

459. A full accrual system of accounting shall be effected by the Department, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia.

Total for Department of Transportation			**$8,098,923,262**	**~~$8,300,322,412~~** ***$8,450,322,412***
Nongeneral Fund Positions	7,748.00	7,748.00		
Position Level	7,748.00	7,748.00		
Fund Sources: General	$51,504,000	~~$110,000,000~~ *$260,000,000*		
Commonwealth Transportation	$7,102,414,355	$6,977,821,187		
Trust and Agency	$761,579,842	$779,334,607		
Dedicated Special Revenue	$178,095,923	$428,164,877		
Federal Trust	$5,329,142	$5,001,741		

Department of Transportation Transfer Payments (503)

460. Financial Assistance to Localities for Ground Transportation (60700)			$884,465,897	$905,989,412
Distribution of Northern Virginia Transportation Authority Fund Revenues (60706)	$405,965,897	$416,089,412		
Distribution of Hampton Roads Transportation Fund Revenues (60707)	$285,600,000	$292,400,000		
Distribution of Central Virginia Transportation Fund.Revenues (60710)	$192,900,000	$197,500,000		
Fund Sources: Dedicated Special Revenue	$884,465,897	$905,989,412		

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Distribution of Northern Virginia Transportation Authority Fund Revenues represents direct payments of the revenue collected and deposited into the Fund, to the Northern Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of Assembly.

B. Notwithstanding any other provision of law, moneys deposited into the Hampton Roads Transportation Fund shall be transferred to the Hampton Roads Transportation Accountability Commission for use in accordance with § 33.2-2611, Code of Virginia. Moneys deposited into the Hampton Roads Regional Transit Fund shall be transferred to the Hampton Roads Accountability Commission for use in accordance with § 33.2-2600.1, Code of Virginia.

C. Distribution of the Central Virginia Transportation Authority Fund revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Central Virginia Transportation Authority for uses specified in Chapter 1235, 2020 Acts of Assembly.

D. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from this additional tax on fuel in certain transportation districts in this item are estimated at $58,900,000 for the Hampton

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Roads Transportation Accountability Commission and $61,100,000 for the Central Virginia Transportation Authority in the first year and $59,700,000 for the Hampton Roads Transportation Accountability Commission and $61,900,000 for the Central Virginia Transportation Authority in the second year. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 444, 452 and 457.				
E. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation Transfer Payments to reflect changes in the official revenue estimates in the dedicated funds.				
Total for Department of Transportation Transfer Payments			**$884,465,897**	**$905,989,412**
Fund Sources: Dedicated Special Revenue	$884,465,897	$905,989,412		
Grand Total for Department of Transportation			**$8,983,389,159**	**~~$9,206,311,824~~** ***$9,356,311,824***
Nongeneral Fund Positions	7,748.00	7,748.00		
Position Level	7,748.00	7,748.00		
Fund Sources: General	$51,504,000	~~$110,000,000~~ *$260,000,000*		
Commonwealth Transportation	$7,102,414,355	$6,977,821,187		
Trust and Agency	$761,579,842	$779,334,607		
Dedicated Special Revenue	$1,062,561,820	$1,334,154,289		
Federal Trust	$5,329,142	$5,001,741		
§ 1-130. MOTOR VEHICLE DEALER BOARD (506)				
461. Consumer Affairs Services (55000)			$304,791	$304,791
Consumer Assistance (55002)	$304,791	$304,791		
Fund Sources: Special	$304,791	$304,791		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
462. Regulation of Professions and Occupations (56000)			$2,986,503	$2,986,503
Motor Vehicle Dealer and Salesman Regulation (56023)	$1,572,539	$1,572,539		
Administrative Services (56048)	$1,413,964	$1,413,964		
Fund Sources: Special	$2,986,503	$2,986,503		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
Total for Motor Vehicle Dealer Board			**$3,291,294**	**$3,291,294**
Nongeneral Fund Positions	25.00	25.00		
Position Level	25.00	25.00		
Fund Sources: Special	$3,291,294	$3,291,294		
§ 1-131. VIRGINIA PORT AUTHORITY (407)				
463. Economic Development Services (53400)			$7,830,786	$7,830,786
National and International Trade Services (53413)	$6,330,786	$6,330,786		
Commerce Advertising (53426)	$1,500,000	$1,500,000		
Fund Sources: Special	$7,830,786	$7,830,786		
Authority: Title 62.1, Chapter 10, Code of Virginia.				
464. Port Facilities Planning, Maintenance, Acquisition, and Construction (62600)			$121,067,624	$125,881,499

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Maintenance and Operations of Ports and Facilities (62601)	$35,955,014	$34,968,889		
Port Facilities Planning (62606)	$1,280,247	$1,280,247		
Debt Service for Port Facilities (62607)	$83,832,363	$89,632,363		
Fund Sources: Special	$62,695,191	$68,495,191		
Commonwealth Transportation	$53,372,433	$52,386,308		
Federal Trust	$5,000,000	$5,000,000		

Authority: Title 62.1, Chapter 10; Title 33.2, Chapter 1, Code of Virginia.

A.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on January 25, 2012 in the amount of $108,015,000 to refund Commonwealth Port Fund bonds originally issued on July 11, 2002. Debt service on bonds referenced in this paragraph is estimated to be $9,100,000 the first year and $9,100,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on September 26, 2012 in the amount of $50,025,000 to refund a portion of Commonwealth Port Fund bonds originally issued on April 14, 2005. Debt service on bonds referenced in this paragraph is estimated to be $3,100,000 the first year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on July 26, 2018 in the amount of $60,345,000 to refund Commonwealth Port Fund bonds originally issued in July 2011. Debt service on bonds referenced in this paragraph is estimated to be $2,600,000 the first year and $2,600,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on August 4, 2020 in the amount of $97,615,000 to refund Commonwealth Port Fund bonds originally issued in September 2012 and June 2015. Debt service on bonds referenced in this paragraph is estimated to be $3,800,000 the first year and $6,400,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to issue Commonwealth Port Fund Revenue Bonds in the amount of $166,000,000 to finance improvements to Norfolk International Terminals. Debt service on bonds referenced in this paragraph is estimated to be $7,000,000 the first year and $7,000,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

6. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds authorized by paragraphs A1, A2, A3, A4 and A5; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A1, A2, A3, A4 and A5 is estimated at $25,600,000 the first year and $25,100,000 the second year.

7. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed $440,000,000.

B.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on November 17, 2016, issued Port Facilities Revenue Refunding bonds in the amounts of $143,965,000, $99,230,000 and $37,335,000 for the purposes of defeasing and refunding special fund debt previously authorized. The debt service on these

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bonds, estimated to be $17,600,000 the first year and $17,600,000 the second year, will be paid from special funds, and all or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia.

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount up to $105,500,000 for purposes of expanding port terminal capacity (capital outlay project 407-17956). All or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia. The debt service on these bonds, estimated to be $8,500,000 the first year and $8,500,000 the second year, will be paid from special funds.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has purchased, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of $67,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at $6,200,000 the first year and $6,200,000 the second year from special funds, and such lease purchases may be refunded by the Authority.

4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of $63,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at $7,400,000 the first year and $7,400,000 the second year from special funds, and such lease purchases may be refunded by the Authority.

5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of $90,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at $5,800,000 the first year and $11,600,000 the second year from special funds, and such lease purchases may be refunded by the Authority.

6. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue short-term debt on a revolving basis as interim or anticipation financing in order to cover costs of planning, design, and construction pending the receipt of bond or master equipment lease program proceeds authorized in an amount not to exceed the authorized amount for the projects. In the aggregate, the short-term debt shall not exceed $200,000,000 at any point in time and all or a portion of such debt may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The debt service, including associated fees, on the short-term debt may be paid, as recommended by the authority and approved by the Board, from the bond or master equipment lease proceeds, special funds, or other revenues or proceeds.

C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain appropriate accounts with a qualified public depository, or depositories. As implementation occurs, these systems and related procedures shall be subject to review and approval by the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System (Cardinal).

D. Out of the amounts in this Item, $10,000,000 the first year and $10,000,000 the second year from the Commonwealth Port Fund may be used to make lease payments associated with the Virginia International Gateway capital lease.

465.	Financial Assistance for Port Activities (62800).....			$11,612,325	$11,612,325
	Aid to Localities (62801).....	$6,000,000	$6,000,000		
	Payment in Lieu of Taxes (62802).....	$5,612,325	$5,612,325		
	Fund Sources: Special.....	$1,612,325	$1,612,325		

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	Commonwealth Transportation.....	$2,000,000	$2,000,000		
	Dedicated Special Revenue.....	$8,000,000	$8,000,000		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A. Of the amounts authorized in Item 113 A.1, $2,000,000 the first year and $2,000,000 the second year from the general fund may be deposited in the Port of Virginia Economic and Infrastructure Development Zone Grant Fund, created pursuant to § 62.1-132.3:2, Code of Virginia. The Executive Director of the Virginia Port Authority shall disburse the funding in the form of grants to qualified companies in accordance with the provisions of § 62.1-132.3:2, Code of Virginia.

B. Of the amounts in this Item, $1,000,000 the first year and $1,000,000 the second year from the Commonwealth Port Fund is appropriated for previously awarded Aid to Local Ports which were unreimbursed in the year of the initial award.

C. Out of amounts in this item, $4,000,000 the first year and $4,000,000 the second year from amounts transferred to this item pursuant § 3-1.01 M. of this act, the Authority shall award a grant of funds to a qualified applicant or applicants to support a dredging project or projects that have been approved by the Authority. The source of the grant funds shall be the Virginia Waterway Maintenance Fund created pursuant to § 62.1-132.3:3. Applicants shall be limited to political subdivisions and the governing bodies of Virginia localities. The Authority shall develop guidelines establishing an application process as set out in Chapter 642, 2018 Session of the General Assembly. Projects for which the Authority may award grant funding include (i) feasibility and cost evaluations, pre-project engineering studies, and project permitting and contracting costs for a waterway project conducted by the Commonwealth; (ii) the state portion of a nonfederal sponsor funding requirement for a federal project, which may include the beneficial use of dredged materials that are not covered by federal funding; (iii) the Commonwealth's maintenance of shallow-draft navigable waterway channel maintenance dredging and the construction and management of areas for the placement of dredged material; and (iv) the beneficial use, for environmental restoration and the mitigation of coastal erosion or flooding, of dredged materials from waterway projects conducted by the Commonwealth. Special consideration shall be given to any locality which provides a three-to-one match for any requested funding in the first year.

466.	Administrative and Support Services (69900).....			$139,845,257	$145,445,257
	General Management and Direction (69901).....	$118,645,292	$124,245,292		
	Security Services (69923).....	$21,199,965	$21,199,965		
	Fund Sources: Special.....	$129,545,257	$135,145,257		
	Commonwealth Transportation.....	$1,300,000	$1,300,000		
	Federal Trust.....	$9,000,000	$9,000,000		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A. Out of the amounts in this Item, the Executive Director is authorized to expend from special funds amounts not to exceed $37,500 the first year and $37,500 the second year, for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.

B. Prior to purchasing airline and hotel accommodations related to overseas travel, the Virginia Port Authority shall provide an itemized list of projected costs for review by the Secretary of Transportation.

C. It is hereby acknowledged that, in accordance with Item C-40.10 of Chapter 665, 2015 Virginia Acts of Assembly, on November 17, 2016, the Port Authority converted its 20 year operating lease to operate a privately owned marine terminal in Portsmouth to a 49 year capital lease terminating December 31, 2065. Included in this Item is an amount estimated at $91,922,173 the first year and $96,851,632 the second year from special funds to cover the costs of this lease.

	Total for Virginia Port Authority.....			**$280,355,992**	**$290,769,867**
	Nongeneral Fund Positions.....	260.00	260.00		
	Position Level.....	260.00	260.00		

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Fund Sources: Special	$201,683,559	$213,083,559		
Commonwealth Transportation	$56,672,433	$55,686,308		
Dedicated Special Revenue	$8,000,000	$8,000,000		
Federal Trust	$14,000,000	$14,000,000		
TOTAL FOR OFFICE OF TRANSPORTATION			**$10,998,522,561**	**~~$11,160,519,957~~** ***$11,310,519,957***
Nongeneral Fund Positions	10,373.00	10,373.00		
Position Level	10,373.00	10,373.00		
Fund Sources: General	$51,534,246	~~$110,030,246~~ *$260,030,246*		
Special	$207,114,697	$218,514,697		
Commonwealth Transportation	$8,581,326,306	$8,384,407,869		
Trust and Agency	$772,526,442	$790,281,207		
Dedicated Special Revenue	$1,333,761,820	$1,605,354,289		
Federal Trust	$52,259,050	$51,931,649		

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OFFICE OF VETERANS AND DEFENSE AFFAIRS

§ 1-132. SECRETARY OF VETERANS AND DEFENSE AFFAIRS (454)

467.	Disaster Planning and Operations (72200).....			$1,283,320	$1,283,320
	Emergency Planning (72205).....	$1,283,320	$1,283,320		
	Fund Sources: General.....	$900,089	$900,089		
	Federal Trust.....	$383,231	$383,231		

Authority: Title 2.2, Chapter 3.1, Code of Virginia.

A. Out of this appropriation, up to $190,000 the first year and $190,000 the second year from the general fund shall be used to support a Military Liaison position under the Secretariat.

468.	Economic Development Services (53400).....			$8,425,543	$3,425,543
	Financial Assistance for Economic Development (53410).....	$8,425,543	$3,425,543		
	Fund Sources: General.....	$5,950,651	$950,651		
	Trust and Agency.....	$2,474,892	$2,474,892		

A.1. Any administrative reappropriations or other administrative appropriation increases pursuant to Item 458 of the Appropriation Act for the 2014-2016 biennium to address the encroachment of incompatible uses in localities in which the United States Navy Master Jet Base, an auxiliary landing field, or United States Air Force Base are located shall continue to be governed by the provisions contained in the 2014-2016 Appropriation Act. The recurring, dedicated special (nongeneral) fund component of the U.S. Navy Master Jet Base and Auxiliary Landing Field encroachment mitigation program is continued through June 30, 2024.

2. In the event that dedicated special revenues generated pursuant to the provisions of the 2014-16 Appropriations Act exceed the amounts needed to fund the requirements set out in that Act, any excess dedicated special fund revenue a total of $3,000,000 is hereby appropriated as follows:

a. $1,700,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress;

b. $700,000 for encroachment mitigation activities in the vicinity of Langley Air Force Base; and

c. $600,000 for encroachment mitigation activities in the vicinity of Naval Air Station Oceana.

3. The amounts identified in paragraph A.2. of this item shall be used to provide additional assistance to the locality in which the United States Navy Master Jet Base auxiliary landing field is located for the purpose of purchasing property or development rights and otherwise converting such property to an appropriate compatible use and prohibiting new uses or development which is deemed incompatible with air operations arising from such Master Jet Base.

4. In addition to the amounts identified in paragraph A.1. of this item, $450,000 is hereby appropriated as follows:

a. $250,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress; and

b. $200,000 for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.

5. Included in this appropriation is $2,500,000 the first year and $2,500,000 the second year from nongeneral funds to be provided through a long-term lease agreement with the City of Virginia Beach as consideration for use of state-owned parcels totaling approximately 12

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acres, more or less, and currently leased to the City for use as parking for the Virginia Aquarium and Marine Science Center and overflow Rudee Inlet boat ramp parking. Such funds shall be used for construction of a new secure access control point, including all desirable or required supporting facilities, to the Camp Pendleton State Military Reservation located in the City of Virginia Beach. As additional consideration, the City of Virginia Beach shall also provide for a new signal-controlled entrance to Camp Pendleton State Military Reservation aligned with the new secure access control point. An initial payment of $2,500,000 shall be made by the City within 30 days of lease execution but no later than June 30, 2021 and an additional payment of $2,500,000 shall be made by the City within 12 months of lease execution but no later than June 30, 2022. Pursuant to Executive Order 20 (2018), authorizing the transfer of administrative authority of the Department of Military Affairs from the Secretary of Public Safety and Homeland Security to the Secretary of Veterans and Defense Affairs, the Secretary of Veterans and Defense Affairs shall be the authorized entity to enter into the initial and any subsequent lease agreement with the City. The term of the lease shall be not less than 50 years upon such terms and conditions as negotiated between the parties to the lease, which may include additional annual payment pursuant to the lease. The Secretary of Veterans and Defense Affairs shall report to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees on such projects and real property lease agreements executed from funds appropriated in this item by October 15th of each year until completion of the specified improvement projects.

6. Included in this appropriation is $350,000 the first year and $350,000 the second year from the general fund for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.

B. Included in this appropriation is $600,000 in the first year and $600,000 in the second year from the general fund to support the recommendations of the Governor's Commission on Military Installations and Defense Activities.

C. The Secretary of Veterans and Defense Affairs may submit project requests that improve, expand, develop, or redevelop a federal or state military installation or its supporting infrastructure, to enhance its military value to the MEI Project Approval Commission established pursuant to § 30-309, Code of Virginia. The Commission shall recommend approval or denial of such packages to the General Assembly. The authority of the Commission to consider and evaluate such projects shall be in addition to the authorities provided to the MEI Project Approval Commission and § 30-310, Code of Virginia.

D. Included in this appropriation is $5,000,000 the first year from the general fund to provide grants under the Virginia Military Community Infrastructure Program. These grant funds are to serve as a local match for military communities to pursue Department of Defense grants to support infrastructure resilience projects in communities with military installations and to enhance military readiness.

Total for Secretary of Veterans and Defense Affairs			**$9,708,863**	**$4,708,863**
General Fund Positions	5.00	5.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	6.00	6.00		
Fund Sources: General	$6,850,740	$1,850,740		
Trust and Agency	$2,474,892	$2,474,892		
Federal Trust	$383,231	$383,231		

§ 1-133. DEPARTMENT OF VETERANS SERVICES (912)

469.	State Health Services (43000)			$92,287,739	$92,287,739
	Veterans Care Center Operations (43013)	$92,287,739	$92,287,739		
	Fund Sources: General	$50,000	$50,000		
	Special	$45,732,518	$45,732,518		
	Federal Trust	$46,505,221	$46,505,221		

ITEM 469.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Authority: § Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				
A. The Department of Veterans Services is authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for the Medicaid supplemental payments made for state government owned nursing homes. The funds to be transferred must comply with 42 CFR 447.272.				
470. Veterans Benefit Services (46700)			$36,352,661	$36,310,462
Case Management Services for Veterans Benefits (46701)	$14,229,375	$15,600,170		
Virginia Veteran and Family Support Services (46702)	$14,561,635	$14,655,105		
Veterans Education, Transition, and Employment Services (46703)	$6,765,151	$5,258,687		
Veterans Services Fund Administration (46704)	$796,500	$796,500		
Fund Sources: General	$29,720,899	$29,678,700		
Special	$1,478,078	$1,478,078		
Dedicated Special Revenue	$796,500	$796,500		
Federal Trust	$4,357,184	$4,357,184		

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. 1. Out of this appropriation, up to $100,000 in the first year and up to $100,000 in the second year from the general fund shall be provided to address the costs associated with support of a grant program to create employment opportunities for veterans by assisting Virginia employers in hiring and retaining veterans. The Department of Veterans Services shall develop program guidelines to ensure that the funding mechanism effectively attracts maximum participation of firms to increase the number of veterans hired.

2. Such funds shall be used to provide grants beginning July 1, 2015, to any business located in Virginia with 300 or fewer employees which has hired a veteran on or after July 1, 2014, with the following additional requirements: (a) each such veteran shall have been hired within five years of the date of his or her discharge from active military service and (b) each such veteran shall have been continuously employed by the business in a full-time job for at least one year. The grant shall equal $1,000 per qualifying business for each veteran who has been hired, and who qualifies under the provisions of this item, up to a maximum grant of $10,000 per business in the fiscal year.

3. Grants shall be issued in the order that each completed eligible application is received. In the event that the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund, such grants shall be paid in the next fiscal year in which funds are available.

4. The Department shall report no later than October 1 of each fiscal year after the program is implemented on the demand for the program, and any shortage of funding resulting from requests in excess of the available appropriation.

B. Any general fund appropriation for the Virginia Veteran and Family Support Services service area which remains unexpended at the end of the first year shall be reappropriated and allotted for expenditure for the second year.

C.1. Notwithstanding § 23.1-608, Code of Virginia, the department shall provide the State Council of Higher Education in Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.

2. No surviving spouse or child may receive the education benefits provided by § 23.1-608, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent.

D. Included in the amount provided for this item is $24,000 the first year and $24,000 the second year from the general fund for the Angel Wings for Veterans program.

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E. Out of the amounts for this item, $118,000 the first year and $118,000 the second year from the general fund is provided to create a new assistant program manager for the Virginia Women Veterans Program.

F. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from the general fund is provided to establish a program for prevention and intervention of suicide and opiate addiction for service members, veterans, and their families in the Commonwealth. The Department shall collaborate with federal, state, local and community organizations, public and private institutions, and other service providers to develop programs to prevent suicide among service members and address opiate addiction suffered by service members and veterans. The Department shall coordinate with the Department of Health, Department of Behavioral Health and Developmental Services, and Department of Criminal Justice Services, where applicable, to promote the use of evidence-based practices and alignment with other suicide and opiate misuse prevention and intervention programs administered by the Commonwealth. The Department shall report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Veterans and Defense Affairs, and the Director, Department of Planning and Budget, on the method of delivery for these services, the type of services provided, including crisis intervention, behavioral health focused prevention, treatment and recovery support, and on the successes, challenges and opportunities with the program on or before November 1, 2023.

G. Out of this appropriation, $250,000 the first year from the general fund is provided to Hero's Bridge for Hero's Bridge Village to support affordable housing and supportive services for veterans.

H. Out of the appropriation for this item, $2,500,000 the first year and $3,750,000 the second year from the general fund to expand services, including but not limited to opening additional veterans benefits offices in areas where the need for services is greatest, hiring of benefits staff in both new and established offices, and for additional positions in the Virginia Veteran and Family Support Services and Veterans Education, Transition, and Employment Services program areas as needed. The Department shall submit a report on how the funding was allocated and the additional services provided, as well as planned funding allocations and how those expenditures contribute to the Department's strategic goals and desired outcomes, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, and the Director, Department of Planning and Budget, by October 1, 2022.

I. In purchasing and maintaining a new customer relationship management system, the Department shall consider functionality available through the integrated e-referral system managed by the Virginia Department of Health in order to leverage existing systems and avoid duplication to the maximum extent practicable.

471.	Historic and Commemorative Attraction Management (50200)		$5,993,394	~~$5,993,394~~ *$6,343,394*
	State Veterans Cemetery Management and Operations (50206)	$3,730,280	~~$3,730,280~~ *$4,080,280*	
	Virginia War Memorial Management and Operations (50209)	$2,263,114	$2,263,114	
	Fund Sources: General	$3,895,292	~~$3,895,292~~ *$4,245,292*	
	Special	$348,466	$348,466	
	Federal Trust	$1,749,636	$1,749,636	

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. The Department of General Services shall continue to provide routine building and grounds maintenance for the Virginia War Memorial as part of services provided under the seat of government rental plan.

472.	Administrative and Support Services (49900)		$3,652,151	$3,158,318

ITEM 472.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	General Management and Direction (49901)	$3,652,151	$3,158,318		
	Fund Sources: General	$3,276,717	$2,782,884		
	Special	$375,434	$375,434		
	Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.				
	Total for Department of Veterans Services			**$138,285,945**	**~~$137,749,913~~** ***$138,099,913***
	General Fund Positions	271.00	271.00		
	Nongeneral Fund Positions	1,111.00	1,111.00		
	Position Level	1,382.00	1,382.00		
	Fund Sources: General	$36,942,908	~~$36,406,876~~ *$36,756,876*		
	Special	$47,934,496	$47,934,496		
	Dedicated Special Revenue	$796,500	$796,500		
	Federal Trust	$52,612,041	$52,612,041		
	§ 1-134. VETERANS SERVICES FOUNDATION (913)				
473.	Veterans Benefit Services (46700)			$796,500	$796,500
	Veterans Services Fund Administration (46704)	$796,500	$796,500		
	Fund Sources: Dedicated Special Revenue	$796,500	$796,500		
	Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
474.	Administrative and Support Services (49900)			$412,592	$412,592
	General Management and Direction (49901)	$412,592	$412,592		
	Fund Sources: General	$412,592	$412,592		
	Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
	Total for Veterans Services Foundation			**$1,209,092**	**$1,209,092**
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$412,592	$412,592		
	Dedicated Special Revenue	$796,500	$796,500		
	§ 1-135. DEPARTMENT OF MILITARY AFFAIRS (123)				
475.	Higher Education Student Financial Assistance (10800)			$3,548,382	$3,548,382
	Tuition Assistance (10811)	$3,548,382	$3,548,382		
	Fund Sources: General	$3,548,382	$3,548,382		
	Authority: Title 44, Chapters 1 and 2; § 23.1-506, Code of Virginia.				
476.	At Risk Youth Residential Program (18700)			$5,906,187	$5,906,187
	Virginia Commonwealth Challenge Program (18701)	$5,417,187	$5,417,187		
	Virginia Commonwealth STARBASE Youth Education Program (18702)	$489,000	$489,000		
	Fund Sources: General	$1,667,103	$1,667,103		
	Federal Trust	$4,239,084	$4,239,084		
	Authority: Discretionary Inclusion.				

A. The Department of Military Affairs is hereby authorized to designate building space at the State Military Reservation as an in-kind match for the receipt of federal funds under the

ITEM 476.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

Commonwealth Challenge program, equivalent to a value of $253,040 each year.

B. Out of this appropriation, up to $489,000 the first year and up to $489,000 the second year in nongeneral funds is provided to establish a STARBASE youth education program to improve math and science skills to prepare students for careers in engineering and other science-related fields of study.

477.	Defense Preparedness (72100)			$61,354,829	$61,354,829
	Armories Operations and Maintenance (72101)	$14,274,413	$14,274,413		
	Virginia State Defense Force (72104)	$201,217	$201,217		
	Security Services (72105)	$4,880,424	$4,880,424		
	Fort Pickett and Camp Pendleton Operations (72109)	$25,279,130	$25,279,130		
	Other Facilities Operations and Maintenance (72110)	$16,719,645	$16,719,645		
	Fund Sources: General	$3,249,330	$3,249,330		
	Special	$1,784,927	$1,784,927		
	Dedicated Special Revenue	$3,178,859	$3,178,859		
	Federal Trust	$53,141,713	$53,141,713		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The Department is authorized to receive payments from localities resulting from reimbursement agreements with the Virginia Defense Force, an organization of the Virginia National Guard. The Department may disburse up to $30,000 the first year and $30,000 the second year from these payments to the Virginia Defense Force. Included in the appropriation for this Item is $30,000 the first year and $30,000 the second year from nongeneral funds for this purpose.

B. The Department of Military Affairs may operate, with nongeneral funds, a Morale, Welfare, and Recreation program for the benefit of the Virginia National Guard, Virginia Defense Force, employees of the Department, family members, and other authorized transient users of the Department's facilities, under such policies as approved by the agency.

478.	Disaster Planning and Operations (72200)			$0	$0
	Communications and Warning System (72201)	a sum sufficient			
	Disaster Assistance (72203)	a sum sufficient			
	Fund Sources: General	a sum sufficient			

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The amount for Disaster Planning and Operations provides for a military contingent fund, out of which to pay the military forces of the Commonwealth when aiding the civil authorities.

B. In the event units of the Virginia National Guard shall be in federal service, the sum allocated herein for their support shall not be used for any different purpose, except with the prior written approval of the Governor, other than to provide for the Virginia State Defense Force or for safeguarding properties used by the Virginia National Guard.

C. Notwithstanding any other provision of law, when called into state active duty, not in the service of the United States, members of the National Guard and members of the Virginia Defense Force shall receive pay and allowances equal to their rank and years of service, as determined by the Department of Military Affairs. The Adjutant General may increase state active duty pay on an annual basis by a rate not to exceed the most recent percentage increase in basic pay for members of the Armed Forces.

479.	Administrative and Support Services (79900)			$10,231,113	$9,645,113
	General Management and Direction (79901)	$7,294,381	$6,708,381		
	Telecommunications (79930)	$2,936,732	$2,936,732		
	Fund Sources: General	$5,818,619	$5,232,619		

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Dedicated Special Revenue	$1,037,191	$1,037,191		
Federal Trust	$3,375,303	$3,375,303		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The Department of Military Affairs shall advise and provide assistance to the Department of Accounts in administering the $20,000 death benefit provided for certain members of the National Guard and United States military reserves killed in action in any armed conflict as of October 7, 2001, pursuant to § 44-93.1.B., Code of Virginia.

B. Included in this appropriation is $666,000 the first year and $80,000 the second year from the general fund to replace and maintain communication equipment for emergency operations.

C. Included in this appropriation is $50,000 the first year and $50,000 the second year from the general fund for a Referral Enlistment Program to qualifying individuals for the referral of applicants for service in the Virginia National Guard which result in enlistment.

D. Included in this appropriation is $150,000 the first year and $150,000 the second year from the general fund for the agency's National Guard Cyber Brigade to conduct cyber security audits of local governments and state agencies.

Total for Department of Military Affairs			**$81,040,511**	**$80,454,511**
General Fund Positions	86.47	86.47		
Nongeneral Fund Positions	316.03	316.03		
Position Level	402.50	402.50		
Fund Sources: General	$14,283,434	$13,697,434		
Special	$1,784,927	$1,784,927		
Dedicated Special Revenue	$4,216,050	$4,216,050		
Federal Trust	$60,756,100	$60,756,100		
TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS			**$230,244,411**	**~~$224,122,379~~** ***$224,472,379***
General Fund Positions	364.47	364.47		
Nongeneral Fund Positions	1,428.03	1,428.03		
Position Level	1,792.50	1,792.50		
Fund Sources: General	$58,489,674	~~$52,367,642~~ *$52,717,642*		
Special	$49,719,423	$49,719,423		
Trust and Agency	$2,474,892	$2,474,892		
Dedicated Special Revenue	$5,809,050	$5,809,050		
Federal Trust	$113,751,372	$113,751,372		

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CENTRAL APPROPRIATIONS

§ 1-136. CENTRAL APPROPRIATIONS (995)

480.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			$10,756,833	$10,756,833
	Interest Earned on Educational and General Programs Revenue (11106)	$10,756,833	$10,756,833		
	Fund Sources: General	$7,231,017	$7,231,017		
	Higher Education Operating	$3,525,816	$3,525,816		

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.01 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.01 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee.

C. In accordance with § 23.1-1002, Code of Virginia, this Item provides $4,573,395 the first year and $4,573,395 the second year from the general fund, and $3,525,816 from nongeneral funds in the first year and $3,525,816 from nongeneral funds in the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes $2,657,622 in the first year and $2,657,622 the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding $5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of $5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of $5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

481.	Revenue Administration Services (73200)			a sum sufficient	
	Designated Refunds for Taxes and Fees (73215)	a sum sufficient			
	Fund Sources: General	a sum sufficient			

Authority: Discretionary Inclusion.

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A. There is hereby appropriated from the affected funds in the state treasury, for refunds of taxes and fees, and the interest thereon, in accordance with law, a sum sufficient.

B. There is hereby established a special fund in the state treasury to be known as the Refund Suspense Fund, hereinafter referred to as the Fund. The Tax Commissioner is hereby authorized to contract with nongovernmental entities for review of requests for refunds of taxes to enhance, expand and/or modify the administration of the refund review program, and to perform analysis of refund processing techniques. The amount of any refund identified by the nongovernmental entity as potentially erroneous shall be deposited to the Fund pending review of the refund request. Amounts in the Fund may be used to pay refunds subsequently determined to be valid, to pay the contracted nongovernmental entity for its services, to perform oversight of their operations, to upgrade necessary refund processing systems and data interfaces to facilitate the contractor's work, to offset any administrative or other costs related to any contracts authorized under this provision, and to retain experts to perform analysis of refund processing techniques. Any balance in the fund remaining after such payments, or provision therefore, shall be deposited into the appropriate general, nongeneral, or local fund.

C. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002, and (3) payment of the remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum sufficient.

482.	Distribution of Tobacco Settlement (74500) a sum sufficient, estimated at.....		$71,341,966	$70,604,322
	Payments to Tobacco Producers and Tobacco Growing Communities (74501).....	$60,000,000	$60,000,000	
	Payments for Tobacco Usage Prevention (74502).....	$11,341,966	$10,604,322	
	Fund Sources: Trust and Agency.....	$71,341,966	$70,604,322	

Authority: Title 3.2, Chapters 31, 42 and 46, and Title 32.1, Chapter 14, Code of Virginia.

A.1. There is hereby appropriated a sum sufficient estimated at $60,000,000 the first year and $60,000,000 the second year from nongeneral funds for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the Tobacco Indemnification and Community Revitalization Fund in accordance with § 3.2-3104, Code of Virginia. Such expenditures shall be made pursuant to § 3.2-3108, Code of Virginia.

2. From the amount deposited into the Tobacco Indemnification and Community Revitalization Fund pursuant to § 3.2-3106, Code of Virginia, shall be paid 50 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 61, Paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.1, of this act.

B.1. Notwithstanding the provisions of §§ 32.1-354, 32.1-360 and 32.1-361.1, Code of Virginia, the State Comptroller shall deposit 8.5 percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Tobacco Settlement Fund. There is hereby appropriated a sum sufficient estimated at $11,341,966 the first year and $10,604,322 the second year from available balances in the fund for the purposes set forth in § 32.1-361, Code of Virginia. From the amounts deposited in the Virginia Tobacco Settlement Fund, no less than $1,000,000 the first year and $1,000,000 the second year shall be allocated for obesity prevention activities.

2. From the amount deposited into the Virginia Tobacco Settlement Fund shall be paid 8.5 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 61, Paragraph B, of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.2, of this act.

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3. Beginning November 1, 2010, and each year thereafter, the Director, Virginia Healthy Youth Foundation, shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on funding provided to community-based organizations for obesity prevention activities pursuant to § 32.1-355, Code of Virginia.

C. The amounts deposited by the State Comptroller pursuant to paragraph B.1. of this Item shall be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524, Code of Virginia.

D. The Virginia Foundation for Healthy Youth shall prioritize in its marketing and education efforts information regarding the health effects of vaping by teens and young adults. The foundation shall include such information in marketing materials, advertising, outreach, and social media channels.

E. The Virginia Foundation for Healthy Youth shall provide or develop additional educational materials, resources, and professional development webinars as necessary for the Department of Education to comply with the eighteenth and nineteenth enactments of Chapter 550 of the 2021 General Assembly, Special Session I.

483.	Compensation and Benefit Adjustments (75700).....		$331,529,061	~~$627,691,772~~ *$684,511,129*
	Adjustments to Employee Compensation (75701)....	$294,381,403	~~$532,054,185~~ *$592,641,615*	
	Adjustments to Employee Benefits (75702).....	$37,147,658	~~$95,637,587~~ *$91,869,514*	
	Fund Sources: General.....	$331,529,061	~~$627,691,772~~ *$684,511,129*	

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

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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 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 and Appropriations 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 ~~$27,979,699~~ *$25,963,986* 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.

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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.

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:

	FY 2023	FY 2024
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	29.98%	29.98%
Virginia Law Officers' Retirement System	24.60%	24.60%
Judicial Retirement System	30.67%	30.67%

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 $13,231,876 the first year and $13,807,183 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

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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 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.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 6.75 percent and an amortization period of 30 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	FY 2023	FY 2024
State employee retiree health insurance credit	1.12%	1.12%
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. 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.

5. 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.

K.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.

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

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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.

L. 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.

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.

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.

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 by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional

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severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

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.

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.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

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.

M.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

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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.

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.

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.

~~N. 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.~~

O.1.*a.* The Director, Department of Planning and Budget, shall withold and transfer to this Item general fund amounts estimated at $441,519 the first year ~~and $441,519 the second year~~ from state agencies and institutions of higher education *and shall transfer from this item general fund amounts estimated at $409,300 the second year to state agencies and institutions of higher education* to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System.

2. Notwithstanding the provisions of § 9.l-401(C), Code of Virginia, any disabled person, as defined in § 9.1-400(B), Code of Virginia, who was injured in the line-of-duty in February 2016 but whose date of disability for purposes of the Line-of-Duty Act is in March 2019, shall not be subject to subdivision 4 of such subsection. Also, the spouse of such person as of the date of disability shall be considered an "eligible spouse" for purposes of continued health coverage pursuant to § 9.1-401, Code of Virginia, and will not be subject to the provisions of that definition that disqualify a spouse who ceases to be married to a disabled person, as defined in §9.1-400, Code of Virginia, or the spouse of a deceased person who remarries at any time.

P. The Director, Department of Planning and Budget, shall withold and transfer to this Item, general fund amounts estimated at $951,700 the first year and ~~$807,776~~ *$3,410,955* the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

Q. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;

2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

3. The Attorney General;

4. The Director of the Virginia Retirement System;

5. The Executive Director of the Virginia Lottery;

6. The Director of the University of Virginia Medical Center;

7. The Chief Executive Officer of the Virginia College Savings Plan;

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8. The Executive Director of the Virginia Port Authority; and

9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

R. Out of the amounts included in this item, amounts estimated at $4,238,857 the first year and $8,468,250 the second year from the general fund is available for transfer to state agencies and institutions of higher education to fund the increase in the Virginia minimum wage scheduled for January 1, 2023.

S.1. Out of the appropriation for this item, $169,565,843 the first year and ~~$390,105,610~~*$434,487,994* the second year from the general fund is provided to increase the base salary of the following employees by five percent on July 10, 2022, except those employees who will be receiving a targeted salary increase at or above 7.5 percent in fiscal year 2023 based on funding authorized in this act and are not employees of the Department of Behavioral Health and Developmental Services shall receive a 2.5 percent increase on July 10, 2022, ~~and~~ an additional five percent increase on June 10, 2023, *and an additional two percent on December 10, 2023*:

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' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System.

l. 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

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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 five percent on July 10, 2022 and on June 10, 2023*, and two percent on December 10, 2023*. 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. *and*

i. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority

5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to five percent no earlier than July 10, 2022 ~~and~~, an additional five percent no earlier than June 10, 2023*, and an additional two percent on December 10, 2023*. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

6. The governing authorities of the state institutions of higher education may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the five percent increase on average for faculty and university staff.

T.1. The appropriations in this item include funds to increase the base salary of the following employees by five percent on August 1, 2022, except those employees who will be receiving a targeted salary increase at or above 7.5 percent in fiscal year 2023 based on funding authorized in this act shall receive a 2.5 percent increase on August 1, 2022, ~~and~~ by an additional five percent on July 1, 2023*, and an additional two percent on December 1, 2023* 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;

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

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$44,556,991 the first year and ~~$113,435,166~~*$127,484,138* the second year from the general fund to support the costs associated with the salary increases provided in this paragraph.

U. Included in the appropriation for this item is $6,591,337 the first year and ~~$14,740,641~~ *$16,326,153* the second year from the general fund to provide a five percent increase in base pay effective July 10, 2022,~~and~~ an additional five percent effective June 10, 2023*, and an additional two percent on December 10, 2023* for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

V. Included in the appropriation for this item is $2,371,941 the first year and ~~$5,304,518~~ *$5,875,080* the second year from the general fund to provide a five percent increase in base pay effective July 10, 2022,~~and~~ an additional five percent effective June 10, 2023*, and an additional two percent on December 10, 2023* for graduate teaching assistants at Virginia two-year and four-year public colleges and higher education institutions.

W.1. In addition to the amounts provided for the compensation actions authorized in paragraphs S.1., U., and V., up to $66,517,107 the first year from the general fund shall be used to provide a one-time bonus payment of $1,000 on December 1, 2022 to all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on or before August 10, 2022 and remained employed until at least November 10, 2022.

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.

X. On or before June 30, 2023, the State Comptroller shall deposit $25,309,001 from the general fund into the Virginia Retirement System trust fund to address the unfunded liabilities for the retiree health care plans. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with the plans:

1. An amount estimated at $24,318,170 to the health insurance credit plan for state employees; and

2. An amount estimated at $990,831 to the health insurance credit plan for local social services employees.

Y. On or before June 30, 2024, the State Comptroller shall deposit $55,100,000 from the general fund into the Virginia Retirement System trust fund to address the unfunded liabilities for the retiree health care plans. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with the plans:

1. An amount estimated at $52,800,000 to the health insurance credit plan for state employees;

2. An amount estimated at $1,576,017 to the health insurance credit plan for Constitutional Officers and their employees; and

3. An amount estimated at $723,983 to the health insurance credit plan for local social services employees.

Z.1 In addition to the amounts provided for compensation actions authorized in this Item, $539,327 the first year from the general fund shall be used to provide a one-time bonus payment of $3,000 on December 1, 2022 to all sworn law-enforcement employees of the Department of Conservation and Recreation and the Marine Resources Commission, who were employed on or before August 10, 2022 and remained employed until at least November 10, 2022.

2. Such employees 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.

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484.	Adjustments to Designated State Agency Activities (23800)			$49,106,871	~~$44,775,844~~ *$45,492,616*
	Undistributed Support for Designated State Agency Activities (23801)	$49,106,871	~~$44,775,844~~ *$45,492,616*		
	Fund Sources: General	$49,106,871	~~$44,775,844~~ *$45,492,616*		

Authority: Discretionary Inclusion

A. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes of paying rates billed by other agencies as internal service funds or for other designated state activities, 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 these purposes.

B. 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 the designated state agency activities 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.

C. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at $30,857,397 the first year and ~~$30,635,540~~ *$30,189,183* the second year to state agencies and institutions of higher education to support the general fund portion of costs resulting from the estimated usage of technology services provided by the Virginia Information Technologies Agency.

D.*1.* The Director, Department of Planning and Budget, is authorized to transfer general fund appropriation between impacted state agencies to reflect the latest estimates to support the general fund's share of state agencies' rental costs for space maintained and operated by the Department of General Services.

2. The Director, Department of Planning and Budget, shall transfer from this item, general fund amounts estimated at $893,421 the second year to state agencies to reflect the latest estimates to aupport the general fund share of state agencies' rental costs for space maintained and operated by the Department of General Services.

E. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at $920,841 the first year and $920,841 the second year to state agencies to support the costs of information technology security audits and information security officer services.

F. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at $699,987 the first year and ~~$1,471,534~~ *$1,741,242* the second year to state agencies and institutions of higher education to recognize the general fund portion of costs resulting from changes in agency charges for the Cardinal Financial System operated by the Department of Accounts.

G. The Director, Department of Planning and Budget, shall transfer from this Item amounts estimated at $5,906,343 the first year and $5,869,297 the second year from the general fund for the general fund share of costs for agency charges for the Cardinal Human Capital Management System operated by the Department of Accounts.

H. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $643,683 the first year and $487,354 the second year from state agencies and institutions of higher education to recognize the general fund potion of savings resulting from changes in agency charges for the Performance Budgeting system.

I. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $620,995 the first year and $620,995 the second

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year from executive branch agencies to recognize the savings resulting from the elimination of the Personnel Management Information System internal service fund and associated agency charges.

J. The Director, Department of Planning and Budget, shall transfer from this Item general fund amounts estimated at $1,986,981 the first year and $1,986,981 the second year for the general fund share of changes in agency charges for property insurance premiums billed by the Department of the Treasury.

K. Included in the appropriation for this item is $10,000,000 the first year and $5,000,000 the second year from the general fund to support cybersecurity initiatives identified by the Secretary of Administration. This amount shall remain unallotted until such time as a report detailing the planned use of funds is submitted by the Secretary of Administration to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, no later than September 1, 2022. The Department of Planning and Budget is authorized to allot the funds 30 days following submission of the report. Of the amount provided in the first year, there is hereby reappropriated any unexpended balances remaining at the close of business on June 30, 2023.

L. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $4,755,747 from the surplus balances of this program.

485. Payments for Special or Unanticipated Expenditures (75800)			$15,050,000	~~$4,050,000~~ *$24,063,564*
Miscellaneous Contingency Reserve Account (75801)	$1,300,000	$1,300,000		
Undistributed Support for Designated State Agency Activities (75806)	$13,750,000	~~$2,750,000~~ *$22,763,564*		
Fund Sources: General	$15,050,000	~~$4,050,000~~ *$24,063,564*		

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 and Appropriations 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.

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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:

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.4. 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 and Appropriations 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 61, 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 61, Paragraph B of this act.

F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any

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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 amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year.

H.1. Out of this appropriation, $1,000,000 the first year from the general fund is provided for the City of Richmond for the Slavery and Freedom Heritage Site in Richmond, Virginia. These funds and any balances remaining from the general fund originally intended to be provided to the City of Richmond for expenses incurred for the planning and development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements may be appropriated by the Director, Department of Planning and Budget, consistent with the provisions of this paragraph. 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 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.

5. Any remaining funds contained in paragraph H.1. above for the purposes enumerated shall be made available to the City of Richmond upon the receipt of planning and development information by the Department of General Services. The Director of the Department of Planning and Budget shall provide the additional funds at the request of the Department of General Services as the fiscal agent for this project.

I. Out the appropriation for this item is included $2,500,000 the first year ~~and $2,500,000 the second year~~ from the general fund to be provided to state agencies to facilitate and improve language access.

J.1. Out of this appropriation, $10,000,000 the first year *and $5,000,000 the second year* from the general fund shall be available for transfer to state agencies to implement government transformation initiatives identified by the Chief Transformation Officer and approved by the Governor. Prior to the transfer of any funds, the Chief Transformation Officer shall submit a plan detailing the intended use of the funds to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

2. The Secretary of Finance, in consultation with the Chief Transformation Officer, shall authorize the transfer of amounts from this item in support of the transformation initiatives identified pursuant to the preceding subparagraph.

3. The Chief Transformation Officer shall provide quarterly program updates, to include the status of projects and amounts expended per project, to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees beginning October 1, 2022.

4. The Chief Transformation Officer, in consultation with the Virginia Information Technologies Agency, shall report on the use of consultants for transformation and reform initiatives since January 2022. The report shall be submitted by January 1, 2024, and then annually thereafter for each calendar year, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee and shall include for each instance that a consultant was used, the contract utilized, the amount, the purpose, and consultant name.

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K. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is provided for distribution to state agencies for the general fund share of costs related to increased rates for the Department of General Services to perform lease administration services.

L. From such general fund revenues as are collected for fiscal year 2022 in excess of the official fiscal year 2022 revenue estimate included in the final 2020-2022 biennial appropriation act adopted in the 2022 Special Session I, the first $585,000,000, or portion thereof, that is not required to meet a Constitutionally-mandated deposit to the Revenue Stabilization Fund or the Water Quality Improvement Fund Part A deposit, shall be reserved by the Comptroller in the Committed Fund Balance for the following purposes in priority order during the first year: $250,000,000 for a lump sum payment to the Virginia Retirement System to address the unfunded liability for the statewide plans; $150,000,000 for a deposit to the highway share of the Transportation Fund to improve Interstate 64 between exit 205 and exit 234; $50,000,000 for deposit to the Virginia Business Ready Sites Program Fund; $100,000,000 for allocation to the 2022 Capital Supplement Pool (Item C-69.60 of the 2020-2022 Appropriation Act); and $35,500,000 for deposit to the Major Headquarters Workforce Grant Fund.

M. Out of this appropriation, $10,000,000 the second year from the general fund shall be provided for victims of mass violence. Any balances remaining at the end of the fiscal year shall carry forward. The Director of the Department of Criminal Justice Services shall convene a work group to assess: (i) gaps in available services for victims of crimes especially mass violence events; (ii) methods of investing the funds to ensure sustainable annual financial returns; (iii) options for determining eligibility for funding, including parameters for who is considered a victim of a mass violence event; (iv) a detailed plan for administering the funds that works holistically with the Criminal Injuries Compensation Fund; (v) any potential categories of victims and witnesses, including families of victims, that are impacted by violence but are not currently eligible for the Criminal Injuries Compensation Fund; and (vi) approaches used in other states to support victims of mass violence. The purpose of the work group is to identify specific options to help ensure that those impacted by violence, especially mass violence, are able to cover out-of-pocket health and mental health expenses that are connected to the violent event but are not covered by insurance. The work group shall consist of representatives of the: Department of Criminal Justice Services, including the Victim/Witness Grant Program and Financial Services Office; Criminal Injuries Compensation Fund; Department of Planning and Budget; Virginia Retirement System; Department of Treasury; the VTV Family Outreach Foundation; appropriate staff members of the House Appropriations and Senate Finance and Appropriations Committees; and any other stakeholders as appropriate. The work group shall report its findings to the General Assembly by September 1, 2024. The Department of Planning and Budget shall not transfer the funds until the General Assembly adopts a structure for administering the funding based on the findings of the work group.

N. Out of this appropriation, $7,263,564 the second year from the general fund is provided to cover the costs associated with the 2024 presidential primary. Out of this amount, up to $7,116,256 may be used by the Department of Elections to reimburse localities for their presidential primary expenditures and up to $147,308 may be used to cover costs incurred directly by the Department of Elections.

O. Out of this appropriation, $250,000 the second year from the general fund is provided for the Secretary of Finance to develop relevant capabilities, conduct planning, and evaluate potential economic incentives to attract sports teams to the state. The Commonwealth of Virginia is prepared to consider economic development proposals that are in the best interest of Virginia taxpayers to assist in relocating sports teams and their associated facilities to the state.

P. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $1,846,131 from the surplus balances of this program.

486.	Disaster Planning and Operations (72200).....	$1,053,644,384	~~$147,865,262~~ *$163,294,602*

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Pandemic Response (72211)	$1,053,644,384	~~$147,865,262~~ *$163,294,602*		
Fund Sources: Federal Trust	$1,053,644,384	~~$147,865,262~~ *$163,294,602*		

A.1. The appropriation for this Item includes an amount estimated at $902,022,198 in the first year and ~~$96,803,707~~ *$201,931,214* in the second year from the revenues to be received from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA).

2. The following appropriations shall be transferred from this Item for the following purposes:

a. Unemployment Assistance

1) $17,600,000 in the first year *and $1,734,000 in the second year* to the Virginia Employment Commission (182) for the continuation of funding for information technology modernization, call center improvements, security, and claims adjudication. Information technology improvements shall include a customer relationship management system and other such communication tools to better serve Unemployment Insurance clients.

2) $10,639,456 in the second year to the Virginia Employment Commission (182) to support current appeals staffing loads.

b. Broadband

1) $750,000 in the first year ~~and $750,000 in the second year~~ to the Department of General Services (194) for the continuation of funding for legal and real estate transaction support for agencies that own property to support broadband expansion.

2) $8,000,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding for a Line Extension Customer Assistance Program to support the extension of existing broadband networks to low-to-moderate income residents.

c. Dairy Industry Support

1) $2,000,000 in the first year to the Department of Agriculture and Consumer Services (301) to provide dairy industry support to mitigate pandemic losses.

2) $1,000,000 in the first year to the Department of Agriculture and Consumer Services (301) to support the business operations of 4-H Educational Centers across the Commonwealth.

d. Other small business

1) $27,600,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding to support the Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding § 36-155, Code of Virginia, for the purposes of this funding, the maximum grant amount shall be $5,000,000 for projects in economically distressed areas, and any grant award in excess of $1,000,000 for projects in economically distressed areas shall be conditioned upon a 100 percent match of local and/or private funds by the local government. The funds shall be managed and awarded through the Industrial Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines that make more projects viable, especially in communities disproportionately impacted by the pandemic. Where the proposed project's end user is a private business, DHCD shall include evaluation criteria that incentivizes significant private investment. Included in these amounts ~~$2,600,000~~*$1,700,000* is hereby directed to an eligible grantee for a community revitalization project. An eligible grantee for the purposes of this paragraph is a locality in the Crater Planning District Commission awarded a grant during the 2022 Industrial Revitalization Fund grant round, announced in October of 2021. As a condition of the release of these funds, the eligible grantee must enter into a Memorandum of Understanding (MOU) with the Department of Housing and Community Development that guarantees a lien against the property equivalent to the total amount of state grants and awards used to demolish or

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renovate the structures associated with this project and further testify to its legal authority to demolish or renovate the structures associated with the project.

2) $4,000,000 in the first year *and $750,000 in the second year* to the Department of Housing and Community Development (165) to support the Virginia Main Street program in providing assistance to businesses recovering from the COVID-19 pandemic. *The second year amounts provided in this paragraph shall be used to support special initiatives in a locality in the Crater Planning District Commission.*

3) $250,000 in the second year to the Department of Housing and Community Development (165) for an award to an eligible grantee for a community revitalization project. An eligible grantee for the purposes of this paragraph is a locality in the Crater Planning District Commission awarded a grant during the 2022 Industrial Revitalization Fund grant round, announced in October of 2021. Such funds may be expended to offset the acquisition cost of a property due for demolition previously purchased by the eligible grantee. The project must be in compliance with the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act.

e. Food Access

1) $11,000,000 in the first year to the Department of Agriculture and Consumer Services (301) for the continuation of the Virginia Agriculture Food Assistance Program established in § 3.2-4783, Code of Virginia, and to expand the capacity of Virginia's network of food providers to accept, store, and distribute food products.

2) $3,500,000 in the first year to the Department of Social Services (765) for the Virginia Federation of Food Banks for the purchase of food to be distributed through food banks across the Commonwealth.

f. Drinking Water, Wastewater, and CSOs

1) $1,600,000 in the first year and $4,150,000 in the second year to the Department of Health (601) for the continuation of funding to provide improvement funds for well and septic systems for homeowners at or below 200 percent of the federal poverty guidelines.

2) $165,000,000 in the first year to the Department of Environmental Quality (440) for additional grants to the City of Alexandria, Virginia Sanitation Authority and the cities of Lynchburg and Richmond to pay a portion of the costs of combined sewer overflow control projects. The City of Alexandria, Virginia Sanitation Authority is to receive $40,000,000; the City of Lynchburg is to receive $25,000,000; and the City of Richmond is to receive $100,000,000.

3) $75,900,000 in the first year to the Department of Environmental Quality (440) for grants to the City of Fredericksburg and King George County Service Authority for wastewater projects; to the Towns of Wachapreague, Accomac, Parksley, and Exmore for sewer projects; to the Town of Quantico for water and sewer improvements; and to the City of Falls Church for stormwater improvements. The City of Fredericksburg is to receive $27,000,000; the King George County Service Authority is to receive $16,000,000; the Town of Wachapreague is to receive $2,400,000; the Town of Exmore is to receive $3,500,000; the Town of Accomac is to receive $4,500,000; the Town of Parksley is to receive $1,500,000; the Town of Quantico is to receive $17,000,000; and the City of Falls Church is to receive $4,000,000.

4) $25,000,000 in the first year and $25,000,000 in the second year to the Department of Health (601) for the continuation of funding to support equal access to drinking water at small and disadvantaged community waterworks. These funds shall be limited in their use to qualifying municipal and private drinking water projects and shall not be used for improvements to the department's internal systems or processes.

5) $5,700,000 in the first year to the Department of Environmental Quality (440) for grants to the Town of Colonial Beach for water and sewer improvements.

6) $29,551,500 *in* the first year *and $5,000,000 in the second year* to the Department of Environmental Quality (440) for grants to the City of Petersburg for water and wastewater

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upgrades at Poor Creek Pump Station.

7) $10,000,000 in the first year to the Department of Conservation and Recreation (199) for improvements to identified high hazard water impounding structures consistent with the provisions of the Dam Safety, Flood Prevention, and Protection Assistance Fund established pursuant to § 10.1-603.17, Code of Virginia.

8) $150,000 in the first year to the Department of Health (601) for the Town of Goshen for repairs to their water storage tank.

9) $325,000 the first year to the Department of Environmental Quality (440) for a grant to the Town of Occoquan for outfall sediment removal projects and for stormwater dredging activities.

10) $3,000,000 the first year to the Department of Environmental Quality (440) for a grant to the Town of Dumfries to support Municipal Separate Storm Sewer System permit activities.

11) $3,000,000 the first year to the Department of Environmental Quality (440) for a grant to the County of Prince William to assist with the connection of Bristow Manor to the Prince William County wastewater collection system.

12) a) $71,055,032 in the second year to the Department of Environmental Quality (440) to reimburse eligible entities for costs incurred for implementation of the Enhanced Nutrient Removal Certainty Program, as provided for in § 62.1-44.19:14, Code of Virginia.

b) Funds authorized in paragraph B.2.k.4), Item 479.20 of Chapter 1, 2021 Acts of Assembly, Special Session I, may be used to reimburse eligible entities for costs incurred for implementation of the Enhanced Nutrient Removal Certainty Program, as provided for in § 62.1-44.19:14, Code of Virginia.

g. Mental Health

1) $45,719,411 in the first year to Mental Health Treatment Centers (792) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.

2) $700,000 in the first year to Mental Health Treatment Centers (792) to expand Telehealth Capability at DBHDS State Facilities.

3) $6,695,369 in the first year to Intellectual Disabilities Training Centers (793) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.

4) $5,370,806 in the first year to the Virginia Center for Behavioral Rehabilitation (794) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.

5) $20,000,000 in the first year to Grants to Localities (790) for the continued expansion of community-based crisis services.

6) $1,200,000 in the first year to the Department of Behavioral Health and Developmental Services (720) for the continuation of funding for the purchase of personal protective equipment at state facilities.

7) $1,650,000 in the first year to the Department of Behavioral Health and Developmental Services (720) for the continuation of funding to continue an expanded pilot program in FY 2023 to serve approximately 60 additional individuals with a primary diagnosis of dementia who are ready for discharge from state geriatric behavioral health hospitals to the community and who are in need of nursing facility level care. Funding for the pilot program shall be dependent upon an agreement between the department and the Community Services Board in the jurisdiction the pilot program is located.

8) $1,500,000 in the first year to the Department of Criminal Justice Services (140) for the continuation of funding to provide resources for crisis intervention team training to law-enforcement officers and dispatchers, and one position to provide technical assistance in support of the mental health awareness response and community understanding services

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(Marcus) alert system.

9) $22,245,501 in the first year to Grants to Localities (790) for the continued support of STEP-VA community-based mental health services.

h. Substance Use Disorder

1) $2,000,000 in the first year and $3,000,000 in the second year to the Department of Health (601) for the continuation of funding for substance misuse and suicide prevention efforts.

2) $5,000,000 in the first year to Grants to Localities (790) for the continuation of funding to expand community-based substance use disorder treatment services.

3) $250,000 in the first year to the Department of Health (601) to contract with the Carilion Clinic for a pilot program to study, operationalize, determine barriers, and report on Opioid Education and Naloxone Distribution in the emergency department (ED) to high-risk opioid use disorder and opioid overdose patients who present in the ED.

i. Public Health Initiatives

1) $2,378,000 in the first year and ~~$2,378,000~~ *$2,375,000* in the second year to the Department of General Services (194) for the continuation of funding to include customer support upgrades and Laboratory Information Management System (LIMS) infrastructure, development, and improvement.

2) $3,750,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding for a dedicated lead rehabilitation program to address childhood lead poisoning in residential properties.

3) $10,000,000 in the first year and $10,000,000 in the second year to the Department of Health (601) for the continuation of funding for the procurement and deployment of an electronic health records system.

4) $15,000,000 in the first year and $25,000,000 in the second year to the Department of Health (601) for the continuation of funding for the modernization of administrative systems and software in order to create response capacity during future emergencies.

5) $10,000,000 in the first year and $10,000,000 in the second year to the Department of Health (601) for the continuation of funding for a records management system that will digitize and automate records processes.

6) $5,000,000 in the first year to the Department of Health (601) to contract with the Virginia Association of Free and Charitable Clinics for pandemic-related costs incurred by free and charitable clinics in Virginia.

7) $5,000,000 in the first year to the Department of Medical Assistance Services (602) for the continuation of funding to address operational backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding may be used to perform COVID-19 related outreach and engagement activities, make information technology system changes, and to support overtime costs at local departments of social services.

8) $5,000,000 in the first year to the Department of Social Services (765) to upgrade mission critical network infrastructure.

9) $1,587,200 in the first year and $1,892,500 in the second year to the Department for Aging and Rehabilitative Services (262) for the continuation of funding fund HVAC/air quality systems and physical plant improvements in assisted living facilities that serve a disproportionate share of auxiliary grant residents.

10) $34,000,000 the first year to the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs including vaccine clinic and additional workforce expenses that have not been reimbursed through other federal relief programs available for this purpose.

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11) $7,175,000 the first year to the Eastern Virginia Medical School for HVAC renovations at Lewis Hall.

12) $9,718,539 in the first year to the Department of Medical Assistance Services (602) to reimburse local government-owned nursing homes for unreimbursed expenses and lost revenue due to the impact of COVID-19.

j. Addressing Community Violence

1) $75,000 in the first year to the Department of State Police (156) for the continuation of funding for the purchase of equipment used to analyze firearms evidence.

2) $6,000,000 the first year and $3,000,000 the second year to the Department of Criminal Justice Services (140) to support services to victims of crime including, but not limited to, services for victims of sexual assault and domestic violence. The department shall use these funds to support sexual assault and domestic violence applicants of the Victims Services Grant Program *to include at least $190,000 in nongeneral funds the second year for the contract with the Virginia Sexual and Domestic Violence Action Alliance for the management and operation of statewide crisis services to survivors of sexual and domestic violence through a designated confidential hotline that includes a virtual platform and is linked to the network of local sexual and domestic violence service providers*.

3) $200,000 in the first year to the Department of Criminal Justice Services (140) for a one-time appropriation to the City of Chesapeake for the purchase of equipment used to analyze firearms evidence.

k. Public Safety

1) $532,086 in the first year and $532,086 in the second year to the Department of Corrections (799) for the continuation of funding for five staff positions to support COVID-19 project management activities.

2) $45,000 in the first year and $45,000 in the second year to the Department of Corrections (799) for the continuation of funding to reimburse the contractor that operates the Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).

3) $3,055,000 in the first year to the Department of Corrections (799) to expand video visitation in correctional facilities.

4) $418,121 in the first year ~~and$418,121 in the second year~~ to the Department of Emergency Management (127) for the continuation of funding for Virginia Emergency Support Team (VEST) COVID-19 recovery activities and four support staff.

5) $600,000 in the first year to the Department of Juvenile Justice (777) for the continuation of funding for mobile smartphones for agency staff.

6) $1,380,000 in the first year to the Department of State Police (156) for the continuation of funding to support live scan fingerprinting machines for the agency's area offices.

7) $75,000,000 in the first year to the Department of Criminal Justice Services (140) to make one-time grants to state and local law enforcement agencies located in the Commonwealth, including colleges and universities, local and regional jails for the purpose of training and purchasing equipment and supplies to support law enforcement related activities, excluding equipment for which one-time equipment grants were appropriated from the general fund in Item 406, Chapter 552, 2021 Acts of Assembly. Of the amount provided, no less than $60,000,000 shall be provided for the support of local law enforcement agencies. Of the amount provided, the Director, Department of Criminal Justice Services, is authorized to recover reasonable, one-time costs related to administering this grant program. Any distribution made to a local law enforcement agency shall not require a local match. The Department shall report on the distributions made to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Secretary of Finance by November 1, 2023.

8) $8,820,000 in the first year to the Department of Corrections (799) for air conditioning installation and associated costs in correctional facilities.

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l. Health Care Safety Net

1) $38,057,684 in the first year to the Department of Medical Assistance Services (602) to continue a 12.5 percent increase in rates for certain Medicaid home and community-based services that was implemented in fiscal year 2022 and is set out Item 304.

m. ARPA Reporting

1) $500,000 in the first year and ~~$500,000~~ *$1,600,000* in the second year to the Department of Accounts (151) for the cost of supporting ARPA reporting requirements.

2) $600,000 in the first year for the Secretary of Finance to engage internal or third-party assistance for additional administrative oversight of executive branch agency Coronavirus State and Local Fiscal Recovery Fund expenditures.

n. Education *and Workforce*

1) $3,500,000 in the first year to Direct Aid to Public Education (197) to support a one-time grant to the United Way of Southwest of Virginia to increase childcare capacity in southwest Virginia.

2) $4,000,000 in the first year to Direct Aid to Public Education (197) to supplement the 21st Century Community Learning Centers Program in Item 138. These funds shall be awarded to community-based organizations partnering with school divisions for after-school, before-school, and summer learning programs to provide additional instructional opportunities to combat learning loss for school-age children attending high-poverty, low-performing schools. The Department may contract with the Virginia Partnership for Out-of-School Time to assist applicants with obtaining the required licensure and to provide best practices and support to grantees.

3) $10,000,000 the first year shall be transferred to Direct Aid to Public Education (197) to support recruitment efforts through incentive payments to individuals hired to fill instructional positions between August 15, 2022, and November 30, 2022. Local school divisions desiring to participate in this program shall report to the Department of Education the number of instructional position vacancies on August 15, 2022, no later than August 31, 2022. The Department of Education shall report the August 15, 2022 instructional vacancy data to the Secretary of Education and the General Assembly by October 1, 2022. Based on this information, the Department shall communicate to each school division its available allocation from these funds, and school divisions shall communicate the availability of these funds in their recruitment. Such payments shall be based on $2,500 per individual; however, for individuals hired in hard-to-fill positions or hard-to-staff schools, as defined by the Department of Education, the incentive payment shall be based on $5,000 per individual. The Department of Education and the school divisions are authorized to prorate these amounts if the demand exceeds the initial allocation. School divisions shall (i) provide half of the incentive payment to the individual no earlier than January 1, 2023, and (ii) provide the balance of the full amount of the incentive payment to the individual no earlier than May 1, 2023, provided that the individual receives a satisfactory performance evaluation and provides a written commitment to return to the same school in the 2023-2024 school year. Individuals who are employed by a local school division in Virginia as of July 1, 2022, who accept an otherwise qualifying position in another local school division are not eligible for this incentive. Individuals employed by a local school division as of July 1, 2022, who transfer from a non-hard-to-staff school to a hard-to-staff school, as defined by the Department of Education, within the same division are eligible for the $5,000 incentive payment. School divisions shall report to the Department of Education, in a format specified by the Department, all instructional hires in the 2022-2023 school year who qualify for this incentive payment, no later than November 30, 2022. No later than January 5, 2023, the Department of Education shall report to the House Appropriations Committee and the Senate Finance and Appropriations Committee on the number of hires reported by each school division participating in this program and the anticipated amount of funding to be provided to each school division for payment to those individuals.

4) $3,500,000 in the first year to the Department of Education, Central Office Operations (201), for the provision of a contract to assist public school divisions with outreach and

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support for disengaged, chronically absent, or struggling students in response to the COVID-19 pandemic. The statewide program shall be contracted with a provider that has experience in providing state-wide attendance recovery to at-risk students and can scale to provide multi-modal outreach and academic coaching support to over 15,000 students by the end of calendar year 2023.

5) $5,138,000 in the second year to the Department of Education (201) to support the provision of a statewide Learning Management System to all local public school divisions in Virginia.

6) $5,000,000 in the second year to the Department of Education (201) for continued support of the through-year growth assessment system for grades three through eight, pursuant to the provisions of Chapter 443 and Chapter 444, 2021 Special Session I.

7) $130,122,981 to Direct Aid to Public Education (197) to provide a one-time pandemic bonus payment of $1,000 on December 1, 2022, for funded SOQ instructional and support positions and for Academic Year Governor's School and Regional Alternative Education Program instructional and support positions, as a provision of government services pursuant to the State and Local Fiscal Recovery Funds from the American Rescue Plan Act of 2021. These funds cover the entire cost of the $1,000 bonus for funded SOQ instructional and support positions and Academic Year Governor's School and Regional Alternative Education Program instructional and support positions. The funds for which a division is eligible to receive shall require no match by the local government. Localities are encouraged to use additional available funds to provide pandemic bonuses to other eligible school instructional and support positions.

8) $5,000,000 in the second year to the Virginia Department of Health (601) to establish the Earn to Learn Nursing Education Acceleration program. The department shall establish criteria for making grants from the program, including application guidelines and metrics for evaluation. Grants shall be awarded for the purpose of forming collaborative clinical training arrangements between high schools, colleges and universities, hospitals, and health providers, increasing the number of nursing students receiving necessary clinical training to achieve certification, and creating and ensuring employment opportunities for nursing students. To be eligible for grants, applicants must provide employment opportunities to students at each student's current certification level with compensation consistent with other employees at identical certification levels, and must demonstrate that the grant application will increase on a net basis the number of nursing graduates achieving sufficient clinical hours to achieve higher nursing certifications when compared to averages over the past five years.

9) $2,770,140 in the second year to the Virginia Community College System (260) for the development of a Commercial Driver's License (CDL) Training Program and Driving Range at Blue Ridge Community College.

10) $8,000,000 in the second year to Direct Aid to Public Education (197) for school security grants as authorized in Item 138.10.

3.a. Prior to initiating any program, service, or spending from the appropriations listed in paragraph 2. above, the responsible agency must ensure that its intended action qualifies for the use of the funds under the ARPA criteria to support health expenditures, to address negative economic impacts caused by the public health emergency, to provide premium pay for essential workers, or to invest in water, sewer, and broadband infrastructure as described in the Interim Final Rule or the guidance issued by the U.S. Department of Treasury. Agencies shall not rely on the provisions for replacing lost public sector revenue as a qualifying criteria without receiving prior written approval from the Governor.

b. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.

4. The Governor is authorized to appropriate additional amounts not listed above if they must be executed before the ~~2023~~ *2024* regular session of the General Assembly to protect the public health in order to respond to a public health emergency or to prevent the emergence of a new health emergency. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no

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less than five business days prior to appropriating such amounts.

5. Amounts authorized for the projects identified below, as authorized and funded from State and Local Fiscal Recovery Funds in Chapter 1, 2022 Acts of Assembly, Special Session I, shall be reduced by the following estimated amounts. The Director, Department of Planning and Budget, shall transfer to this item such estimated amounts from the identified projects if funding has previously been distributed to the responsible agency.

Agency	***Project***	***Item 479.20, Chapter 1 Authorization Reference***	***Amount***
132: Department of Elections	*Voter education*	*B.2.t*	*$68,260*
157: Compensation Board	*Hazard pay for sworn officers*	*B.2.s*	*$5,222,889*
194: Department of General Services	*Legal and real estate transaction support for agencies that own property to support broadband expansion*	*B.2.b*	*$500,000*
350: Department of Small Business and Supplier Diversity	*RebuildVA*	*B.2.c*	*$14,200,000*
121: Office of the Governor	*Contractor for language access translation services planning*	*B.2.q*	*$201,000*
720: Department of Behavioral Health and Developmental Services	*Bonus payments for direct care staff*	*B.2.n*	*$17,453,721*
720: Department of Behavioral Health and Developmental Services	*Purchase personal protective equipment at state facilities*	*B.2.n*	*$450,000*
171: State Corporation Commission	*Utility assistance*	*B.2.e*	*$2,807,970*
165: Department of Housing and Community Development	*Utility assistance*	*B.2.e*	*$15,735,172*
777: Department of Juvenile Justice	*Facility improvements for Central Infirmary*	*B.2.s*	*$4,356*
777: Department of Juvenile Justice	*Large tents for outdoor visitation*	*B.2.s*	*$5,000*
777: Department of Juvenile Justice	*Provide hazard pay for Probation and Security staff*	*B.2.s*	*$126,140*
777: Department of Juvenile Justice	*Vaccination clinic costs*	*B.2.s*	*$10,000*
778: Department of Forensic Science	*Add equipment for three (3) additional firearms forensic scientists*	*B.2.r*	*$59,159*
TOTAL			***$56,843,667***

6. First year amounts authorized by this paragraph for the projects identified below shall be reduced by the following estimated amounts. The Director, Department of Planning and Budget, shall transfer to this Item such estimated amounts from the identified projects if funding has previously been distributed to the responsible agency.

Agency	***Project***	***Item 486 Authorization Reference***	***Amount***
194: Department of General Services	*Legal and real estate transaction support for agencies that own property to support broadband expansion*	*A.2.b*	*$750,000*
194: Department of General Services	*Customer support enhancements for the Division*	*A.2.i*	*$3,000*

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	of Consolidated Laboratory Services (DCLS)				
793: Intellectual Disabilities Training Centers	*Increase compensation for direct care staff at state facilities*		*A.2.g*		*$2,515,510*
792: Mental Health Treatment Centers	*Increase compensation for direct care staff at state facilities*		*A.2.g*		*$19,297,694*
794: Virginia Center for Behavioral Rehabilitation	*Increase compensation for direct care staff at state facilities*		*A.2.g*		*$1,770,175*
720: Department of Behavioral Health and Developmental Services	*Purchase personal protective equipment at state facilities*		*A.2.g*		*$1,200,000*
127: Virginia Department of Emergency Management	*Virginia Emergency Support Team (VEST) COVID-19 recovery activities*		*A.2.k*		*$418,121*
165: Department of Housing and Community Development	*Virginia Removal or Rehabilitation of Derelict Structures Fund*		*A.2.d*		*$900,000*
165: Department of Housing and Community Development	*Line Extension Customer Assistance Program*		*A.2.b*		*$6,000,000*
TOTAL					***$32,854,500***

B.1. The appropriation in this item includes an amount estimated at $151,622,186 in the first year and $51,061,555 in the second year from the estimated revenues to be received pursuant to the American Rescue Plan Act of 2021 (ARPA) from grants other than the State and Local Recovery Fund (SLRF). The following appropriations shall be transferred from this item to the following:

ARPA Fund Source / Grant	State Agency	FY 2023 Appropriation	FY 2024 Appropriation
Crisis Response Cooperative Agreement (CDC)	Department of Health (601)	$25,460,480	$2,000,000
Epidemiology and Lab Capacity for School Testing (CDC)	Department of Health (601)	$84,838,264	$7,069,855
Epidemiology and Lab Capacity for Confinement Settings (CDC)	Department of Health (601)	$6,976,200	$6,976,200
COVID-19 Vaccine Preparedness Adjustment (CDC)	Department of Health (601)	$12,557,027	$12,557,027
Maternal, Infant and Early Childhood Home Visiting Grant Program (HRSA)	Department of Health (601)	$439,674	$109,918
Disease Intervention Workforce (CDC)	Department of Health (601)	$4,519,512	$4,519,512
AmeriCorps (CNCS)	Department of Social Services (765)	$2,262,662	$2,562,662
Family Violence Prevention and Services (ACF)	Department of Social Services (765)	$4,694,940	$7,434,005
Homeless Service Sites & Congregate Settings (ELC)	Department of Health (601)	$575,688	$575,688
Strengthening HAI & AR Program Capacity (SHARP) (ELC)	Department of Health (601)	$3,270,588	$3,270,588
Nursing Home & Long-term	Department of Health (601)	$2,003,832	$2,003,832

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Care Facility Strike Teams - SNF (ELC)					
Nursing Home & Long-term Care Facility Strike Teams - NH & LTC (ELC)	Department of Health (601)		$1,982,268		$1,982,268
Travelers Health Year 2 (ELC)	Department of Health (601)		$277,083		$0
Maternal, Infant and Early Childhood Homevisiting Grant Program	Department of Health (601)		$1,763,968		$0

2. The Director of the Department of Planning and Budget is authorized to adjust the amounts appropriated in paragraph B.1. above to reflect the actual revenues received by the Commonwealth for each grant.

3.a. Agencies are authorized to initiate spending from these appropriations in order to provide one-time services for purposes authorized and permitted under federal law and in accordance with the guidance issued by the U.S. Department of Treasury and other applicable federal agencies, or to execute requirements of federal law that must be initiated. No such spending shall be initiated for programs or services that create an ongoing commitment of state resources after the conclusion of the federal grant unless such services are required by federal law.

b. Prior to initiating any program, service, or spending from these appropriations, the responsible agency must provide written notification of its intended action to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget. Such notice shall be provided no less than ten business days before an agency initiates services or incurs any costs associated with the grant. For purposes of this section, initiating a program includes any public announcement or proposal presented to constituent groups.

c. If an agency wishes to spend any amounts from these grants for purposes that create an ongoing commitment that must be maintained by state resources after the conclusion of the federal grant, it must receive prior approval and authorization of the General Assembly. Agencies must submit such proposals to the Department of Planning and Budget for consideration by the Governor and the General Assembly in the ~~2023~~ *2024* session of the General Assembly.

d. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.

e. The Governor is authorized to appropriate any additional grants not listed above if they must be executed before the ~~2023~~ *2024* regular session of the General Assembly. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no less than five business days prior to appropriating such grants.

C. Temporary nurse aides practicing in long term care facilities under the federal Public Health Emergency 1135 Waiver may be deemed eligible by the Board of Nursing while this waiver is in effect, and in the four-month period from the end of this waiver, to take the National Nurse Aide Assessment Program examination upon submission of a completed application, the employer's written verification of competency and employment as a temporary nurse aide, and provided no other grounds exist under Virginia law to deny the application.

D. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year to be spent for the same purposes as stated in this act.

486.10 1. Notwithstanding the provisions of Item 486 of this act, the funding provided pursuant to paragraph A.2.l.1) of Item 486 shall be reallocated in the following manner:

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2. $28,057,684 in the first year to the Department of Medical Assistance Services (602) to procure a one-time vendor to assist in the redetermination of Medicaid enrollees over the twelve months following the end of the federal continuous Medicaid coverage requirement.

3. $10,000,000 in the first year to the Department of Social Services (765) to cover the one-time cost of supporting local departments of social services staff with efforts to perform benefit program redeterminations and appeals work in the twelve months following the end of the federal continuous Medicaid coverage requirement.

4. All funds allocated in paragraphs 2 and 3 shall only be used to support one-time eligibility redetermination efforts necessary to meet federal post public health emergency (unwinding) requirements. Prior to the transfer of any funds, impacted agencies shall provide the Department of Planning and Budget and Task Force on Eligibility Redetermination with an accounting of all agency unwinding activities and how any transferred funds will supplement those efforts.

487.	Educational and General Programs (10000).....			$31,800,000	~~$31,800,000~~ *$28,930,454*
	Higher Education Instruction (10001).....	$31,800,000	~~$31,800,000~~ *$28,930,454*		
	Fund Sources: General.....	$31,800,000	~~$31,800,000~~ *$28,930,454*		

A. Out of this appropriation, $31,800,000 the first year and ~~$31,800,000~~ *$28,930,454* the second year from the general fund is designated for the Tech Talent Investment Fund. These funds shall be allocated in accordance with provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership. Funds may be used to support admissions and advising programs designed to convey labor market information to students to guide decisions to enroll in eligible degree programs and academic programs and to fund facility construction, renovation, and enhancement and equipment purchases related to the initiative to increase the number of eligible degrees awarded.

B. Prior to an allocation from the Fund, institutions must enter into a Memorandum of Understanding (MOU) through a negotiation process between the institution and the Commonwealth. The MOU shall contain criteria for eligible degrees, eligible expenses, and degree production goals for a period ending in 2039. In addition, each institution shall (i) submit an enrollment plan detailing the number of eligible degrees produced between July 1, 2013, and June 30, 2018; (ii) develop a detailed plan of how the institution proposes to materially increase the enrollment, retention, and graduation of students pursuing eligible degrees, the resources necessary to accomplish such increase in enrollment, retention, and graduation, and plans to track new enrollment; (iii) provide an accounting of the anticipated number of in-state and out-of-state students enrolling in eligible degree programs; (iv) determine the existing capacity of current eligible degree programs; (v) propose plans to partner with other institutions to provide courses or programs that will lead to the completion of an eligible degree including articulation agreements with the Virginia Community College System to provide guaranteed admission for qualified students with an associate degree for transfer into an eligible degree program; (vi) allocate existing funds held by or appropriated to the institution to meet increased enrollment, retention, and graduation goals in eligible degree programs; and (vii) provide any other information deemed relevant.

C. Failure of an institution to meet the goals, metrics, and requirements set forth in its memorandum of understanding shall result in the adjustment of any future allocations from the Fund to the institution to reflect such discrepancy.

D. Notwithstanding §23.1-1242 of the Code of Virginia, for the 2020-22 biennium eligibility for grant payments shall be determined by the requirements stipulated in each institution's MOU. The designated reviewers shall propose any needed technical adjustments for consideration during the 2023 Session.

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487.10	Financial Assistance For Educational and General Services (11000)			$350,000	$0
	Sponsored Programs (11004)	$350,000	$0		
	Fund Sources: General	$350,000	$0		

A. Out of this appropriation, $350,000 the first year from the general fund is designated to evaluate the need for a regional Data Science Innovation Hub by higher education research institutions in the Hampton Roads and Tidewater area.

B. The State Council of Higher Education for Virginia shall convene a workgroup comprised of the College of William and Mary in Virginia, Old Dominion University, Norfolk State University, Christopher Newport University and Jefferson Labs for the expressed purpose of assessing need and, potentially, developing a plan for a Data Science Innovation Hub and the possible roles for the specific institutions.

C. The Director, Department of Planning and Budget shall transfer from this item, $350,000 the first year from the general fund to the Council for costs associated with this planning.

487.50	Miscellaneous Undistributed Appropriations (75600)			$16,000,000	$17,000,000
	Miscellaneous Undistributed Appropriations (75601)	$16,000,000	$17,000,000		
	Fund Sources: General	$16,000,000	$17,000,000		

A. Out of this appropriation, $16,000,000 the first year and $17,000,000 the second year from the general fund is designated for workforce development training. Oversight ahead of all funding transfers outlined below shall be coordinated and released by the Secretary of Education, the Secretary of Finance, the director of the Department of Planning and Budget, the director of the State Council of Higher Education for Virginia, the staff directors of the House Appropriation and Senate Finance and Appropriations Committees, and the director of the Virginia Economic Development Partnership. Additionally, the designated reviewers shall collaborate with the Superintendent of Public Instruction before approving spending plans supporting the Direct Aid to Public Education (197) funding area. Upon approval, the Department of Planning and Budget shall transfer to each agency the following amounts for this purpose:

Institution	**Fiscal Year 2023**	**Fiscal Year 2024**
State Council for Higher Education of Virginia (245)	$3,000,000	$10,000,000
Virginia Community College System (260)	10,000,000	4,500,000
Direct Aid to Public Education (197)	3,000,000	0
Virginia Economic Development Partnership (310)	0	2,500,000
Total	**$16,000,000**	**$17,000,000**

B. 1. Out of the above appropriation, $3,000,000 the first year and $10,000,000 the second year from the general fund supports the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. This funding is designated to expand paid or credit-bearing student internships and other work-based learning experiences in collaboration with Virginia employers so that, over time, every Virginia undergraduate student who wants such an opportunity may access it without extending time to completion of undergraduate study.

2.a. Out of the above appropriation, $8,000,000 the first year from the general fund is designated for G3 Innovation Grants.

b. The Virginia Community College System (VCCS), in collaboration with the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System, and in accordance with § 23.1-2911.2 D., shall award

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grants to community colleges in order to increase the capacity and responsiveness of colleges to meet regional labor market needs of employers, unemployed and underemployed workers, and incumbent workers.

3. Out of the above appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund is designated for the Virginia Community College System to support the Network2Work program, connecting job seekers to training and career resources.

4. Out of the above appropriation, $2,500,000 the second year from the general fund is designated for economic development programming under the Hampton Roads Skilled Trades Rapid On-ramp Network for Growth (STRONG) initiative, as funded under VCCS. The Virginia Community College System shall collaborate with the Hampton Roads Workforce Council to support career access and training opportunities in the naval shipbuilding, offshore wind, and road and tunnel construction industries.

5.a. Out of the above appropriation, $2,500,000 the second year from the general fund is designated for the Advanced Manufacturing Talent Investment Program and Fund pilot, as established by Chapter 499 and Chapter 500, 2022 Acts of Assembly. These funds shall be allocated by the Virginia Economic Development Partnership in accordance with provisions established in § 23.1-1244 and shall be used to increase the number of trained individuals entering advanced manufacturing careers. Moneys in the Fund shall be used to support this effort and to improve the readiness of graduates to be employed in identified advanced manufacturing fields.

b. The pilot shall be limited to existing programs that serve advanced manufacturing needs in the Hampton Roads and Southwest Virginia regions. Such programs may be operated by one or more of the following: (i) a comprehensive community college; (ii) a career and technical education program operated by a local school board or a group of school boards; (iii) the Institute of Advanced Learning and Research; (iv) the New College Institute; (v) Richard Bland College; (vi) the Roanoke Higher Education Center; (vii) the Southern Virginia Higher Education Center; or (viii) the Southwest Virginia Higher Education Center. Program applicants shall be encouraged to partner with regional businesses and industries on program development and implementation.

c. The existing capacity of current eligible credential programs and awards shall not duplicate underutilized existing programs within the same region.

d. Recipients of program funding under the pilot shall submit reports on the progress of their programming to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and relevant staff no later than June 30, 2024.

6. Out of this appropriation, $3,000,000 the first year from the general fund is provided for competitive grants to school divisions to increase the teaching of students in skilled trades that lead to earning industry-recognized certifications or credentials. These grants shall provide one-time assistance to divisions to establish, expand, or restore such programs in middle or high school. These grants shall support programs offering industry-recognized certifications or credentials that are in demand by regional employers and lead to employment. Funds shall be used to support equipment, curriculum development and instructor training. The Department of Education shall establish application guidelines, including a requirement for school divisions to provide an operational plan to maintain the program after the funds are disbursed.

488. A. The Oil Overcharge Expendable Trust Fund shall be established on the books of the Comptroller and the interest earned by investment of funds credited to the Oil Overcharge Expendable Trust Fund shall be allocated to such fund periodically. This fund represents the Commonwealth's proportionate share of the recoveries from the Exxon Corporation, Diamond Shamrock Refining and Marketing Company, Stripper Well and the Texaco Corporation litigations, for petroleum pricing violations between 1973 and 1981.

B.1. Any expenditure involving oil overcharges by the Exxon Corporation shall be utilized according to regulations and procedures of the five state energy conservation and benefits programs specified in the Warner Amendment (Section 155, P.L. 97-377) to provide restitution to the broad class of parties injured by the alleged overcharges. These programs are:

ITEM 488.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

a. Low Income Home Energy Assistance Program, 42 U.S.C. § 8621 et seq.

b. State Energy Conservation Program, 42 U.S.C. § 6321 et seq.

c. Energy Extension Service, 42 U.S.C. § 7001 et seq.

d. Institutional Conservation Program, 42 U.S.C. § 6371 et seq.

e. Weatherization Assistance Program, 42 U.S.C. § 6861 et seq.

2. Any expenditure involving oil overcharges from the approved settlement In Re: The Department of Energy Stripper Well Litigation (MDL No. 378) or the approved settlement in the case of the Diamond Shamrock Refining and Marketing Company (Civil Action No. C2-84-1432) shall be utilized to fund one or more energy-related programs which are designed to benefit, directly or indirectly, consumers of petroleum products. These programs shall be limited to:

a. Administration and operation of the five energy conservation and benefit programs specified under the Warner Amendment (Section 155, P.L. 97-377),

b. Those programs approved by the U.S. Department of Energy's Office of Hearings and Appeals in Subpart V Refund Proceedings,

c. Those programs referenced in the Chevron consent order (46 FR 52221), and

d. Such other restitutionary programs approved by the District Court or the U.S. Department of Energy's Office of Hearings and Appeals.

C. Before appropriations to the Oil Overcharge Expendable Trust Fund can be expended, approval for the use of the funds must be obtained from the United States Department of Energy. Applications to the United States Department of Energy must be made through the Department of Mines, Minerals and Energy.

D. The Governor shall submit such statements and reports as are required by court orders, settlements, or the Departments of Energy or Health and Human Services regarding use(s) of these funds and shall also report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the activities funded by transfers from this Item only in fiscal years in which activities have occurred.

Total for Central Appropriations			**$1,579,579,115**	**~~$954,544,033~~** ***$1,044,653,520***
Fund Sources: General	$451,066,949	~~$732,548,633~~ *$807,228,780*		
Higher Education Operating	$3,525,816	$3,525,816		
Trust and Agency	$71,341,966	$70,604,322		
Federal Trust	$1,053,644,384	~~$147,865,262~~ *$163,294,602*		
TOTAL FOR CENTRAL APPROPRIATIONS			**$1,579,579,115**	**~~$954,544,033~~** ***$1,044,653,520***
Fund Sources: General	$451,066,949	~~$732,548,633~~ *$807,228,780*		
Higher Education Operating	$3,525,816	$3,525,816		
Trust and Agency	$71,341,966	$70,604,322		
Federal Trust	$1,053,644,384	~~$147,865,262~~ *$163,294,602*		
TOTAL FOR EXECUTIVE DEPARTMENT			**$79,158,189,279**	**~~$77,415,904,130~~** ***$81,888,640,897***
General Fund Positions	50,642.35	~~50,862.35~~ *50,951.35*		
Nongeneral Fund Positions	67,921.07	~~68,031.07~~ *68,062.07*		

ITEM 488.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Position Level	118,563.42	~~118,893.42~~ *119,013.42*		
Fund Sources: General	$28,976,939,473	~~$28,109,220,016~~ *$30,348,195,384*		
Special	$1,789,103,325	~~$1,809,809,569~~ *$1,811,924,289*		
Higher Education Operating	$10,125,410,256	$10,235,138,003		
Commonwealth Transportation	$8,598,252,151	$8,401,469,644		
Enterprise	$1,728,860,599	$1,783,395,369		
Internal Service	$2,404,388,342	$2,413,968,065		
Trust and Agency	$2,740,017,850	~~$2,624,785,675~~ *$2,710,956,383*		
Debt Service	$363,620,626	$363,620,626		
Dedicated Special Revenue	$4,126,291,384	$4,470,923,667		
Federal Trust	$18,305,305,273	~~$17,203,573,496~~ *$19,349,049,467*		

ITEM 489.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	INDEPENDENT AGENCIES				
	§ 1-137. STATE CORPORATION COMMISSION (171)				
489.	Regulation of Business Practices (55200)			$83,730,886	$81,619,080
	Corporation Commission Clerk's Services (55203)	$19,078,374	$18,616,911		
	Regulation of Investment Companies, Products and Services (55210)	$10,638,833	$10,237,779		
	Regulation of Financial Institutions (55215)	$17,378,248	$16,944,577		
	Regulation of Insurance Industry (55216)	$36,635,431	$35,819,813		
	Fund Sources: Special	$83,030,886	$80,919,080		
	Federal Trust	$700,000	$700,000		
	Authority: Article IX, Constitution of Virginia; Title 6.2; Title 8.9A, Part 4; Title 12.1, Chapter 4; Title 13.1; Title 56, Chapter 15, Article 5; Title 58.1, Chapter 28; Title 59.1, Chapter 6.1, Code of Virginia; Title 38.2; Title 58.1, Chapter 25; and Title 65.2, Chapter 8, Code of Virginia.				
	Out of the amounts for this Item, $1,200,000 the first year and $1,200,000 the second year is provided to effectuate the provisions of Chapter 486 of the Acts of Assembly of 2017, which allows the Commission to absorb the credit card and eCheck convenience fees as opposed to passing them on to the filers and also grants the Commission the discretion to not charge a fee for providing copies of certain documents.				
490.	Regulation of Public Utilities (56300)			$33,989,788	$32,372,448
	Regulation of Utility Companies (56301)	$33,989,788	$32,372,448		
	Fund Sources: Special	$31,283,125	$29,684,429		
	Dedicated Special Revenue	$656,663	$638,019		
	Federal Trust	$2,050,000	$2,050,000		
	Authority: Title 56, Chapter 10, Code of Virginia.				
491.	Distribution of Fees From and To Regulated Entities and Localities (56400)			$9,176,160	$9,176,160
	Distribution of Uninsured Motorist Fee (56401)	$8,660,064	$8,660,064		
	Distribution of Rolling Stock Taxes (56402)	$516,096	$516,096		
	Fund Sources: Trust and Agency	$9,176,160	$9,176,160		
	Authority: § 58.1-2652, Code of Virginia.				
492.	Administrative and Support Services (59900)			$0	$0
	Authority: Title 12.1, Code of Virginia; Article IV, Section 14 and Article IX, Constitution of Virginia.				
	A. Operational costs for this program shall be paid solely from charges to agency programs.				
	B. Out of the amounts for this Item, shall be paid the annual salary of the chairman, $191,055 from July 1, 2022 to June 30, 2024, and for the other two Commissioners of the State Corporation Commission, each at $188,963 from July 1, 2022 to June 30, 2024.				
	C. Notwithstanding the provisions of § 13.1-775.1, Code of Virginia, the State Corporation Commission shall continue the following annual registration fees for domestic and foreign corporations. The new annual rates shall be $100 for every foreign and domestic corporation authorized to do business in the Commonwealth whose number of authorized shares is 5,000 shares or less. Any such corporation whose number of authorized shares is more than 5,000 shall pay an annual registration fee of $100 plus $30 for each 5,000 shares or fraction thereof in excess of 5,000 up to a maximum of $1,700. The commission shall deposit these funds into a special fund and transfer three-fourths of the receipts to the general fund semiannually.				

ITEM 492.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
493.	Plan Management (40800)			$29,141,339	~~$49,010,485~~ *$49,425,642*
	Federal Health Benefit Exchange Plan Management (40801)	$107,562	$107,562		
	State Health Benefit Exchange Plan Management (40802)	$29,033,777	~~$48,902,923~~ *$49,318,080*		
	Fund Sources: General	$107,562	~~$20,107,562~~ *$20,522,719*		
	Dedicated Special Revenue	$29,033,777	$28,902,923		

Authority: §§ 38.2-316.1 and 38.2-326, Code of Virginia; § 42.18041 c, United States Code.

A. There is hereby appropriated to the State Corporation Commission $107,562 the first year and $107,562 the second year from the general fund to pay for the plan management functions authorized in Chapter 670 of the Acts of Assembly of 2013.

B.1. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize either a working capital advance or an interest-free treasury loan in an amount not to exceed $40,000,000 for the State Corporation Commission to fund start-up costs and other costs associated with the implementation of a State Health Benefit Exchange. The Secretary of Finance may extend the repayment plan for any such working capital advance or interest-free treasury loan for a period longer than twelve months.

2. The State Corporation Commission may use a portion of the user fees collected from health insurance carriers participating in the State Health Benefit Exchange to repay the working capital

C. Out of this appropriation, $20,000,000 the second year from the general fund shall be transferred to the Commonwealth Health Reinsurance Program Special Fund State Corporation Commission, established pursuant to § 38.2-6604, Code of Virginia.

D.1. The State Corporation Commission (Bureau of Insurance) shall study and analyze the Commonwealth's options for potential implementation in 2025 of a new Essential Health Benefit (EHB) benchmark plan for individual and small group health insurance coverage that comply with federal regulations 45 CFR 156.111 (State selection of EHB-benchmark plan for plan years beginning on or after January 1, 2020, and annual reporting of state-required benefits). The Bureau of Insurance shall report its findings to the Health Insurance Reform Commission, and the Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations by November 1, 2022.

2. Until the Commonwealth makes a determination to select a new Essential Health Benefit benchmark plan, no qualified health plan shall be required to provide any state-mandated health benefit that is not provided in the essential health benefits package.

E. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $372,869 from the surplus balances of this program.

F. Notwithstanding any other provision of law, the state-mandated health benefit required by Senate Bill 1003 passed in the 2023 Regular Session shall apply to all qualified health plans offered in the Commonwealth.

G. The Bureau of Insurance shall continue the Commonwealth Health Reinsurance Program in plan year 2024 with a target for premium reduction of 15 percent.

Total for State Corporation Commission			**$156,038,173**	~~**$172,178,173**~~ ***$172,593,330***
Nongeneral Fund Positions	715.00	715.00		
Position Level	715.00	715.00		
Fund Sources: General	$107,562	~~$20,107,562~~ *$20,522,719*		
Special	$114,314,011	$110,603,509		

ITEM 493.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Trust and Agency	$9,176,160	$9,176,160		
	Dedicated Special Revenue	$29,690,440	$29,540,942		
	Federal Trust	$2,750,000	$2,750,000		

§ 1-138. VIRGINIA LOTTERY (172)

494.	State Lottery Operations (81100)			$186,725,080	$191,510,004
	Regulation and Law Enforcement (81105)	$26,098,336	$26,383,260		
	Gaming Operations (81106)	$151,695,994	$156,195,994		
	Administrative Services (81107)	$8,930,750	$8,930,750		
	Fund Sources: Enterprise	$164,190,767	$168,690,767		
	Dedicated Special Revenue	$22,534,313	$22,819,237		

Authority: Title 58.1, Chapter 40 and Chapter 41, Code of Virginia.

A. Out of the amounts for Virginia Lottery Operations shall be paid:

1. Reimbursement for compensation and reasonable expenses of the members of the Virginia Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.

2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.

3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.

B. Expenses related to the regulation and oversight of Casino Gaming shall be paid from the combination of licensing and related fees collected under Title 58.1, Chapter 41, Code of Virginia.

C. Expenses related to the regulation and oversight of Sports Betting shall be paid from a combination of ongoing licensing and fees related to the activities described in Title 58.1, Chapter 40, Code of Virginia.

D. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize an interest-free treasury loan for the Virginia Lottery to fund start-up costs associated with the implementation of Casino Gaming and Sports Betting activities as enacted by the 2020 General Assembly of Virginia. The Secretary of Finance may extend the repayment plan for any such interest-free treasury loan for a period of longer than twelve months.

E. Notwithstanding the provisions of § 58.1-4030 and § 58.1-4037, Code of Virginia, a permit holder, through the first 12 months of sports betting activity, may exclude from adjusted gross revenue the value of allowable bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. After the first 12 months of sports betting activity, a permit holder is prohibited from excluding from adjusted gross revenue any bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. The provisions of this paragraph begin the first month a permit holder collects wagers related to sports betting, as defined in § 58.1-4030, Code of Virginia.

F. Notwithstanding § 58.1-4123, Code of Virginia, for any eligible host city that has not passed a referendum on casino gaming prior to July 1, 2022, the department shall not grant any initial license to operate a gaming operation unless a referendum is held on or after November 1, 2023 on the question of whether casino gaming shall be permitted in such city and is approved by the voters of such city.

495.	Disbursement of Lottery Prize Payments (81200) a sum sufficient, estimated at			$350,000,000	$350,000,000
	Payment of Lottery Prizes (81201)	$350,000,000	$350,000,000		
	Fund Sources: Enterprise	a sum sufficient			

ITEM 495.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Authority: Title 58.1, Chapter 40, Code of Virginia.				
There is hereby appropriated from affected funds in the state treasury, for payment of prizes awarded by the state lottery and of commissions to lottery sales agents, in accordance with law, a sum sufficient.				
Total for Virginia Lottery			**$536,725,080**	**$541,510,004**
Nongeneral Fund Positions	458.00	458.00		
Position Level	458.00	458.00		
Fund Sources: Enterprise	$514,190,767	$518,690,767		
Dedicated Special Revenue	$22,534,313	$22,819,237		

§ 1-139. VIRGINIA COLLEGE SAVINGS PLAN (174)

496.	Investment, Trust, and Insurance Services (72500) a sum sufficient, estimated at		$250,000,000	$250,000,000
	Payments for Educational Benefits Expense (72505)	$250,000,000	$250,000,000	
	Fund Sources: Enterprise	$250,000,000	$250,000,000	

Authority: Title 23.1, Chapter 7, Code of Virginia.

A. Amounts for Payments for Educational Benefits Expense represent the payment of benefits to postsecondary educational institutions and individuals on behalf of program participants under the Defined Benefit 529 Programs, which include Prepaid529 and the Tuition Track Portfolio of Invest529, and under other Education Savings Programs, from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

B.1. Any moneys collected, distributed, or held for the benefit of participants under Education Savings Programs other than the Defined Benefit 529 Programs, including any income from such funds, are subject to the provisions of § 23.1-701.B., Code of Virginia.

2. Any moneys collected, distributed, or held for the benefit of participants under the Defined Benefit 529 Programs, and any Plan administrative revenue, including any income from such funds, are subject to § 23.1-701.C., Code of Virginia.

C. Amounts for Payments for Educational Benefits Expense cover the current obligations of the funds as provided in § 23.1-705, Code of Virginia.

497.	Administrative and Support Services (79900)		$42,585,338	$44,270,249
	General Management and Direction (79901)	$20,835,795	$21,408,896	
	Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program (79952)	$2,413,769	$2,413,769	
	Investment, Trust and Related Services for State-Facilitated IRA Savings Program (79953)	$2,000,000	$2,000,000	
	Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs (79955)	$17,335,774	$18,447,584	
	Fund Sources: Enterprise	$42,585,338	$44,270,249	

Authority: Title 23.1, Chapter 7, Code of Virginia.

A. The amounts appropriated to this Item are sufficient to continue funding a comprehensive compensation plan to link pay to performance.

B. Amounts for Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program cover personnel services, variable, and unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

C. Amounts for Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs cover variable or unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

ITEM 497.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

D. Included in this appropriation is $2,000,000 the first year and $2,000,000 the second year from nongeneral funds to support SOAR Virginia scholarships. As part of its ongoing review of access and affordability of higher education in Virginia, the Joint Legislative Audit and Review Commission (JLARC) is hereby directed to review (i) evidence of the effectiveness of the SOAR Virginia program and other Virginia College Savings Plan access and affordability efforts involving financial aid-related grants and scholarships, and (ii) whether the net operating revenue of Virginia College Savings Plan can best support higher education access and affordability through SOAR or other state access and affordability programs.

E. The Investment Director position at the Virginia College Savings Plan shall assist the CEO and Board in directing, managing, and administering the Plan's assets. The Investment Director shall serve at the pleasure of the Board and may be removed by a majority vote of the Board.

F. That in accordance with the provisions of Item 4-3.02 of this act and pursuant to the passage of House Bill 2174, 2021 General Assembly, the Virginia College Savings Plan shall receive a non-interest-bearing treasury loan in an amount not to exceed $2 million each year of the biennium to cover the costs of designing and implementing a state-facilitated IRA savings program, until such time as the Program is self-sustaining. Such loan may be renegotiated, as appropriate, and the Plan shall commence repayment with the Program fees and revenues once the Program has achieved at least one year of Program cash flow positivity.

G. Out of this appropriation, $2,867,245 the first year and $4,552,156 the second year from nongeneral funds is for enhanced operations within the Virginia College Savings Plan related to cybersecurity, information technology, and customer service.

Total for Virginia College Savings Plan			**$292,585,338**	**$294,270,249**
Nongeneral Fund Positions	150.00	150.00		
Position Level	150.00	150.00		
Fund Sources: Enterprise	$292,585,338	$294,270,249		

§ 1-140. VIRGINIA RETIREMENT SYSTEM (158)

498.	Personnel Management Services (70400)			$19,788,287	$19,645,202
	Administration of Retirement and Insurance Programs (70415)	$19,788,287	$19,645,202		
	Fund Sources: General	$80,000	$80,000		
	Trust and Agency	$19,708,287	$19,565,202		

Authority: Title 9.1, Chapter 4; Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a participation fee to each employer served by the Virginia Retirement System for any services provided pursuant to Title 51.1, Code of Virginia. The fee shall be utilized to pay the administrative expenses of all administrative services, including non-retirement programs. Retirement contributions required by the board shall be reduced to pay such fees in a manner prescribed by the Board of Trustees.

B. State agencies and institutions of higher education shall make payments to the Virginia Retirement System (VRS) for VRS-administered benefits no less often than monthly.

C. The Virginia Retirement System shall make changes to administrative policies, procedures, and systems as necessary for implementation of the public employee retirement reforms provided in Chapter 701 of the Acts of Assembly of 2012.

D.1. Out of this appropriation, $80,000 the first year and $80,000 the second year from the general fund is provided for expenses associated with the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund.

2. Gains forfeited prior to July 1, 2016 pursuant to § 51.1-1206, Code of Virginia, and the

ITEM 498.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

accumulated earnings thereon shall be used to provide the reimbursement described in § 51.1-1200, Code of Virginia. All future gains forfeited pursuant to § 51.1-1206, Code of Virginia, shall also be used to provide the reimbursement described in § 51.1-1200, Code of Virginia.

E. The Board of Trustees of the Virginia Retirement System shall provide notification to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee when a political subdivision becomes more than 60 days in arrears in their contributions to the Virginia Retirement System. Such notification shall occur within 15 days of when the 60 day period has occurred.

F.1. Pursuant to the administration of Chapter 4 of Title 9.1, Code of Virginia, the following provisions are effective July 1, 2017:

2. For purposes of this Item, employer contributions for coverage provided to members of the National Guard and Virginia Defense Force on active duty shall be paid by the Department of Military Affairs.

3. In addition to any other benefit provided by law, an additional death benefit in the amount of $20,000 for the surviving spouses and dependents of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, are payable pursuant to § 44-93.1.B., Code of Virginia, from the Line of Duty Death and Health Benefits Trust Fund. The Virginia Retirement System, with support from the Department of Military Affairs, shall determine eligibility for this benefit.

4. Funding for the inclusion of a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard will be paid by the Department of Military Affairs out of its appropriation in Item 477 of this act.

5. Any locality that has established a trust, trusts, or equivalent arrangements for the purpose of accumulating and investing assets to fund post-employment benefits other than pensions under § 15.2-1544, Code of Virginia, may fund Line of Duty Act benefits from the assets of the trust, trusts, or equivalent arrangements.

G. Annually by February 1st, the Virginia Retirement System shall submit to the Secretary of Public Safety and Homeland Security the names of individuals who were determined to be deceased persons, as defined in § 9.1-400 of the Code of Virginia, in the previous calendar year. The name of any individual whose claim has been filed, but not yet approved, may be submitted in a subsequent year by the Virginia Retirement System once the claim is approved. The Secretary of Public Safety and Homeland Security shall be authorized to share the list as necessary for the purposes of the names being inscribed on the Virginia Public Safety Memorial and honored at the Annual Memorial Service. As provided in § 9.1-408 of the Code of the Virginia, the list otherwise shall be deemed confidential, shall be exempt from disclosure under the Virginia Freedom of Information Act, and shall not be released in whole or in part.

H. The Virginia Retirement System and the Department of Human Resource Management shall report annually on or before January 1 to the Governor and the Virginia General Assembly the detailed aggregate of eligibility determinations for employees in accordance with § 9.1-400. This report shall tabulate claims data, types of injuries and associated costs with provided benefits. In accordance with § 9.1-408, the name of the employer or employee shall not appear in such publications and all documents to determine eligibility shall remain confidential.

I. The Virginia Retirement System shall conduct a review of Virginia's current return to work provisions. The review shall include an overview of the Internal Revenue Service laws and regulations regarding return to work, an analysis of Virginia's return to work provisions comparative to those of other public employee pension plans, and an actuarial analysis of potential modifications to the return to work provisions. The Virginia Retirement System shall complete the review and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2022.

499.	Investment, Trust, and Insurance Services (72500).....			$45,570,653	$45,570,653
	Investment Management Services (72504).....	$45,570,653	$45,570,653		
	Fund Sources: Trust and Agency.....	$45,570,653	$45,570,653		

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Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
By September 30 of each year, the Board of Trustees of the Virginia Retirement System shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the prior fiscal year's results obtained by the internal investment management program. The report shall include a comparison of investment performance against the board's benchmarks and an estimate of the program's fee savings when compared to similar assets managed externally.				
500. Administrative and Support Services (79900)			$53,480,079	$56,098,179
General Management and Direction (79901)	$16,324,768	$17,300,268		
Information Technology Services (79902)	$37,155,311	$38,797,911		
Fund Sources: Trust and Agency	$53,480,079	$56,098,179		
Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
Out of the amounts appropriated to this Item, the director is authorized to expend an amount not to exceed $25,000 the first year and $25,000 the second year for expenses commonly borne by business enterprises. Such expenses shall be recorded separately by the agency.				
501. In the event any political subdivision of the Commonwealth of Virginia participating in the programs administered by the Virginia Retirement System fails to remit contributions or other fees and costs of the programs as duly prescribed, the Board of Trustees of the Virginia Retirement System shall inform the State Comptroller and the participating political subdivision of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the appropriate fund from any nonearmarked moneys otherwise distributable to such political subdivision by any department or agency of the state.				
Total for Virginia Retirement System			**$118,839,019**	**$121,314,034**
Nongeneral Fund Positions	404.00	405.00		
Position Level	404.00	405.00		
Fund Sources: General	$80,000	$80,000		
Trust and Agency	$118,759,019	$121,234,034		
§ 1-141. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)				
502. Employment Assistance Services (46200)			$43,824,637	$43,824,637
Workers Compensation Services (46204)	$43,824,637	$43,824,637		
Fund Sources: Dedicated Special Revenue	$43,824,637	$43,824,637		
Authority: Title 65.2, Chapter 2; Title 38.2, Chapter 50, Code of Virginia.				
A. Out of the amounts for Workers' Compensation Services shall be paid the annual salary of the chairman, $193,712 from July 1, 2022 to June 30, 2024, and for each of the other two Commissioners of the Virginia Workers' Compensation Commission, $189,732 from July 1, 2022 to June 30, 2024.				
B. In addition, retired Commissioners recalled to active duty will be paid as authorized by § 17.1-327, Code of Virginia.				
503. Financial Assistance for Supplemental Assistance Services (49100)			$15,436,132	$15,436,132
Crime Victim Compensation (49104)	$15,436,132	$15,436,132		
Fund Sources: General	$6,593,576	$6,593,576		
Dedicated Special Revenue	$6,830,556	$6,830,556		
Federal Trust	$2,012,000	$2,012,000		
Authority: Title 19.2, Chapters 21.1 and 21.2, Code of Virginia.				

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A. Out of this appropriation, up to $6,593,576 the first year and up to $6,593,576 the second year from the general fund shall be transferred to the Criminal Injuries Compensation Fund, established pursuant to § 19.2-368.18, Code of Virginia, for the administration of the Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) Payment program.				
B. The Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) program shall make all efforts to access federal and state funds to raise the reimbursement rate cap for acute forensic exams performed by a Sexual Assault Nurse Examiner to sixty percent of the actual cost of the exam. The funds provided in paragraph A. shall be used to help meet this reimbursement rate goal, expand existing forensic nursing programs, and develop forensic nursing programs in under-served communities.				
C. The Virginia Workers' Compensation Commission shall prepare a report on the number of forensic acute, non-acute, and follow-up exams performed by medical providers for victims of sexual assault for which reimbursements are sought, billed and paid for, through the Sexual Assault Forensic Exam (SAFE) Payment program. The report shall detail the number of such exams, the amounts billed by medical providers for each exam, and the reimbursements made to providers for such billed exams through the SAFE Payment program. The report shall be delivered on or before November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
D. On or before June 30, 2024, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $650,576 from the surplus balances of this program.				
E. Notwithstanding the $3,500 limitation in § 19.2-368.11:1 (E)(v), Code of Virginia, survivors of crime victims as defined under subdivisions (A)(2) and (A)(4) of §19.2-368.4, Code of Virginia may be reimbursed from the Criminal Injuries Compensation Fund for mental health counseling not to exceed $5,000 per claim.				
Total for Virginia Workers' Compensation Commission			**$59,260,769**	**$59,260,769**
Nongeneral Fund Positions	299.00	299.00		
Position Level	299.00	299.00		
Fund Sources: General	$6,593,576	$6,593,576		
Dedicated Special Revenue	$50,655,193	$50,655,193		
Federal Trust	$2,012,000	$2,012,000		
TOTAL FOR INDEPENDENT AGENCIES			**$1,163,448,379**	**~~$1,188,533,229~~** ***$1,188,948,386***
Nongeneral Fund Positions	2,026.00	2,027.00		
Position Level	2,026.00	2,027.00		
Fund Sources: General	$6,781,138	~~$26,781,138~~ *$27,196,295*		
Special	$114,314,011	$110,603,509		
Enterprise	$806,776,105	$812,961,016		
Trust and Agency	$127,935,179	$130,410,194		
Dedicated Special Revenue	$102,879,946	$103,015,372		
Federal Trust	$4,762,000	$4,762,000		

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STATE GRANTS TO NONSTATE ENTITIES

§ 1-142. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)

504.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		$0	$0

Authority: Discretionary Inclusion.

A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this Item shall be administered under the provisions of § 4-5.05 of this act.

B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this Item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts.

C. The appropriation to those entities in this Item that are marked with an asterisk (*) shall not be subject to the matching requirements of § 4-5.05 of this act.

D. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., and C. of this Item:

Total for State Grants to Nonstate Entities-Nonstate Agencies.....			**$0**	**$0**
TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....			**$0**	**$0**
TOTAL FOR PART 1: OPERATING EXPENSES.			**$81,065,357,358**	**~~$79,346,773,642~~** ***$83,829,224,669***
General Fund Positions.....	55,020.06	~~55,240.06~~ *55,347.06*		
Nongeneral Fund Positions.....	70,085.57	~~70,196.57~~ *70,227.57*		
Position Level.....	125,105.63	~~125,436.63~~ *125,574.63*		
Fund Sources: General.....	$29,684,401,188	~~$28,835,298,314~~ *$31,083,660,790*		
Special.....	$1,918,789,522	~~$1,935,785,264~~ *$1,938,227,136*		
Higher Education Operating.....	$10,125,410,256	$10,235,138,003		
Commonwealth Transportation.....	$8,598,252,151	$8,401,469,644		
Enterprise.....	$2,535,636,704	$2,596,356,385		
Internal Service.....	$2,404,388,342	$2,413,968,065		
Trust and Agency.....	$2,868,082,311	~~$2,755,325,151~~ *$2,841,495,859*		
Debt Service.....	$363,620,626	$363,620,626		
Dedicated Special Revenue.....	$4,255,256,698	$4,600,024,407		
Federal Trust.....	$18,311,519,560	~~$17,209,787,783~~ *$19,355,263,754*		

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PART 2: CAPITAL PROJECT EXPENSES

§ 2-0. GENERAL CONDITIONS

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

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

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

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

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

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

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

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

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

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

F. Conditions Applicable to Bond Projects

1. The capital projects listed in §§ 2-30 and 2-31 for the indicated agencies and institutions of higher education are hereby authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-30 and 2-31 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-30 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in §§ 2-30 or 2-31 shall be authorized pursuant to § 23.1-1106, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-30 and 2-31 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-30 and 2-31 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-30 and 2-31 for such capital project.

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5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in § 2-30 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the authorization of § 2-31 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

9. Notwithstanding any other provision of law, a public institution of higher education may participate in the United States Department of Education Historically Black College and University Capital Financing Program (HBCU Program), and use federal grant and contract funds as permitted by the Program.

G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.

2. Equipment purchases have been authorized by the Governor but not received.

3. Plans and specifications have been authorized by the Governor but not completed.

4. Obligations were outstanding at the end of the previous biennium.

H. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairs of the Senate Finance and Appropriations Committee and the and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

a. a description of the purpose to be achieved by the proposal;

b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;

c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;

d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and

e. a recommendation and planned course of action based on this analysis.

I. Conditions Applicable to Alternative Financing

The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked. Projects in this section shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia. Furthermore, projects in this section shall be submitted for comment to the Six-Year Capital Outlay Plan Advisory Committee, established under § 2.2-1516, Code of Virginia:

1. James Madison University

a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury

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Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

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

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

2. Longwood University

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

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

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

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

3. Christopher Newport University

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

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

4. Radford University

a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to

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explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

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

5. University of Mary Washington

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

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

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

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

6. Norfolk State University

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

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

7. Northern Virginia Community College - Alexandria Campus

The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also

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authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same.

8. Virginia State University

a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

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

9. College of William and Mary

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

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

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

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

10. Richard Bland College

a. Subject to the provisions of this act, the General Assembly authorizes Richard Bland College to enter into a ground lease, of 186 acres adjacent to the main campus, with a Foundation of the College, which may include the Richard Bland College Foundation, for the purpose of economic development or the development of campus-needed facilities, including but not limited to office, student services, auxiliary activities, athletics, and residential housing.

b. Richard Bland College is further authorized to enter into written agreements with a Foundation of the College to support facilities development. The support may include agreements to: (i) manage the operation and maintenance of the developed facilities, including collection of rental fees for occupied College-owned real estate; (ii) restrict construction of competing projects; (iii) seek to obtain police power over the facilities as provided by law; and (iv) otherwise support the facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the College's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

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

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

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

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

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

2. Appropriations reappropriated for institutions of higher education, in accordance with § 23.1-1002, Code of Virginia, may be used to fund the detailed planning authorized for projects in this act and shall be reimbursed when the project is funded to move into the construction phase.

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

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

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

N. All agencies of the Commonwealth and institutions of higher education shall provide information and/or use systems and processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects, including those funded from general and nongeneral fund sources.

O. The Director, Department of Planning and Budget, in consultation with the Six-Year Capital Outlay Plan Advisory Committee, is authorized to transfer appropriations, including bond appropriations and bond proceeds, between and among the capital pool projects listed in the table below, in order to address any shortfall in appropriation in one or more of such projects:

Pool Project No.	Pool Project Title	Authorization
17775	Public Education Institutions Capital Account	Enactment Clause 2, § 4, Chapter 1, 2008 Acts of Assembly, Special Session I
17776	State Agency Capital Account	Enactment Clause 2, § 2, Chapter 1, 2008 Acts of Assembly, Special Session I
17861	Supplements for Previously Authorized Higher Education Capital Projects	Item C-85, Chapter 874, 2010 Acts of Assembly; amended by Item C-85, Chapter 890, 2011 Acts of Assembly
17862	Energy Conservation	Item C-86, Chapter 890, 2011 Acts of Assembly
17967	Capital Outlay Project Pool	Item C-38.10, Chapter 3, 2012 Acts of Assembly, Special Session I; amended by: Item C-38.10, Chapter 806, 2013 Acts of Assembly; Item C-38.10, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 2, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 665, 2015 Acts of Assembly; and Item 48.10, Chapter 836, 2017 Acts of Assembly; and Item C-44.10, Chapter 854, 2019 Acts of Assembly.
18049	Comprehensive Capital Outlay Program	Item C-39.40, Chapter 806, 2013 Acts of Assembly; amended by: Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-46.10, Chapter 2, 2014 Acts of Assembly, Special Session I, Item 46.10, Chapter 665, 2015 Acts of

		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
			Assembly, Item C-46, Chapter 2, 2018 Acts of Assembly, Special Session I, and Item C-77 if this act.		
18196	Capital Outlay Renovation Pool		Item C-46.15, Chapter 665, 2015 Acts of Assembly; amended by: Item C-46.10, Chapter 854, 2019 Acts of Assembly.		
18300	2016 VPBA Capital Construction Pool		§ 1, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I.		
18301	2016 VCBA Capital Construction Pool		§ 2, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.		
18371	2018 Capital Construction Pool		Item C-45, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-45, Chapter 854, 2019 Acts of Assembly.		
18382	Supplemental funding: Capitol Complex Infrastructure and Security		Item C-51.50, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-51.50, Chapter 854, 2019 Acts of Assembly.		
18408	2019 Capital Construction Pool		Item C-48.10, Chapter 854, 2019 Acts of Assembly.		
18493	2020 VPBA Construction Pool		Item C-67 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-78 of this act.		
18494	2020 VCBA Constructions Pool		Item C-68 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-68, Chapter 552, 2021 Acts of Assembly, Special Session I.		
18145	Supplement Previously Authorized Capital Project Construction Pools		Item C-69 of Chapter 1289, 2020 Acts of Assembly; amended by: Item C-69, Chapter 552, 2021 Acts of Assembly, Special Session I, Item C-69 of the 2022 Amendments to the 2021 Appropriation Act, and Item C- 79 of this act.		
18540	2021 Capital Construction Pool		Item C-68.50 of Chapter 552, 2021 Acts of Assembly, Special Session I.		
18586	2022 Public Educational Institution Capital Account		Item C-75 of this act.		
18587	2022 State Agency Capital Account		Item C-76 of this act.		

EXECUTIVE DEPARTMENT

OFFICE OF ADMINISTRATION

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

C-1.	New Construction: Construct new state office building and parking deck (18528).....			$10,820,000	$0
	Fund Sources: General.....	$10,820,000	$0		
	A. The funding provided in this item is intended for the costs associated with demolition and site preparation *and/or greening of the space* for the project authorized by this item.				
C-2.	Construct new Supreme Court building (18537).....			$22,500,000	~~$0~~ *$8,000,000*

ITEM C-2.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: General	$22,500,000	~~$0~~ *$8,000,000*		

A.*1.* Out of the amounts appropriated to this item, $4,000,000 in the first year from the general fund is provided to supplement planning funds for the capital project titled "New Construction/Renovation: Commonwealth Courts Building" (18537), originally authorized in Item C-1.30, Chapter 552, 2021 Acts of Assembly, Special Session I. The planning scope for this project is hereby amended to ~~include space to accommodate the expanded Virginia Court of Appeals~~ *a project size not to exceed 315,000 gross square feet and no less than 31 secure parking spaces to accommodate the Virginia Supreme Court and the expanded Court of Appeals*. The scope of this capital project includes demolition and new construction of the Pocahontas Building east tower and renovation of the west tower.

2. Out of the amounts appropriated to this item, $8,000,000 the second year from the general fund is provided to support costs associated with working drawings and/or the demolition and site preparation for the project.

B. Out of the amounts appropriated to this item, $18,500,000 the first year from the general fund is provided to support costs related to the relocation of the Virginia Commonwealth University computer center located in the Pocahontas Building at 900 East Main Street. The funds are provided to the Department of General Services to provide financial support to the university for costs associated with hardware, software, network infrastructure, cabling, and other information technology infrastructure needs to have a new computer center on the university campus operational by December 2023. The university is responsible for all other costs associated with the relocation and shall be fully vacated from the Pocahontas Building by December 31, 2023 to enable the renovation of the facility into the future site of the Virginia Supreme Court and Virginia Court of Appeals.

C-2.20	Improvements: Replace Access Control and Security Systems at DBHDS State Facilities (18648)			$5,800,000	$0
	Fund Sources: General	$5,800,000	$0		
C-2.30	Improvements: Replace Windows at DBHDS State Facilities (18647)			$7,029,000	$0
	Fund Sources: General	$7,029,000	$0		
C-2.40	Improvements: Replace Fire Alarms at DBHDS Facilities (18649)			$6,810,000	$0
	Fund Sources: General	$6,810,000	$0		
C-2.50	*Improvements: Rehabilitation Historic Buildings Fort Monroe Authority (18693)*			*$0*	*$7,039,000*
	Fund Sources: General	*$0*	*$7,039,000*		

There is hereby appropriated $7,039,000 the second year for rehabilitation of historical residential buildings at Fort Monroe. The Department of General Services shall act as fiscal agent allocated to this capital project. The Fort Monroe Authority is authorized to use a portion of these proceeds to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs and renovation activities. The project manager shall work in consultation and coordination with the Department of General Services as this project proceeds towards completion.

C-2.80	*Improvements: Improve and Convey Property in Clarke County (18686)*			*$0*	*$6,000,000*
	Fund Sources: General	*$0*	*$6,000,000*		

A. Out of this appropriation, $6,000,000 the second year from the general fund is provided for the Commonwealth to remove existing buildings from parcel 27-A-10-A in Clarke County, which shall then be conveyed to the county at fair market value.

B. Notwithstanding the provisions of § 2.2-1156 or any other provision of law, the

ITEM C-2.80.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	proceeds from the conveyance of this property shall be deposited in the general fund of the state treasury.				
	Total for Department of General Services			**$52,959,000**	**~~$0~~** ***$21,039,000***
	Fund Sources: General	$52,959,000	~~$0~~ *$21,039,000*		
	TOTAL FOR OFFICE OF ADMINISTRATION			**$52,959,000**	**~~$0~~** ***$21,039,000***
	Fund Sources: General	$52,959,000	~~$0~~ *$21,039,000*		
	OFFICE OF AGRICULTURE AND FORESTRY				
	§ 2-2. DEPARTMENT OF FORESTRY (411)				
C-3.	Acquisition: Acquire Charlotte State Forest Border Tract (18588)			$1,060,000	$0
	Fund Sources: Dedicated Special Revenue	$1,060,000	$0		
C-3.10	Acquisition: Acquire Conway Robinson State Forest Border Tract (18650)			$2,500,000	$0
	Fund Sources: General	$2,500,000	$0		
	It is the intent of the General Assembly that the acquisition and improvements authorized in this item shall be contingent upon a matching land transfer from Prince William County or from private land donations.				
C-4.	Acquisition: Acquire John H. Daniel Trust Tract (18589)			$800,000	$0
	Fund Sources: Dedicated Special Revenue	$800,000	$0		
	Total for Department of Forestry			**$4,360,000**	**$0**
	Fund Sources: General	$2,500,000	$0		
	Dedicated Special Revenue	$1,860,000	$0		
	TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY			**$4,360,000**	**$0**
	Fund Sources: General	$2,500,000	$0		
	Dedicated Special Revenue	$1,860,000	$0		
	OFFICE OF EDUCATION				
	§ 2-3. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)				
C-5.	Improvements: Construct Utility Improvements (18590)			$7,850,000	$0
	Fund Sources: Bond Proceeds	$7,850,000	$0		
C-6.	Improvements: Improve Accessibility Infrastructure (18591)			$5,850,000	$0
	Fund Sources: General	$5,850,000	$0		
C-6.50	*Improvements: Improve Auxiliary Facilities (18219)*			*$0*	*$20,000,000*
	Fund Sources: Bond Proceeds	*$0*	*$20,000,000*		

ITEM C-6.50.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Total for The College of William and Mary in Virginia			**$13,700,000**	**~~$0~~** ***$20,000,000***
Fund Sources: General	$5,850,000	$0		
Bond Proceeds	$7,850,000	~~$0~~ *$20,000,000*		

§ 2-4. GEORGE MASON UNIVERSITY (247)

C-7.	Omitted.				
C-8.	Improvements: Improve Telecommunications Infrastructure Phase 3 (18593)			$24,000,000	$0
	Fund Sources: General	$14,250,000	$0		
	Bond Proceeds	$9,750,000	$0		
C-9.	Omitted.				
	Total for George Mason University			**$24,000,000**	**$0**
	Fund Sources: General	$14,250,000	$0		
	Bond Proceeds	$9,750,000	$0		

§ 2-5. JAMES MADISON UNIVERSITY (216)

C-10.	Acquisition: Blanket Property Acquisition (17821)			$3,000,000	$0
	Fund Sources: Higher Education Operating	$3,000,000	$0		
C-11.	New Construction: Improve East Campus Infrastructure Phase 2 (18595)			$43,130,000	$0
	Fund Sources: General	$30,190,000	$0		
	Bond Proceeds	$12,940,000	$0		
C-12.	New Construction: Construct Village Student Housing Phase 1 (18596)			$66,240,000	$0
	Fund Sources: Higher Education Operating	$11,000,000	$0		
	Bond Proceeds	$55,240,000	$0		
	Total for James Madison University			**$112,370,000**	**$0**
	Fund Sources: General	$30,190,000	$0		
	Higher Education Operating	$14,000,000	$0		
	Bond Proceeds	$68,180,000	$0		

§ 2-6. NORFOLK STATE UNIVERSITY (213)

C-13.	New Construction: Construct Residential Housing Phase 2 (18597)				
	Norfolk State University shall conduct a Financial Feasibility Study as outlined in § 4-4.01 Capital Projects - General to proceed with this project.				
C-14.	New Construction: Construct New Dining Facility (18643)				
	Norfolk State University shall conduct a Financial Feasibility Study as outlined in § 4-4.01 Capital Projects - General to proceed with this project.				
	Total for Norfolk State University			**$0**	**$0**

ITEM C-14.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	§ 2-7. OLD DOMINION UNIVERSITY (221)				
C-15.	Improvements: Repair Rollins Hall (18599)			$2,507,201	$0
	Fund Sources: General	$2,507,201	$0		
C-15.5	Improvements: Renovate Public Safety Building (18651)			$4,500,000	$0
	Fund Sources: Higher Education Operating	$4,500,000	$0		
C-15.60	*Improvements: Renovate Baseball Stadium (17549)*			*$0*	*$20,726,126*
	Fund Sources: Higher Education Operating	*$0*	*$10,726,126*		
	Bond Proceeds	*$0*	*$10,000,000*		
C-15.70	*Improvements: Address Deferred Maintenance (18670)*			*$0*	*$20,000,000*
	Fund Sources: Higher Education Operating	*$0*	*$20,000,000*		
	Total for Old Dominion University			**$7,007,201**	**~~$0~~** ***$40,726,126***
	Fund Sources: General	$2,507,201	$0		
	Higher Education Operating	$4,500,000	~~$0~~ *$30,726,126*		
	Bond Proceeds	*$0*	*$10,000,000*		
	§ 2-8. RADFORD UNIVERSITY (217)				
C-16.	Improvements: Install Combined Heating and Power Cogeneration Facility (18598)			$16,000,000	$0
	Fund Sources: General	$11,200,000	$0		
	Higher Education Operating	$4,800,000	$0		
C-17.	Improvements: Improve Campus Utilities Infrastructure (18600)			$15,425,000	$0
	Fund Sources: General	$15,425,000	$0		
	Total for Radford University			**$31,425,000**	**$0**
	Fund Sources: General	$26,625,000	$0		
	Higher Education Operating	$4,800,000	$0		
	§ 2-9. UNIVERSITY OF MARY WASHINGTON (215)				
C-18.	Improvements: Improve accessibility campus-wide (18601)			$11,250,000	$0
	Fund Sources: General	$11,250,000	$0		
C-18.50	*Acquisition: Multi-Use Building Adjacent to Campus (18694)*			*$0*	*$15,000,000*
	Fund Sources: General	*$0*	*$15,000,000*		
	Out of this appropriation, $15,000,000 is authorized for the acquisition of a multi-use building adjacent to the University of Mary Washington. Any funds not needed for the acquisition are authorized for use by the institution for facility space build-out.				
	Total for University of Mary Washington			**$11,250,000**	**~~$0~~** ***$15,000,000***
	Fund Sources: General	$11,250,000	~~$0~~ *$15,000,000*		

ITEM C-19.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
C-19.	Omitted.				

§ 2-10. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

C-19.80	*Improvements: Upgrade ADA Accessibility, Tidewater Community College (18679)*			*$0*	*$8,012,004*
	Fund Sources: General	*$0*	*$4,006,002*		
	Higher Education Operating	*$0*	*$4,006,002*		
	Total for Virginia Community College System			***$0***	***$8,012,004***
	Fund Sources: *General*	*$0*	*$4,006,002*		
	Higher Education Operating	*$0*	*$4,006,002*		

§ 2-11. VIRGINIA MILITARY INSTITUTE (211)

C-20.	Planning: Construct Center for Leadership and Ethics Facility, Phase II (18542)			$1,489,179	$0
	Fund Sources: Higher Education Operating	$1,489,179	$0		

The title and scope of the capital project for the Virginia Military Institute, titled, "Construct Center for Leadership and Ethics Facility, Phase II" authorized in Item C-66, Chapter 552, 2021 Acts of Assembly, Special Session I, is hereby changed to "Construct Center for Leadership and Ethics Facility, Phase II, and Parking Structure" to accommodate the addition of a parking deck to the facility. The cost of constructing the auxiliary portion of the parking deck shall be funded from institutional funds.

C-21.	Improvements: Replace Windows in Old and New Barracks (18604)			$1,000,000	$0
	Fund Sources: Higher Education Operating	$1,000,000	$0		

The Virginia Military Institute shall undergo an analysis of the cost and timeline for a project to replace windows throughout its campus. The institute shall be reimbursed for the designated nongeneral funds used in this item for detailed planning when the project is funded to move into the construction phase.

C-22. Virginia Military Institute, with the approval of the Governor, is hereby authorized, at no cost to the Commonwealth, to accept real property aggregating approximately 21 acres adjacent to the New Market Battlefield State Historical Park, from The VMI Foundation. The donation, and all documentation pursuant thereto, shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth and the Institute are hereby authorized to prepare, execute and deliver such deed and other documents pursuant to appropriate law as may be necessary to accomplish the donation.

C-22.10	Planning: Construct Moody Hall (18603)			$2,110,000	$0
	Fund Sources: General	$2,110,000	$0		
	Total for Virginia Military Institute			**$4,599,179**	**$0**
	Fund Sources: General	$2,110,000	$0		
	Higher Education Operating	$2,489,179	$0		

§ 2-12. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

C-23.	Improvements: Address Life, Health, Safety, Accessibility and Code Compliance (18478)			$7,300,000	$0
	Fund Sources: General	$7,300,000	$0		
C-24.	New Construction: Construct Hitt Hall (18605)			$85,000,000	$0
	Fund Sources: Higher Education Operating	$13,484,000	$0		

ITEM C-24.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Bond Proceeds	$71,516,000	$0		
C-24.50	*Improvements: Improve Building Envelopes (18669)*			*$0*	*$47,200,000*
	Fund Sources: Higher Education Operating	*$0*	*$13,580,000*		
	Bond Proceeds	*$0*	*$33,620,000*		
C-24.70	*Planning: Expand Virginia Tech-Carilion School of Medicine and Fralin Biomedical Research Institute (18682)*			*$0*	*$9,000,000*
	Fund Sources: Higher Education Operating	*$0*	*$9,000,000*		
	A. Virginia Polytechnic Institute and State University shall be reimbursed for the designated nongeneral funds used in this item for detailed planning when the project is funded to move into the construction phase.				
C-25.	Omitted.				
	Total for Virginia Polytechnic Institute and State University			**$92,300,000**	**~~$0~~** ***$56,200,000***
	Fund Sources: General	$7,300,000	$0		
	Higher Education Operating	$13,484,000	~~$0~~ *$22,580,000*		
	Bond Proceeds	$71,516,000	~~$0~~ *$33,620,000*		
	Virginia Cooperative Extension and Agricultural Experiment Station (229)				
C-25.10	Planning: Relocate Hampton Roads Agricultural Research and Extension Center (18652)			$500,000	$0
	Fund Sources: General	$500,000	$0		
	Out of this appropriation, $500,000 the first year from the general fund is designated to begin planning the relocation of the Hampton Roads Agricultural Research and Extension Center. The Virginia Cooperative Extension and Agricultural Experiment Station shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2022, on a plan to relocate the Hampton Roads Agricultural Research and Extension Center including timeline, suitable location requirements, and building and moving costs.				
	Total for Virginia Cooperative Extension and Agricultural Experiment Station			**$500,000**	**$0**
	Fund Sources: General	$500,000	$0		
	§ 2-13. VIRGINIA STATE UNIVERSITY (212)				
C-26.	Improvements: Improve Campuswide Drainage (18607)			$13,899,852	$0
	Fund Sources: General	$13,899,852	$0		
C-27.	Improvements: Reroof Academic and Administrative Buildings Campuswide (18608)			$19,147,000	$0
	Fund Sources: General	$19,147,000	$0		
C-28.	Improvements: Improve Access and Accessibility (18609)			$26,436,783	$0
	Fund Sources: General	$26,436,783	$0		
	Total for Virginia State University			**$59,483,635**	**$0**
	Fund Sources: General	$59,483,635	$0		

ITEM C-28.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	§ 2-14. LONGWOOD UNIVERSITY (214)				
C-28.50	*Improvements: Replace Chillers in Four Campus Buildings (18695)*			*$0*	*$5,000,000*
	Fund Sources: General	*$0*	*$5,000,000*		
	Total for Longwood University			***$0***	***$5,000,000***
	Fund Sources: *General*	*$0*	*$5,000,000*		
	§ 2-15. GUNSTON HALL (417)				
C-29.	Improvements: Design and Expand Virginia History Exhibits (18610)			$350,000	$0
	Fund Sources: General	$350,000	$0		
	Total for Gunston Hall			**$350,000**	**$0**
	Fund Sources: General	$350,000	$0		
	§ 2-16. JAMESTOWN-YORKTOWN FOUNDATION (425)				
C-30.	Improvements: Upgrade Security System (18611)			$494,000	$0
	Fund Sources: General	$494,000	$0		
C-31.	Improvements: Renovate Special Exhibition Gallery (18612)			$358,000	$0
	Fund Sources: General	$358,000	$0		
C-32.	Improvements: Restore Jamestown Settlement Shoreline (18613)			$837,500	$0
	Fund Sources: General	$837,500	$0		
	Total for Jamestown-Yorktown Foundation			**$1,689,500**	**$0**
	Fund Sources: General	$1,689,500	$0		
C-33.	Omitted.				
	§ 2-17. THE SCIENCE MUSEUM OF VIRGINIA (146)				
C-33.50	*Maintenance Reserve: Demolish Workers' Compensation Building (18696)*			*$0*	*$2,500,000*
	Fund Sources: General	*$0*	*$2,500,000*		
	Total for The Science Museum of Virginia			***$0***	***$2,500,000***
	Fund Sources: *General*	*$0*	*$2,500,000*		
	§ 2-18. VIRGINIA MUSEUM OF FINE ARTS (238)				
C-34.	Improvements: Replace the Security Camera System (18614)			$2,700,000	$0
	Fund Sources: General	$2,700,000	$0		

C-34.50 *The Director, Department of Planning and Budget, shall transfer $952,659 of unutilized Virginia Public Building Authority (VPBA) bond authorization and appropriation in the second year for the Virginia Museum of Fine Arts pool project 18442: Repair the Museum Building Envelope, as provided in Item C-48.10 of Chapter 854, 2019 Acts of Assembly, to project 18399: Replace Air Handling Units.*

ITEM C-34.50.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Total for Virginia Museum of Fine Arts			**$2,700,000**	**$0**
	Fund Sources: General	$2,700,000	$0		

§ 2-19. ROANOKE HIGHER EDUCATION AUTHORITY (935)

C-35.	Improvements: Replace obsolete/failing HVAC fan coils (18615)			$3,796,200	$0
	Fund Sources: General	$3,796,200	$0		
C-36.	Improvements: Replace network switches (18616)			$250,000	$0
	Fund Sources: General	$250,000	$0		
	Total for Roanoke Higher Education Authority			**$4,046,200**	**$0**
	Fund Sources: General	$4,046,200	$0		

§ 2-20. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)

C-36.50	Improvements: Improvements at Thomas Jefferson National Accelerator Facility (18640)			$0	$0
	After the Governor has certified that the U.S. Department of Energy has approved a project to establish a high performance data facility associated with the Thomas Jefferson National Accelerator Facility (Jefferson Lab), the Director, Department of Planning and Budget, shall approve a short-term, interest-free, state-supported treasury loan in the amount of $43,305,379 to the Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC., to construct the infrastructure and a building in support of said high performance data facility. The Secretary of Finance shall issue guidelines on regular reporting required for the use of these funds if the contingency is met.				
	Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC			**$0**	**$0**
	TOTAL FOR OFFICE OF EDUCATION			**$365,420,715**	**~~$0~~** ***$147,438,130***
	Fund Sources: General	$168,851,536	~~$0~~ *$26,506,002*		
	Higher Education Operating	$39,273,179	~~$0~~ *$57,312,128*		
	Bond Proceeds	$157,296,000	~~$0~~ *$63,620,000*		

OFFICE OF HEALTH AND HUMAN RESOURCES

C-37. Omitted.

C-38. Omitted.

C-39. Omitted.

	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES			**$0**	**$0**

OFFICE OF NATURAL AND HISTORIC RESOURCES

§ 2-21. DEPARTMENT OF CONSERVATION AND RECREATION (199)

ITEM C-40.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
C-40.	Improvements: Make Critical Infrastructure Repairs and Residences at Various State Parks (18366)			$5,000,000	$0
	Fund Sources: General	$5,000,000	$0		
C-41.	Improvements: Improve Belle Isle State Park (18429)			$3,000,000	$0
	Fund Sources: General	$1,500,000	$0		
	Special	$1,500,000	$0		
	The Department of Conservation and Recreation is authorized to accept and expend gifts, donations or other funds to evaluate options to renovate and furnish the Belle Isle Manor House and dependencies at Belle Isle State Park.				
C-42.	State Park Shoreline Erosion Projects (18484)			$22,330,000	$0
	Fund Sources: General	$22,330,000	$0		
C-42.10	State Park Deferred Maintenance (18654)			$45,000,000	$0
	Fund Sources: General	$45,000,000	$0		
	Out of this appropriation, up to $5,800,000 is authorized for the fee simple acquisition of land established as Natural Bridge State Park and retires the outstanding loan balance on the Virginia Clean Water Revolving Loan Fund for the land in order to better assist with managing and maintaining the park area.				
C-43.	Improvements: Soil and Water District Dam Rehabilitation (18489)			$45,500,000	$0
	Fund Sources: General	$45,500,000	$0		
	The purpose of the project authorized in this Item is 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.				
C-44.	Revenue Generating Facilities (18491)			$10,000,000	$0
	Fund Sources: General	$10,000,000	$0		
C-45.	Improvements: Restore and create shoreline habitat at Belle Isle State Park (18619)			$2,156,350	$0
	Fund Sources: General	$2,156,350	$0		
C-46.	Improvements: Repair Lake Edmunds Dam at Staunton River State Park (18620)			$1,925,000	$0
	Fund Sources: General	$1,925,000	$0		
C-47.	Improvements: Address critical improvements at Machicomoco State Park (18621)			$2,660,000	$0
	Fund Sources: General	$2,660,000	$0		
C-48.	Improvements: Restore and improve Green Pastures Recreation Area (18622)			$5,000,000	$0
	Fund Sources: General	$5,000,000	$0		

C-49. Omitted.

C-50. Acquisition: Acquisition of land for State Parks (18236)

It is the intent of the General Assembly that any acquisitions by gift, transfer or purchase,

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be limited to in-holdings or contiguous properties, consistent with the authorization contained in Item 375, and be limited to property within or contiguous to Seven Bends, Natural Tunnel, Sailor's Creek Battlefield, Shenandoah River, Wilderness Road, Westmoreland, High Bridge Trail, Grayson Highlands, Staunton River, Kiptopeke, Caledon, New River Trail, Natural Bridge, Mayo River, Clinch River, and Southwest Virginia Museum Historical State Parks.

C-51. Acquisition: Acquisition of land for Natural Area Preserves (18242)

It is the intent of the General Assembly that any acquisitions by gift, transfer or purchase be limited, consistent with the authorization contained in Item 375, to property within or contiguous to The Cedars, Deep Run Ponds, Buffalo Mountain, Pinnacle, Chestnut Ridge, Chestnut Creek Wetlands, Cleveland Barrens, Difficult Creek, Pedlar Hills Glades, Poor Mountain, South Quay Sandhills, Grafton Ponds, Cowbane Prairie, Cypress Bridge Swamp, Cape Charles, Dendron Swamp, Lyndhurst Ponds, Pickett's Harbor, and Crow's Nest Natural Area Preserves.

C-51.10 Acquisition: Culpeper Battlefields State Park (18655)

A. The Department of Conservation and Recreation shall accept the donation of at least 1,700 acres of real property currently owned by land preservation organizations in Culpeper County hereafter to be known as Culpeper Battlefields State Park. It is the intent of this item that user activities at the park will include heritage tourism, camping, fishing, boating, equestrian activities, biking and historical and military education. Local organizations shall continue to provide for public access to the park through June 30, 2024. The Department of Conservation and Recreation shall open the park for public visitation on July 1, 2024 and provide for only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

B. As soon as practicable, the Department shall accept the donation from battlefield preservation organizations of up to 800 additional acres to improve river access and the visitor experience at the park. Pursuant to these transfers, the Department of Historic Resources and the Virginia Outdoors Foundation shall assign any easements which they hold on the acreage described herein to the Department of Conservation and Recreation.

C. It is the intent of this item that the Department will execute agreements with local land preservation organizations to maintain park land and trails at current levels until December 31, 2027 at no additional cost to the Department.

Total for Department of Conservation and Recreation			**$142,571,350**	**$0**
Fund Sources: General	$141,071,350	$0		
Special	$1,500,000	$0		

§ 2-22. DEPARTMENT OF WILDLIFE RESOURCES (403)

C-52.	Acquisition: Acquire Land and Property (18624)			$5,000,000	$5,000,000
	Fund Sources: Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$4,500,000	$4,500,000		
C-52.10	Maintenance Reserve: Maintenance Reserve (13316)			$1,500,000	$1,500,000
	Fund Sources: Dedicated Special Revenue	$750,000	$750,000		
	Federal Trust	$750,000	$750,000		
C-52.20	Improvements: Improve Wildlife Management Areas (18103)			$1,000,000	$1,000,000
	Fund Sources: Dedicated Special Revenue	$250,000	$250,000		
	Federal Trust	$750,000	$750,000		
C-52.30	Improvements: Repair and Upgrade Dams to Comply with the Dam Safety Act (18105)			$2,000,000	$2,000,000

ITEM C-52.30.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Fund Sources: Dedicated Special Revenue	$2,000,000	$2,000,000		
C-52.40	Improvements: Improve Boating Access (18106)			$1,250,000	$1,250,000
	Fund Sources: Dedicated Special Revenue	$250,000	$250,000		
	Federal Trust	$1,000,000	$1,000,000		
C-52.50	*Improvements: Repair and Replacement of High Hazard Dams (17970)*			*$0*	*$0*
	The funding authorized in Item C-33.20, Chapter 806, 2013 Acts of Assembly may be used for repair and replacement of dams classified as "high hazard" or "significant hazard.				
	Total for Department of Wildlife Resources			**$10,750,000**	**$10,750,000**
	Fund Sources: Dedicated Special Revenue	$3,750,000	$3,750,000		
	Federal Trust	$7,000,000	$7,000,000		
	TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES			**$153,321,350**	**$10,750,000**
	Fund Sources: General	$141,071,350	$0		
	Special	$1,500,000	$0		
	Dedicated Special Revenue	$3,750,000	$3,750,000		
	Federal Trust	$7,000,000	$7,000,000		

OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

§ 2-23. DEPARTMENT OF CORRECTIONS (799)

C-53.	Improvements: DOC Capital Infrastructure Fund (18480)			$10,000,000	$0
	Fund Sources: General	$10,000,000	$0		

The appropriation for this project shall be used for the repair, renovation, or improvement of existing correctional facilities including mechanical and security systems. The Department shall submit a report on the use of this funding including: i) the facilities in which the funds were spent; ii) a description of each project; and iii) the total amount spent for each project. The report shall be submitted to the Department of Planning and Budget and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by July 15 of each year.

C-54. Omitted.

C-55. Omitted.

	Total for Department of Corrections			**$10,000,000**	**$0**
	Fund Sources: General	$10,000,000	$0		

§ 2-24. DEPARTMENT OF STATE POLICE (156)

C-56.	Stand-alone Equipment Acquisition: Upgrade Statewide Agencies Radio System (STARS) network (18414)			$12,475,530	$0
	Fund Sources: General	$12,475,530	$0		

This appropriation is the fourth of a four year allocation to implement an upgrade program for the Statewide Agencies Radio System (STARS) project. It may consist of, but is not limited to, land; mobile telecommunications equipment and towers; software; radio frequency rights and licenses; communications control buildings and facilities; related infrastructure; program management; and other project costs necessary, incidental or convenient to undertake, acquire, develop, construct, upgrade, and equip the integrated

ITEM C-56.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	statewide shared land-mobile radio communications system for the Commonwealth.				
	Total for Department of State Police			**$12,475,530**	**$0**
	Fund Sources: General	$12,475,530	$0		
	TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY			**$22,475,530**	**$0**
	Fund Sources: General	$22,475,530	$0		
	OFFICE OF TRANSPORTATION				
	§ 2-25. DEPARTMENT OF MOTOR VEHICLES (154)				
C-57.	Maintenance Reserve (15021)			$2,000,000	$0
	Fund Sources: Commonwealth Transportation	$2,000,000	$0		
C-58.	New Construction: Replacement - Virginia Beach/Hilltop Customer Service Center (18627)			$0	$7,500,000
	Fund Sources: Commonwealth Transportation	$0	$7,500,000		
	Total for Department of Motor Vehicles			**$2,000,000**	**$7,500,000**
	Fund Sources: Commonwealth Transportation	$2,000,000	$7,500,000		
	§ 2-26. DEPARTMENT OF TRANSPORTATION (501)				
C-59.	Maintenance Reserve (15732)			$5,000,000	$5,000,000
	Fund Sources: Commonwealth Transportation	$5,000,000	$5,000,000		
C-60.	Improvements: Acquire, Design, Construct and Renovate Agency Facilities (18130)			$35,000,000	~~$35,000,000~~ *$55,000,000*
	Fund Sources: Commonwealth Transportation	$35,000,000	~~$35,000,000~~ *$55,000,000*		
	Total for Department of Transportation			**$40,000,000**	**~~$40,000,000~~** ***$60,000,000***
	Fund Sources: Commonwealth Transportation	$40,000,000	~~$40,000,000~~ *$60,000,000*		
	§ 2-27. VIRGINIA PORT AUTHORITY (407)				
C-61.	Improvements: Cargo Handling Facilities (16048)			$70,000,000	$75,000,000
	Fund Sources: Special	$70,000,000	$75,000,000		
C-62.	Improvements: Expand Empty Yard (16643)			$70,000,000	$75,000,000
	Fund Sources: Special	$70,000,000	$75,000,000		
C-63.	Stand-alone Equipment Acquisition: Procure Equipment (18125)			$120,000,000	$0
	Fund Sources: Special	$120,000,000	$0		
C-64.	Improvements: Enhance Norfolk International Terminals North (18628)			$432,000,000	$0
	Fund Sources: General	$266,000,000	$0		
	Commonwealth Transportation	$166,000,000	$0		

A.1. Prior to the distribution or expenditure of any appropriation from this item, the Virginia Port Authority shall submit a report to the Chairs of the House Appropriations and Senate

ITEM C-64.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Finance and Appropriations Committees detailing the salaries and total compensation for Virginia Port Authority staff. This report shall be submitted no later than August 1, 2022.				
2. After confirmation by the Director, Department of Planning and Budget, of the receipt of this report by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the funding provided in this item shall be released to the Virginia Port Authority.				
C-65. Pursuant to Item C-72 of Chapter 552, 2021 Acts of Assembly, Special Session I, bond proceeds are authorized to finance a project at the Portsmouth Marine Terminal of the Virginia Port Authority consisting of the expansion, renovation, and improvement of infrastructure to support the location of a turbine and turbine generator manufacturing company at the Portsmouth Marine Terminal, approved by the MEI Project Approval Commission.				
C-66. Improvements: Enhance and Strengthen Portsmouth Marine Terminal (18641).....			$192,000,000	$0
Fund Sources: Special.....	$192,000,000	$0		
C-66.1 Improvements: Dredging Projects (18653).....			$5,000,000	$0
Fund Sources: General.....	$5,000,000	$0		
Funding included in this item is designated for shovel-ready shallow-draft dredging projects in the following localities: Accomack County, Gloucester County, Mathews County, Middle Peninsula Municipal Dredging Program, Middlesex County, Northampton County.				
Total for Virginia Port Authority.....			**$889,000,000**	**$150,000,000**
Fund Sources: General.....	$271,000,000	$0		
Special.....	$452,000,000	$150,000,000		
Commonwealth Transportation.....	$166,000,000	$0		
TOTAL FOR OFFICE OF TRANSPORTATION...			**$931,000,000**	**~~$197,500,000~~** ***$217,500,000***
Fund Sources: General.....	$271,000,000	$0		
Special.....	$452,000,000	$150,000,000		
Commonwealth Transportation.....	$208,000,000	~~$47,500,000~~ *$67,500,000*		

OFFICE OF VETERANS AND DEFENSE AFFAIRS

§ 2-28. DEPARTMENT OF VETERANS SERVICES (912)

C-67. Improvements: Replace furnishings and fixtures, and make pandemic-related structural modifications at veterans care centers (18630).....			$18,463,280	$0
Fund Sources: General.....	$6,462,147	$0		
Federal Trust.....	$12,001,133	$0		
C-68. Improvements: Perform safety renovations at Sitter Barfoot Veterans Care Center (18631).....			$698,040	$0
Fund Sources: General.....	$244,314	$0		
Federal Trust.....	$453,726	$0		
C-69. Improvements: Expand Suffolk Veterans Cemetery columbarium (18632).....			$4,133,183	$0
Fund Sources: Federal Trust.....	$4,133,183	$0		

A. The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to $2,000,000 for the Department of Veterans

ITEM C-69.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Services for design costs and to assist with cash flow for the columbarium construction. The loan shall be repaid by the Department of Veterans Services upon receipt of federal funds.				
C-69.50 *A. The Virginia Department of Veterans Services is authorized to request federal funds to construct a new veterans care center with up to 192 beds in the Roanoke area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of $57,308,000 to the Department of Veterans Services for the state share of the construction cost, so that the project may proceed without further action by the Commonwealth, in accordance with 38 CFR 59.50 and 38 CFR 59.70(b). The treasury loan shall be repaid by such sources of funding as determined by the Governor and General Assembly. The Director, Department of Planning and Budget, is authorized to sign and certify any federal documents or forms to acknowledge that the state share of funding for the Roanoke Veterans Care Center is available without further action by the Commonwealth.*				
B. The Virginia Department of Veterans Services is authorized to request federal funds to renovate the Sitter and Barfoot Veterans Care Center in Richmond. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the project, the Director, Department of Planning and Budget, shall approve a short-term, interest- free treasury loan in the amount of $4,800,000 to the Department of Veterans Services for the state share of the construction cost, so that the project may proceed without further action by the Commonwealth, in accordance with 38 CFR 59.50 and 38 CFR 59.70(b). The treasury loan shall be repaid by such sources of funding as determined by the Governor and General Assembly. The Director, Department of Planning and Budget, is authorized to sign and certify any federal documents or forms to acknowledge that the state share of funding for the Sitter and Barfoot Veterans Care Center renovation is available without further action by the Commonwealth.				
Total for Department of Veterans Services			**$23,294,503**	**$0**
Fund Sources: General	$6,706,461	$0		
Federal Trust	$16,588,042	$0		
§ 2-29. DEPARTMENT OF MILITARY AFFAIRS (123)				
C-70. Improve Readiness Centers (18369)			$12,000,000	$0
Fund Sources: General	$3,000,000	$0		
Federal Trust	$9,000,000	$0		
C-70.50 New Construction: Construct the Army Aviation Support Facility (AASF), Sandston (18668)			*$0*	*$126,788,000*
Fund Sources: Federal Trust	*$0*	*$126,788,000*		
C-71. Omitted.				
Total for Department of Military Affairs			**$12,000,000**	**~~$0~~** ***$126,788,000***
Fund Sources: General	$3,000,000	$0		
Federal Trust	$9,000,000	~~$0~~ *$126,788,000*		
TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS			**$35,294,503**	**~~$0~~** ***$126,788,000***
Fund Sources: General	$9,706,461	$0		
Federal Trust	$25,588,042	~~$0~~ *$126,788,000*		
CENTRAL APPROPRIATIONS				

ITEM C-71.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
§ 2-30. CENTRAL CAPITAL OUTLAY (949)				
C-72. Central Maintenance Reserve (15776).....			$178,200,000	~~$177,000,000~~ *$196,004,103*
Fund Sources: General.....	$178,200,000	~~$177,000,000~~ *$195,550,000*		
Federal Trust.....	*$0*	*$454,103*		

A. Out of this appropriation, $178,200,000 the first year and ~~$177,000,000~~*$195,550,000* the second year from the general fund *and $454,103 in nongeneral fund the second year* is designated for capital costs of the following maintenance reserve projects:

Agency Name/Code	Project Code	FY2023	FY2024
Department of Military Affairs (123)	10893	$2,679,641	~~$3,362,320~~ *$3,598,309*
Department of Emergency Management (127)	15989	$101,115	~~$67,154~~ *$70,070*
The Science Museum of Virginia (146)	13634	$969,081	~~$957,819~~ *$999,407*
Department of State Police (156)	10886	$660,197	~~$563,743~~ *$588,220*
Department of General Services (194)	14260	$18,432,172	~~$15,257,017~~ *$17,419,462*
Department of General Services (194) on behalf of the Fort Monroe Authority	18644	$4,062,709	~~$3,391,440~~ *$4,088,693*
Department of Conservation and Recreation (199)	16646	$3,611,508	~~$3,734,257~~ *$3,896,394*
The Library of Virginia (202)	17423	$186,236	~~$147,458~~ *$153,860*
Wilson Workforce and Rehabilitation Center (203)	10885	$626,193	~~$601,344~~ *$627,454*
The College of William and Mary (204)	12713	$3,707,638	~~$4,451,715~~ *$4,645,004*
University of Virginia (207)	12704	$15,923,093	~~$15,805,672~~ *$16,491,939*
Virginia Polytechnic Institute and State University (208)	12707	$17,462,174	~~$17,678,767~~ *$18,446,361*
Virginia Military Institute (211)	12732	$1,819,682	~~$1,743,200~~ *$1,818,888*
Virginia State University (212)	12733	$4,608,602	~~$4,556,591~~ *$5,754,434*
Norfolk State University (213)	12724	$4,304,699	~~$4,105,715~~ *$5,283,981*
Longwood University (214)	12722	$1,942,384	~~$1,750,737~~ *$1,826,752*
University of Mary Washington (215)	12723	$2,085,758	~~$2,093,078~~ *$2,183,958*
James Madison University (216)	12718	$5,012,314	~~$5,012,314~~ *$5,229,944*
Radford University (217)	12731	$2,359,758	~~$2,263,561~~ *$2,361,843*
Virginia School for the Deaf and the Blind (218)	14082	$765,047	~~$754,972~~ *$787,752*
Old Dominion University (221)	12710	$4,409,529	~~$4,346,103~~ *$5,534,807*
Virginia Commonwealth University (236)	12708	$10,983,722	~~$11,976,549~~ *$12,496,559*
Virginia Museum of Fine Arts (238)	13633	$1,564,889	~~$1,542,658~~ *$1,609,639*

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Frontier Culture Museum of Virginia (239)	15045		$606,690	~~$533,565~~	*$556,732*
Richard Bland College (241)	12716		$547,238	~~$524,213~~	*$546,973*
Christopher Newport University (242)	12719		$1,704,133	~~$1,905,864~~	*$1,988,615*
University of Virginia's College at Wise (246)	12706		$781,393	~~$734,502~~	*$2,960,394*
George Mason University (247)	12712		$5,927,380	~~$5,281,542~~	*$6,510,861*
Virginia Community College System (260)	12611		$18,046,684	~~$18,779,326~~	*$19,594,706*
Virginia Institute of Marine Science (268)	12331		$846,886	~~$773,195~~	*$2,843,079*
Eastern Virginia Medical School (274)	18190		$2,408,013	~~$1,186,113~~	*$1,237,613*
Department of Agriculture and Consumer Services (301)	12253		$421,967	~~$377,111~~	*$393,485*
Marine Resources Commission (402)	16498		$102,603	~~$73,409~~	*$76,597*
Department of Energy (409)	13096		$111,725	~~$99,435~~	*$103,752*
Department of Forestry (411)	13986		$1,039,914	~~$1,252,290~~	*$1,306,663*
Gunston Hall (417)	12382		$175,253	~~$144,367~~	*$150,636*
Jamestown-Yorktown Foundation (425)	13605		$1,687,911	~~$1,465,138~~	*$1,528,753*
Department for the Blind and Vision Impaired (702)	13942		$399,356	~~$361,610~~	*$377,311*
Department of Behavioral Health and Developmental Services (720)	10880		$8,899,255	~~$8,957,456~~	*$9,346,380*
Department of Juvenile Justice (777)	15081		$1,351,905	~~$1,369,389~~	*$1,678,846*
Department of Forensic Science (778)	16320		$590,505	~~$551,526~~	*$575,472*
Department of Corrections (799)	10887		$22,155,192	~~$24,857,487~~	*$25,936,775*
Institute for Advanced Learning and Research (885)	18044		$335,675	~~$222,934~~	*$232,614*
Department of Veterans Services (912)	17073		$101,115	~~$67,154~~	*$314,589*
Roanoke Higher Education Authority (935)	17916		$406,181	~~$373,127~~	*$389,328*
Southern Virginia Higher Education Center (937)	18131		$306,956	~~$203,861~~	*$212,712*
New College Institute (938)	18132		$306,956	~~$203,861~~	*$212,712*
Virginia Museum of Natural History (942)	14439		$334,753	~~$295,078~~	*$307,890*
Southwest Virginia Higher Education Center (948)	16499		$326,220	~~$242,263~~	*$252,782*
Total			**$178,200,000**	**~~$177,000,000~~**	***$195,550,000***

B. Expenditures for amounts appropriated in this Item are subject to conditions defined in §2-0 E. of this act.

C. 1. In order to reduce building operation costs and repay capital investments, agencies and institutions of higher education may give priority to maintenance reserve projects which result

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in guaranteed savings to the agency or institution pursuant to § 45.2-1703, Code of Virginia.

2. Agencies and institutions of higher education may use maintenance reserve funds to finance the following capital costs: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections, including asbestos abatement; to correct deficiencies in fire protection, safety and security, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget**.**

D. The Department of General Services is authorized to use these funds from its maintenance reserve allocation and any balances left from prior maintenance reserve allocations for necessary repairs and improvements in and around Capitol Square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower, needed safety and security upgrades, and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.

E. 1. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art and artifacts.

2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art works owned by the Museum.

3. The Frontier Culture Museum may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art and artifacts.

4. The Science Museum of Virginia may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item to restore, repair or renew exhibits and to improve the grounds at the museum.

5. The Virginia Museum of Fine Arts shall transfer to the Virginia Museum of Natural History an existing trailer once the Virginia Museum of Fine Art has acquired the trailer authorized in Chapter 2 of the 2022 Special Session I. The Virginia Museum of Natural History is authorized to accept this property and use funds designated from this item to modify or repair the trailer for use as a mobile museum to further support their mission and outreach.

F. The Department of Corrections may use a portion of its annual maintenance reserve allocation to make modifications to correctional facilities needed to enable the agency to meet the requirements of the federal Prison Rape Elimination Act.

G. The Frontier Culture Museum may use its maintenance reserve allocation to pave the loop roads, paths, and parking lots, repair and replace restroom facilities, improve public entrance accessibility, improve the grounds at the museum, and restore, repair or renew exhibits.

H. The Jamestown-Yorktown Foundation may utilize its annual maintenance reserve allocation to restore, repair or renew exhibits.

I. The Department of Corrections may use up to $1,500,000 of its annual maintenance reserve allocation to retrofit the correctional facility in Culpeper County that had been used in the past by the Department of Juvenile Justice to house juvenile defenders, but will be used to house adult offenders.

J. Gunston Hall may use an amount not to exceed 20 percent of its annual maintenance

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reserve allocation from this Item to restore, repair, or renew exhibits. Furthermore, it may use its maintenance reserve allocation to pave the roads, paths, and parking lots, improve entrance accessibility, and improve the grounds at the museum.

K.*1.* The amount allocated for the Department of General Services on behalf of the Fort Monroe Authority under project code 18644 is designated for building and utility repairs at Fort Monroe. After determining those buildings and utilities to be repaired, and the priority in which repairs will be undertaken within the available allocation in this Item, the Fort Monroe Authority shall present an annual plan to the Director, Department of Planning and Budget. The Fort Monroe Authority is authorized to use a portion of this funding allocation to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs at Fort Monroe. The project manager shall work in consultation and coordination with the Department of General Services. The Department of General Services shall act as fiscal agent for the authorized funds. Fort Monroe may use a portion of its annual maintenance reserve allocation for painting projects that encapsulate exterior lead-based paint to prevent the release of lead-based paint into the environment. Fort Monroe may also use a portion of its annual maintenance reserve allocation for the removal of an elevated water tank, as well for the removal of non-historic temporary warehouse buildings.

2. Included in the amounts provided to the Department of General Services on behalf of the Fort Monroe Authority, is authorization for a project estimated at $100,000 to remove non-historic brick infill and install storefront glass windows, and authorization for a project estimated at $450,000 to make security upgrades to Fort Monroe Authority grounds and facilities.

L. Upon completion of the capital project titled "Perform waterproofing repairs for Capitol Visitor's Center (18527)" as authorized in Item C-1.10, Chapter 552, 2021 Acts of Assembly, Special Session I, the Director, Department of Planning and Budget, shall transfer any remaining balances from that project to the Department of General Services' maintenance reserve project (14260).

M. Out of the amounts provided in this item for project 18190, up to $1,200,000 the first year is provided for security upgrades at the Eastern Virginia Medical School.

N. The Department of Planning and Budget shall provide advance review and approval of maintenance reserve projects at facilities owned by the Department of Corrections.

O. Out of the amounts provided to the Department of Juvenile Justice is $250,000 general fund the second year to replace a compromised fire protection water tank. The agency may utilize additional maintenance reserve funds as needed to complete this project.

P. Out of the amounts provided to the Department of Military Affairs is $90,000 general fund the second year to renovate facilities at Camp Pendleton for a National Guard youth program. The agency may utilize additional maintenance reserve funds as needed to complete this project.

Q. Out of the amounts provided to the Department of Veterans Services is $244,519 general fund and $454,103 nongeneral fund appropriation the second year to replace a fire alarm system at Sitter and Barfoot Veterans Care Center located in Richmond. The agency may utilize additional maintenance reserve funds as needed to complete this project.

R. Out of the amounts provided to the Virginia Institute for Marine Science is $2,036,312 general fund the second year for a roof replacement on Andrews Hall. The agency may utilize additional maintenance reserve funds as needed to complete this project.

S. Out of the amounts provided to the University of Virginia at Wise is $2,194,000 for targeted campus upgrades, to include roof replacements for Darden Hall and Zehmer Hall, and other interior repairs and improvements to Darden Hall, to include replacement of a chiller and facility windows, and general replacement of ceilings, flooring, lights, and restroom renovations.

T. Out of the amounts provided in this item, $4,000,000 general fund the second year is provided for one-time supplements of $1,000,000 each to address deferred maintenance reserve backlogs at Virginia State University, Norfolk State University, Old Dominion University, and George Mason University.

ITEM C-72.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
C-73. Central Reserve for Capital Equipment Funding (17954)			$31,035,000	~~$0~~ *$36,858,360*
Fund Sources: General	$31,035,000	~~$0~~ *$35,965,200*		
Federal Trust	*$0*	*$893,160*		

A. There is hereby appropriated $31,035,000 the first year from the general fund to provide funds for equipment for the following projects for which construction was previously provided.

Agency Code	Agency Name	Project Title
199	Department of Conservation and Recreation	Renovate Various Cabins (18265)
211	Virginia Military Institute	Construct Corps Physical Training Facility Phase 3 (Aquatic Center) (18387)
214	Longwood University	Renovate / Expand Environmental Health & Safety and Facilities Annex Building (18384)
217	Radford University	Renovation / Construction Center of Adaptive Innovation and Creativity (CAIC) (18386)
221	Old Dominion University	Construct Health Sciences Building (18335)
236	Virginia Commonwealth University	Construct STEM Teaching Laboratory Building (18336)
268	Virginia Institute of Marine Science	Construct New Research Facility (18281)

B. There is hereby appropriated $35,965,200 the second year from the general fund and $893,160 the second year from nongeneral funds to provide funds for equipment for the following projects for which construction was previously authorized.

Agency Code	*Agency Name*	*Project Title*
123	*Department of Military Affairs*	*Construct Roanoke Readiness Center and Combined Support Maintenance Shop (18325)*
199	*Department of Conservation and Recreation*	*Renovate Various Campgrounds (18266)*
204	*The College of William and Mary*	*Construct Integrated Science Center, Phase IV (18329)*
207	*University of Virginia*	*Renovate Physics Building (18330)*
207	*University of Virginia*	*Alderman Library Renewal (18331)*
208	*Virginia Polytechnic Institute and State University*	*Construct Undergraduate Lab Building (18332)*
241	*Richard Bland College*	*Construct Center for Innovation and Education Development (18337)*
246	*University of Virginia's College at Wise*	*Renovate/Convert Wyllie Library (18338)*
260	*Virginia Community College System*	*Construct Advanced Technical Training Center, Piedmont, Virginia (18342)*
702	*Department for the Blind and Vision Impaired*	*Renovate the Library and Resource Center (18517)*

ITEM C-74.		Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
C-74.	Omitted.				
C-75.	2022 Public Educational Institution Capital Account (18586)			$899,586,611	~~$0~~ *$42,600,000*
	Fund Sources: General	$870,320,611	$0		
	Higher Education Operating	$29,266,000	~~$0~~ *$7,800,000*		
	Bond Proceeds	*$0*	*$34,800,000*		

A. There is hereby appropriated $870,320,611 from the general fund and $29,266,000 from nongeneral fund resources the first year *and $42,600,000 from nongeneral fund resources the second year, including amounts authorized from bonds pursuant to Article X, Section 9(d), Constitution of Virginia, as specified in Item C-85 of this act* for the construction and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Name	Project Title
208	Virginia Polytechnic Institute and State University	Replace Randolph Hall (18502)
214	Longwood University	Wygal Hall Replacement (18425)
215	University of Mary Washington	Construct Fine and Performing Arts Center (18544)
216	James Madison University	Renovate and Expand Carrier Library (18485)
221	Old Dominion University	Construct a New Biology Building (18473)
236	Virginia Commonwealth University	New Arts and Innovation Building (18500)
242	Christopher Newport University	Integrated Science Center, Phase III (18496)
260	Virginia Community College System	Reconstruct Templin Hall Auditorium, Hampton Campus, Virginia Peninsula CC

B. In addition to the appropriation authorized by this item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph A:

Agency No.	Project No.	Initial Authorization	Amount
207	18348	Items 478.20 and C-52.10, Chapter 780, 2016 Acts of Assembly	$16,882,776

C. The Department of Planning and Budget, in collaboration with the Department of General Services, shall submit to the Six-Year Capital Outlay Plan Advisory Committee (§ 2.2-1516, “Advisory Committee") documentation prior to any project receiving construction funding authorization (CO-8). Such documentation shall detail the availability of funding authorized in the pool and the estimated total project cost. An authorization may only be effectuated if (i) the Director of the Department of Planning and Budget, in collaboration with the Department of General Services, provides documentation to the Advisory Committee to authorize the CO-8, and (ii) no member of the Advisory Committee, or their designee, objects, in writing or via email, to the CO-8 within 14 days of receiving such notice. If an objection is received, the Advisory Committee may discuss the project authorization at its next meeting and authorize the CO-8 upon approval by all members of the Advisory Committee. The project, “Reconstruct Templin Hall Auditorium, Hampton Campus, Virginia Peninsula CC" is exempt from the requirements of this paragraph.

C-76.	2022 State Agency Capital Account (18587)	$161,700,000	$0

ITEM C-76.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
Fund Sources: General.....	$161,700,000	$0		

A. There is hereby appropriated $161,700,000 from the general fund the first year for the construction and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Name	Project Title
156	Department of State Police	Construct Area 6 Office in Lexington
156	Department of State Police	Construct Area 5 Office in Fredericksburg
156	Department of State Police	Construct Area 11 Office in Manassas
156	Department of State Police	Replace Training Academy at Departmental Headquarters (18541)
194	Department of General Services	Renovate Eastern State Hospital
199	Department of Conservation and Recreation	Construct a new visitor center at Twin Lakes State Park
199	Department of Conservation and Recreation	Improve boat ramp and parking area at Kiptopeke State Park
218	Virginia School for the Deaf and the Blind	Renovate Lewellyn Gym
218	Virginia School for the Deaf and the Blind	Construct Storm Shelters/Safe Rooms
239	Frontier Culture Museum of Virginia	Construct Crossing Gallery (18316)
301	Department of Agriculture and Consumer Services	Expand regional animal health laboratories in Harrisonburg, Lynchburg, and Warrenton

C-77.	Comprehensive Capital Outlay Program (18049).....			$3,400,000	$0
	Fund Sources: General.....	$3,400,000	$0		

Included in this Item is $3,400,000 from the general fund as a supplement to the Virginia State University project "Water Storage Tank and Campus Water Distribution Piping and Campus Water Sewer Upgrades (18059)" previously authorized in Item C-39.40, Chapter 806, 2013 Acts of Assembly, as “Water Storage Tank and Campus Water Distribution Piping” and amended in Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I, in order to complete the final elements of this project.

C-78.	2020 VPBA Capital Construction Pool (18493).....			$1,060,000	$0
	Fund Sources: General.....	$1,060,000	$0		

A. In addition to the amounts previously provided in Item C-67, Chapter 1289, 2020 Acts of Assembly, $1,060,000 from the general fund the first year is provided to the Department of General Services "Construct Addition to Current State Records Center Building & Repurpose Workspace in Facility" project 18515 in order to retrofit current facility space with high-bay mobile compact shelving to increase storage capacity.

B. To supplement C-67.D of Chapter 552, 2021 Reconvened Special Session I, the Department of General Services (“DGS") has made the determination that the necessary water needs of the Piedmont Geriatric Hospital, Virginia Center for Behavioral Rehabilitation (Phases 1 and 2) and Nottoway Correctional Center (the “Identified Commonwealth Facilities") may be best satisfied through Prince Edward County owning and operating a water supply system consisting of the Sandy Creek reservoir, an intake system, a water treatment facility and related components (the “System") and all necessary water lines, pumps, tanks and other facilities to serve the Identified Commonwealth Facilities on a long-term basis (the “Commonwealth Line"). In order for the System to serve the Identified Commonwealth Facilities, the Commonwealth Line must be located in Nottoway and Prince Edward Counties and towns located within the boundaries of Nottoway and Prince Edward Counties (the “Localities"). DGS is hereby authorized to construct, provide and operate the Commonwealth Line in the Localities and

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to acquire by purchase, gift or power of eminent domain such lands, structures, rights-of-way, franchises, easements and other interests in lands of any person, association, partnership, corporation, railroad, public service, public utility, municipality or political subdivision to construct, provide and operate the Commonwealth Line in the Localities, all without obtaining the consent or permission of any locality or public body including but not limited to the Localities. Condemnation proceedings authorized by the preceding sentence shall be conducted, at the option of DGS, under the provisions of Chapter 2 or Chapter 3 of Title 25.1 of the Virginia Code. The ownership, construction and operation of the Commonwealth Line by DGS shall not be subject to any state or local permitting requirements or similar ordinances or regulations. Upon completion of construction of the Commonwealth Line, DGS is authorized to transfer ownership and/or operation of all or any part of the Commonwealth Line to one or more of the Localities, which transfer of ownership and/or operation to such Locality or Localities will not require the consent or permission of any locality or public body. The exercise of the power of eminent domain for the purposes provided herein shall be and is declared to be a public use of such property. This provision supplementing C-67.D of Chapter 552, 2021 Reconvened Special Session I, shall not be deemed to limit the ability of DGS to pursue the project contemplated herein or any other solution it later determines will meet the necessary water needs of the Identified Commonwealth Facilities.

C-78.50 2020 VCBA Capital Construction Pool (18494)..... $0 $0

The scope of the capital project for the Virginia Military Institute, titled, "Renovate and Expand Engineering and Lab Facilities (18520)" authorized in Item C-68, Chapter 1289, 2020 Acts of Assembly, is hereby changed to remove the demolition of the existing Cocke Hall Annex Swimming Pool. The new facility shall be constructed as a connected annex to existing engineering facilities. There shall be no change to the size of the facility or intended use.

C-79. Omitted.

C-79.10 Planning: Detailed Planning for Capital Projects (17968)..... $0 $9,450,000

Fund Sources: General.....	*$0*	*$9,200,000*
Higher Education Operating.....	*$0*	*$250,000*

A. Included in the appropriation for this item is $9,200,000 from the general fund the second year to be used for detailed planning of authorized projects. The $9,200,000 from the general fund shall be paid into the Central Capital Planning Fund (09650), 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***
204	*The College of William and Mary in Virginia*	*Renovate Historic Campus*
211	*Virginia Military Institute*	*Improve New Market Battlefield State Historical Park*
211	*Virginia Military Institute*	*Improve Hinty Hall and Facility Infrastructure*
211	*Virginia Military Institute*	*Renovate Financial Aid and Admissions Offices*
212	*Virginia State University*	*Construct BOLT Leadership Center for Social Responsibility*
229	*Virginia Cooperative Extension and Agricultural Experiment Station*	*Improve Center Woods Complex*
242	*Christopher Newport University*	*Replace Plant Operations and Warehouse Building*
885	*Institute for Advanced Learning and Research*	*Expand Center for Manufacturing Advancement*

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C. 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.

D. 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.

E. 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.

F. The Department of General Services is authorized to begin pre-planning for a replacement facility for the State Laboratory. The Department shall be funded $250,000 from the Central Capital Planning Fund for the pre-planning study. The department shall submit its preplanning documents, with identified options, to the Six-Year Capital Outlay Plan Advisory Committee no later than November 1, 2024.

G. Included in the appropriation for this item is $250,000 from nongeneral funds for the University of Virginia to begin pre-planning for the Construct Center for the Arts (18602) project.

H. Funding provided in this item authorized for project planning for improvements to the New Market Battlefield State Historical Park may be used to facilitate an effort in collaboration with federal partners to relocate a statue from Arlington National Cemetery.

I.1. The Secretary of Public Safety and Homeland Security shall continue the workgroup established pursuant to Item C-66, paragraph H. of Chapter 1, 2022 Acts of Assembly, Special Session I. The Secretary or his designee shall present the workgroup's assessment, including its recommendations for future utilization of the Beaumont property, the medical facility at Deerfield Correctional Facility, and Powhatan Infirmary, to the Six-Year Capital Outlay Plan Advisory Committee (Committee) and include feedback from the Committee in the workgroup's final report. The workgroup shall report its recommendations to the Governor and Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations no later than November 1, 2024.

2. The Department of Corrections shall not proceed with the Deerfield Correctional Center Expansion or Powhatan Infirmary Replacement planning projects.

C-79.50	2022 Capital Supplement Pool (18646).....			$100,000,000	~~$0~~ *$100,000,000*
	Fund Sources: General.....	$100,000,000	~~$0~~ *$100,000,000*		

A. Included in this Item is $100,000,000 the first year *and $100,000,000 the second year* from the general fund that is designated for project supplements to address shortfalls for projects and central capital construction pools.

1. In fulfillment of the requirement in paragraph L, Item 485 of this act, there is included $100,000,000 from the general fund in the first year.

2. Funding provided in this Item and remaining from Item C-69.60 of Chapter 1, 2022 Acts of Assembly, Special Session I, may be transferred and used for the purposes described in paragraph B. of this Item, pursuant to the approval process and requirements in paragraph C. of this Item.

B.1. Notwithstanding § 2.2-1519 E.1., Code of Virginia., funding may be used to address shortfalls for capital projects that (i) were previously authorized for construction in a central construction pool subject to the process delineated in § 2.2-1515 et. seq., Code of Virginia; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; and (iii) have received a funding report from the Department of General Services prior to April 1, 2022.

2. Funding may be used for projects, within the limits of the 105 percent cost threshold set

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forth in § 2.2-1519 E.1., Code of Virginia, that (i) were authorized for construction in a central construction pool subject to the process delineated in § 2.2-1515 et. seq., Code of Virginia; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; and (iii) had not received a funding report as of April 1, 2022.

3. Funding may be used to address shortfalls for projects that have been authorized in an Appropriation Act or other authorizing legislation for construction that were not budgeted in a central construction pool, provided that the agency is unable to use additional value engineering or reduce the size or scope of the project to remain within available appropriation while meeting the original programmatic intent of the appropriation.

4. Funding may be used to address shortfalls in central capital construction pools that have insufficient funding remaining to meet the outstanding needs of projects authorized within a given pool.

C.1. A transfer authorized by this Item may only be effectuated if (i) the Director of the Department of Planning and Budget provides notice of the amount and purpose of any such proposed transfer to the Six-Year Capital Outlay Plan Advisory Committee; and (ii) no member of the committee or their designee objects, in writing or via email, to the transfer within 14 days of receiving such notice. If an objection is received, the committee may discuss such proposed transfer at its next meeting and vote as to whether to recommend such transfer.

2. Specific project allocations for transfer from this Item shall be based upon recommendations from the Department of General Services.

3. Supplemental amounts determined in accordance with paragraph B.1., B.2., and B.3. of this Item shall be adjusted to match the proportion of a project's total cost supported by general fund as set forth in the funding report, Appropriation Act, or other authorizing legislation.

4. After receiving funds pursuant to paragraphs B.1. or B.3. of this Item, projects shall comply with the provisions of paragraph K. of § 2.0 of this act.

C-80.	Improvements: Local Water Quality and Supply Projects (18050).....			$25,000,000	$0
	Fund Sources: General.....	$25,000,000	$0		

A. From the appropriation and authorization provided in this Item, up to $25,000,000 shall be provided to the Department of Environmental Quality for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 380 of this Act. In accordance with the purpose of the Fund set out in Item 380, the appropriation shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

B. The provisions of §§ 2-0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the projects supported by this Item.

C-80.50	*Improvements: Enhanced Nutrient Removal Certainty Program (18556)*.....			*$0*	*$0*

The funding authorized in Item C-70.50 of Chapter 552, 2021 Acts of Assembly, Special Session I, may be used to reimburse eligible entities for costs incurred for implementation of the Enhanced Nutrient Removal Certainty Program, as provided for in § 62.1-44.19:14, Code of Virginia.

C-81.	Improvements: Workforce Development Projects (18418).....			$18,500,000	$14,400,000
	Fund Sources: General.....	$18,500,000	$14,400,000		

Included in this Item is $18,500,000 the first year and $14,400,000 the second year from the

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general fund, which shall be allocated in accordance with signed Memorandums of Understanding under the provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership.

C-82. 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 Henrico County, Fairfax County, Franklin County, Shenandoah County, Warren County, and the City of Virginia Beach.

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 Historic Resources, to address lease space needs for additional archaeological storage space to expand the existing facility in the greater Richmond area.

9. On behalf of the Department of Motor Vehicles, to address customer service needs in the City of Chesapeake by leasing space for an additional customer service center.

B. The Virginia Department of Emergency Management may enter into a long-term lease to address lease space needs for hazardous materials training classroom, storage, and administrative space in York County. Such needs may be met through the lease of modular buildings.

C. The Department of General Services is authorized to acquire lease space as it determines necessary to meet the facility needs of state agency tenants currently occupying the Monroe Building at 101 North 14th Street in Richmond. Any such lease shall be in accordance with a proper solicitation for this purpose and shall be for a term not to exceed three years, with the option to extend the term of the lease for additional years. The Department shall continue with project 18528 authorized by the General Assembly.

C-83. 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

ITEM C-83.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024

the right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the 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 . Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP . 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.

Total for Central Capital Outlay.....			**$1,418,481,611**	**~~$191,400,000~~** ***$399,312,463***
Fund Sources: General.....	$1,389,215,611	~~$191,400,000~~ *$355,115,200*		
Higher Education Operating.....	$29,266,000	~~$0~~ *$8,050,000*		

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Federal Trust.....	*$0*	*$1,347,263*		
Bond Proceeds.....	*$0*	*$34,800,000*		

§ 2-31. 9(C) REVENUE BONDS (950)

C-84. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(c), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.

3. The total amount listed in this Item includes $100,869,000 in bond proceeds.

Agency Name/ Project Title	Item	Project Code	Section 9(c) Bonds
James Madison University (216)			
Construct Village Student Housing Phase 1	C-12	18596	$55,240,000
Virginia Polytechnic Institute and State University (208)			
Construct Hitt Hall	C-24	18605	$45,629,000
Total for Nongeneral Fund Obligation Bonds 9(c)			**$100,869,000**

Total for 9(C) Revenue Bonds.....	**$0**	**$0**

§ 2-32. 9(D) REVENUE BONDS (951)

C-85. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.

3. The total amount listed in this Item includes ~~$56,427,000~~ *$154,847,000* in bond proceeds.

Agency Name/ Project Title	Item	Project Code	Section 9(d) Bonds
College of William and Mary (204)			
Construct Utility Improvements	C-5	18590	$7,850,000
Improve Auxiliary Facilities	*C-6.50*	*18219*	*$20,000,000*
George Mason University (247)			
Improve Telecommunications Infrastructure Phase 3	C-8	18593	$9,750,000
James Madison University (216)			

ITEM C-85.			Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
	Improve East Campus Infrastructure Phase 2	C-11	18595	$12,940,000		
	Virginia Polytechnic Institute and State University (208)					
	Construct Hitt Hall	C-24	18605	$25,887,000		
	Replace Randolph Hall	*C-75*	*18502*	*$16,800,000*		
	Improve Building Envelopes	*C-24.50*	*18669*	*$33,620,000*		
	Old Dominion University (221)					
	Renovate Baseball Stadium	*C-15.60*	*17549*	*$10,000,000*		
	Virginia Commonwealth University (236)					
	New Arts and Innovation Building	*C-75*	*18500*	*$18,000,000*		
	Total for Nongeneral Fund Obligation Bonds 9(d)			**~~$56,427,000~~** ***$154,847,000***		
	Total for 9(D) Revenue Bonds.....				**$0**	**$0**
	TOTAL FOR CENTRAL APPROPRIATIONS.....				**$1,418,481,611**	**~~$191,400,000~~** ***$399,312,463***
	Fund Sources: General.....		$1,389,215,611	~~$191,400,000~~ *$355,115,200*		
	Higher Education Operating.....		$29,266,000	~~$0~~ *$8,050,000*		
	Federal Trust.....		*$0*	*$1,347,263*		
	Bond Proceeds.....		*$0*	*$34,800,000*		
	TOTAL FOR EXECUTIVE DEPARTMENT.....				**$2,983,312,709**	**~~$399,650,000~~** ***$922,827,593***
	Fund Sources: General.....		$2,057,779,488	~~$191,400,000~~ *$402,660,202*		
	Special.....		$453,500,000	$150,000,000		
	Higher Education Operating.....		$68,539,179	~~$0~~ *$65,362,128*		
	Commonwealth Transportation.....		$208,000,000	~~$47,500,000~~ *$67,500,000*		
	Dedicated Special Revenue.....		$5,610,000	$3,750,000		
	Federal Trust.....		$32,588,042	~~$7,000,000~~ *$135,135,263*		
	Bond Proceeds.....		$157,296,000	~~$0~~ *$98,420,000*		

INDEPENDENT AGENCIES

§ 2-33. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)

C-86.	Maintenance Reserve (18637).....				$1,200,000	$0
	Fund Sources: Dedicated Special Revenue.....		$1,200,000	$0		
	Total for Virginia Workers' Compensation Commission.....				**$1,200,000**	**$0**
	Fund Sources: Dedicated Special Revenue.....		$1,200,000	$0		

ITEM C-86.	Item Details($) First Year FY2023	Item Details($) Second Year FY2024	Appropriations($) First Year FY2023	Appropriations($) Second Year FY2024
TOTAL FOR INDEPENDENT AGENCIES			**$1,200,000**	**$0**
Fund Sources: Dedicated Special Revenue	$1,200,000	$0		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES			**$2,984,512,709**	**~~$399,650,000~~** ***$922,827,593***
Fund Sources: General	$2,057,779,488	~~$191,400,000~~ *$402,660,202*		
Special	$453,500,000	$150,000,000		
Higher Education Operating	$68,539,179	~~$0~~ *$65,362,128*		
Commonwealth Transportation	$208,000,000	~~$47,500,000~~ *$67,500,000*		
Dedicated Special Revenue	$6,810,000	$3,750,000		
Federal Trust	$32,588,042	~~$7,000,000~~ *$135,135,263*		
Bond Proceeds	$157,296,000	~~$0~~ *$98,420,000*		

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 2023	**FY 2024**
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 $112,082,813 the first year and ~~$115,960,429~~ *$153,560,429* 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

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 $6,039,405 the first year and $6,039,405 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 Commonwealth Transportation Fund by the Department of Taxation estimated at $2,907,380 the first year and $2,907,380 the second year.

F.1. On or before June 30 of each year, the State Comptroller shall transfer $9,314,242 the first year and $9,314,242 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 2023**	**FY 2024**
Administration of Health Insurance (149)	0500	$513,704	$513,704
Department of Forestry (411)	0900	$4,902	$4,902
Department of Small Business and Supplier Diversity (350)	0200	$6,249	$6,249
Virginia Museum of Fine Arts (238)	0200	$15,041	$15,041
Virginia Museum of Fine Arts (238)	0500	$13,651	$13,651
Board of Accountancy (226)	0900	$11,983	$11,983
Department for Aging	0200	$30,313	$30,313

and Rehabilitative Services (262)			
Department for the Deaf and Hard of Hearing (751)	0200	$8,344	$8,344
Department of Behavioral Health and Developmental Services (720)	0200	$81,022	$81,022
Department of Health (601)	0900	$79,883	$79,883
Virginia Foundation for Healthy Youth (852)	0900	$17,201	$17,201
State Corporation Commission (171)	0900	$2,745	$2,745
Virginia College Savings Plan (174)	0500	$292,414	$292,414
Board of Bar Examiners (233)	0200	$109	$109
Supreme Court (111)	0900	$354,019	$354,019
Department of Professional and Occupational Regulations (222)	0200	$4,415	$4,415
Department of Conservation and Recreation (199)	0900	$65,932	$65,932
Department of Wildlife Resources (403)	0900	$117,607	$117,607
Department of Criminal Justice Services (140)	0200	$23,378	$23,378
Department of Fire Programs (960)	0200	$84,660	$84,660
Division of Community Corrections (767)	0900	$16,233	$16,233
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	$587,577	$587,577
Department of Transportation (501)	0400	$2,721,175	$2,721,175

Motor Vehicle Dealer Board (506)	0200	$17,152	$17,152
Virginia Passenger Rail Authority (522)	0400	$46,094	$46,094
Virginia Port Authority (407)	0200	$173,531	$173,531
Virginia Port Authority (407)	0400	$67,245	$67,245
		$9,314,242	**$9,314,242**

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 $784,671,715 the first year and ~~$764,671,715~~*$850,842,423* 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 from the Virginia Lottery Fund the estimated profits generated for the first five months of the fiscal year and (2) thereafter, the transfer of estimated profits will be made on a monthly basis, or until the amount estimated at $784,671,715 the first year and ~~$764,671,715~~ *$850,842,423* the second year has been transferred to the Lottery Proceeds Fund. The final annual transfer of profits necessary to reach the annual estimate noted in this section, not to exceed the amounts estimated in this paragraph, shall be initiated no later than June 20 of each year, 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 profits for the prior fiscal year. If such annual audit discloses that the actual revenue was less than the total transfer of estimated profits for the year, the State Comptroller shall adjust the next 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 if applicable and pursuant to Item 267of this act.

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 $7,300,000 the first year and $7,300,000 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 $11,500,000 the first year and $11,500,000 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 $4,000,000 on or before June 30 of the first year and $4,000,000 on or before June 30 of the second year 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 Region 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 Region 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 345, 408, and 430 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 $90,780 the first year and $90,780 the second year.

Y. Any amount designated by the State Comptroller from the June 30, 2022, or June 30, 2023, 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. 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 Addtnl 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.

GG. 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.

HH. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 63 of this act is estimated at $500,000 the first year and $500,000 the second year.

II. No later than July 31, 2022, the State Comptroller shall execute a one-time transfer totaling $25.0 million from the unobligated balances of the Community Flood Preparedness Fund (09037) to the Resilient Virginia Revolving Loan Fund, established pursuant to § 10.1-603.29, Code of Virginia.

JJ. The Virginia Department of Agriculture and Consumer Services (VDACS) is authorized to transfer 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, and the Seafood Market Building located at 18555 Garey Road, Melfa, Virginia 23410 for no consideration to the Industrial Authority of Accomack County (IAAC) subject to an appropriation being made satisfactory to the Virginia Department of Treasury for the remediation of tax-advantaged bonds that financed the construction, improvement and equipping of such facilities. VDACS is further authorized to grant any and all easements necessary to complete the conveyance. IAAC will be responsible for all transaction expenses associated with the transfer.

KK. On or before June 30, 2024, the State Comptroller shall transfer to the general fund an amount estimated at $1,000,000 from the Virginia Bioscience Health Research Corporation.

LL. On or before June 30, 2024, the State Comptroller shall transfer to the general fund an estimated $18,934 in nongeneral fund cash balances remaining for two legislative commissions that have concluded and for which remaining funds cannot be otherwise used. While total amounts remaining for these funds are authorized for transfer, specific amounts estimated include: (i) an amount estimated at $18,745 in balances for defunct agency 867, Virginia Bicentennial of the American War of 1812 Commission, and (ii) an amount estimated at $189 for defunct agency 872, Virginia World War I and World War II Commemoration Commission.

MM. On or before June 30, 2024, the State Comptroller shall transfer to the general fund an amount estimated at $250,000 from the special fund balances of the Commission on the Virginia Alcohol Safety Action Program.

NN. On or before June 30, 2024, the State Comptroller shall transfer $4,929,426 to the general fund from the Covered Institution Interest Escrow Fund (fund 03220) from agencies in the amounts listed below:

The College of William and Mary (204)	*$506,035*
University of Virginia (207)	*$2,227,936*
University of Virginia's College at Wise (246)	*$14,861*
Virginia Commonwealth University (236)	*$743,044*
Virginia Polytechnic Institute and State University (208)	*$1,437,550*

§ 3-1.02 INTERAGENCY TRANSFERS

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

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

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

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

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

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

§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

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

B. The State Comptroller shall provide a Working Capital Advance for up to $16,000,000 on July 1 of the first year to the Department of Veterans Services to operate the Puller & Cabacoy Veterans Care Centers, to be repaid from revenue generated by the facilities.

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

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

§ 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 Emergency Management, for Next Generation 911 service	$15,000,000
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	$30,000,000
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
Department of Social Services, for timing issues related to the receipt of federal grants and other payments	$17,000,000

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, 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.

i. The line of credit authorized in paragraph a. for the Virginia Department of Emergency Management, for Next Generation 911 service shall be provided to the 911 Services Board as a temporary cash flow advance. Funds received from the line of credit shall be used only to support implementation of next generation 911 service and shall be distributed in a manner consistent with § 56-484.17 (D), Code of Virginia. The request for the line of credit shall be prepared in the formats as approved by the Secretary of Finance and the Secretary of Public Safety and Homeland Security. The Secretary of Finance and the Secretary of Public Safety and Homeland Security shall approve drawdowns from the Virginia Department of Emergency Management's Next Generation 911 line of credit prior to the expenditure of funds.

§ 3-3.00 GENERAL FUND DEPOSITS

§ 3-3.01 PAYMENT BY THE STATE TREASURER

The state Treasurer shall transfer an amount estimated at $50,000 on or before June 30, 2023 and an amount estimated at $50,000 on or before June 30, 2024, to the general fund from excess 9(c) sinking fund balances.

§ 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 2022-2024 biennium.

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.

§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS

§ 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

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

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

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

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

Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The estimated amount of such transfers are $507,300,000 the first year and $522,000,000 the second year.

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

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

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

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

§ 3-5.06. Omitted.

§ 3-5.07 DISCOUNTS AND ALLOWANCES

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

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

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

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

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

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

§ 3-5.09 INTANGIBLE HOLDING COMPANY ADDBACK

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

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

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

§ 3-5.10 REGIONAL FUELS TAX

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

§ 3-5.11 DEDUCTION FOR ABLE ACT CONTRIBUTIONS

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

B. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, Code of Virginia, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified disability expenses, as defined in § 529A of the Internal Revenue Code; or (ii) the beneficiary's death.

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

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

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

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

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

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

§ 3-5.13 ADMISSIONS TAX

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

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

A. Notwithstanding any other provision of law the General Assembly shall not advance the sunset date on any existing sales tax exemption or tax credit beyond June 30, 2025. Any new sales tax exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2024 regular legislative session, shall have a sunset date of not later than June 30, 2025. However, this requirement shall not apply to tax exemptions administered by the Department of Taxation under § 58.1-609.11, relating to exemptions for nonprofit entities nor shall it apply to exemptions or tax credits with sunset dates after June 30, 2022, enacted or advanced during the 2016 Session of the General Assembly, or to the Motion Picture Production Tax Credit under § 58.1-439.12:03, Code of Virginia.

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

§ 3-5.15 PROVIDER COVERAGE ASSESSMENT

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

B.1. The coverage assessment shall be used only to cover the non-federal share of the “full cost of expanded Medicaid coverage" for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including the administrative costs of collecting the coverage assessment and implementing and operating the coverage for newly eligible adults which includes the costs of administering the provisions of the Section 1115 waiver.

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

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

C.1. The “coverage assessment amount" shall equal the non-federal share of the “full cost of expanded Medicaid coverage" times 1.02.

2. The “coverage assessment percentage" shall be calculated quarterly by dividing (i) the “coverage assessment amount" by (ii) the total “net patient service revenue" for hospitals subject to the assessment. The coverage assessment amount used in the quarterly calculation of the “coverage assessment percentage” shall include a reconciliation of the Health Care Coverage Assessment Fund prescribed in D.1 and subtract all prior quarterly assessments paid for that fiscal year before dividing the remainder by the remaining quarters in the fiscal year.

3. Each hospital's “net patient service revenue” equals the amount reported in the most recent Virginia Health Information (VHI) “Hospital Detail Report.” Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

4. Each hospital's coverage assessment amount shall be calculated by multiplying the quarterly “coverage assessment percentage” times each hospital's net patient service revenue.

D.1. DMAS shall, at a minimum, update the “coverage assessment amount” whenever the “full cost of expanded Medicaid coverage” is updated in section B.2.b or to ensure amounts are sufficient to cover the full cost of expanded Medicaid coverage based on the latest estimate. Hospitals shall be given no less than 15 days' notice prior to the beginning of the quarter with associated calculations supporting the change in its coverage assessment amount. Prior to any change to the coverage assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Coverage Assessment Fund through the most recent complete quarter. Any estimated excess or shortfall of revenue shall be deducted from or added to the "coverage assessment amount."

2. DMAS shall be responsible for collecting the coverage assessment amount. Hospitals subject to the coverage assessment shall make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year.

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

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

F. All revenue from the coverage assessment excluding penalties, shall be deposited into the Health Care Coverage Assessment Fund. Proceeds from the coverage assessment, excluding penalties, shall not be used for any other purpose than to cover the non-federal share of the full cost of expanded Medicaid coverage. Notwithstanding any other provision of law, the net state share of any prior year recovery of Medicaid expansion costs that were paid with coverage assessment revenue shall be deposited into the Health Care Coverage Assessment Fund.

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

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

§ 3-5.16 PROVIDER PAYMENT RATE ASSESSMENT

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

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

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

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

3. Each hospital's “net patient service revenue” equals the amount reported in the most recent Virginia Health Information (VHI) “Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

D. DMAS is authorized to update the payment rate assessment amount and payment rate assessment percentage on a quarterly basis to ensure amounts are sufficient to cover the non-federal share of the full cost of the private acute care hospital enhanced payments based on the department's quarterly claims and encounter data. Hospitals shall be given no less than 15 days prior notice of the new assessment amount and be provided with calculations. Prior to any change to the payment rate assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Provider Payment Rate Assessment Fund. Any estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or added to the calculation of the private acute care hospital enhanced payments.

E.1. The "upper payment limit" means the limit on payment for inpatient services for recipients of medical assistance established in accordance with 42 C.F.R. § 447.272 and outpatient services for recipients of medical assistance pursuant to 42 C.F.R. § 447.321 for private hospitals. DMAS shall complete a calculation of the “upper payment limit" for each state fiscal year with a detailed analysis of how it was determined. The "upper payment limit payment gap" means the difference between the amount of the private hospital upper payment limit and the amount otherwise paid pursuant to the state plan for inpatient and outpatient services. The "managed care organization hospital payment gap" means the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims and the amount that would be included when the projected hospital services furnished by private acute care hospitals operating in Virginia are priced for the contract year equivalent to the maximum managed care directed payment amount as allowed by CMS subject to CMS approval under 42 C.F.R. section 438.6(c). As part of the development of the managed care capitation rates, the DMAS shall calculate a “Medicaid managed care organization (MCO)

supplemental hospital capitation payment adjustment". This is a distinct additional amount that shall be added to Medicaid MCO capitation rates to fund supplemental payments under this section to private acute care hospitals operating in Virginia for services to Medicaid recipients.

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

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

F.1. DMAS shall be responsible for collecting the payment rate assessment amount. Hospitals subject to the payment rate assessment shall make quarterly payments due no later than August 15, November 15, February 15 and May 15 of each state fiscal year.

2. Hospitals that fail to make the payment rate assessment payments on or before the due date in subsection F.1. shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid payment assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

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

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

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

§ 3-5.17 TOBACCO TAX STUDY

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

§3-5.18 HISTORIC PRESERVATION TAX CREDIT

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

§ 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, 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 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

A. Notwithstanding § 58.1-439.20 or any other provision of law, for fiscal Year 2023 and fiscal year 2024, the amount of the Neighborhood Assistance Act Tax Credit available under § 58.1-439.18 et seq., Code of Virginia, shall be limited to $20 million allocated as follows: $12.0 million for education proposals for approval by the Superintendent of Public Instruction and $8.0 million for all other proposals for approval by the Commissioner of the State Department of Social Services. In making such equitable allocation of credits, the Commissioner of Social Services and the Superintendent of Public Instruction shall consider the portion of a neighborhood organization's revenues and expenses that are used to serve low-income persons and shall not rely

solely on the amount of credits allocated to the neighborhood organization in the prior year in allocating available credits.

B. For purposes of this section, the term "individual" means the same as that term is defined in § 58.1-302, but excluding any individual included in the definition of a "business firm" as such term is defined in § 58.1-439.18.

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

§ 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.

E. 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 INDIVIDUAL INCOME TAX REBATE

In addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2021, but before January 1, 2022, an individual filing a return on or before ~~November 1, 2022~~ *March 1, 2023* or married persons filing a joint return on or before ~~November 1, 2022~~ *March 1, 2023* shall be issued a refund in an amount up to $250 for an individual, or $500 for married persons filing a joint return. An individual shall only be allowed a refund pursuant to this enactment up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this enactment up to the amount of such married persons' tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this enactment shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia). For taxpayers filing a return before July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but before October 17, 2022. For taxpayers filing a return on or after July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but no later than 4 months after such return is filed. In no case shall any interest be paid on any refund due pursuant to this enactment.

§ 3-5.24 RETAIL SALES AND USE TAX EXEMPTION FOR CERTAIN DRILLING EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 12 of § 58.1-609.3 of the Code of Virginia, applicable to raw materials, fuel, power, energy, supplies, machinery or tools or repair parts therefor or replacements thereof, used directly in the drilling, extraction, or processing of natural gas or oil and the reclamation of the well area shall remain in effect through July 1, 2023.

§ 3-5.25 SALES AND USE TAX HOLIDAY FOR CERTAIN SCHOOL SUPPLIES, HURRICANE PREPAREDNESS EQUIPMENT, AND ENERGY SAVINGS EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption holidays authorized in subdivision 18 of § 58.1-609.1, § 58.1-611.2 and § 58.1-611.3 of the Code of Virginia, applicable to Energy Star or Watersense qualified products, school supplies, clothing and footwear, and certain hurricane preparedness equipment shall remain in effect through July 1, 2023.

§ 3-5.26 FOOD CROP DONATION TAX CREDIT

Notwithstanding any other provision of law or regulation, the tax credit authorized in § 58.1-439.12:12 of the Code of Virginia pursuant to a credit for food crop donations shall remain in effect through the tax year beginning on January 1, 2022.

§ 3-5.27 RETAIL SALES AND USE TAX EXEMPTION FOR DONATED EDUCATIONAL MATERIALS

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 7 of § 58.1-609.6 of the Code of Virginia, applicable to textbooks and other educational materials that are donated shall remain in effect through July 1, 2023.

§ 3-5.28 2-23 INDIVIDUAL INCOME TAX REBATE

A. There is hereby established in the State Treasury and on the books of the State Comptroller a special nonreverting fund known as the "2023 Individual Income Tax Rebate Fund". On or before October 1, 2023, the State Comptroller shall transfer an estimated $906,800,000 from the general fund to the 2023 Individual Income Tax Rebate Fund to issue refunds pursuant to paragraph B. The Governor, in consultation with the State Comptroller and the Tax Commissioner, shall certify to the General Assembly on or before December 1 any additional transfer amounts to the Fund necessary to issue refunds pursuant to paragraph B.

B. In addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2022, but before January 1, 2023, an individual filing a return before on or before November 1, 2023, or married persons filing a joint return on or before November 1, 2023, shall be issued a refund out of the 2023 Individual Income Tax Rebate Fund in an amount up to $200 for an individual, or $400 for married persons filing a joint return. An individual shall only be allowed a refund pursuant to this enactment up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this enactment up to the amount of such married persons' tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this enactment shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia). For taxpayers filing a return before July 1, 2023, refunds due pursuant to this enactment shall be issued on or before November 30, 2023. In no case shall any interest be paid on any refund due pursuant to this enactment.

C. For purposes of determining the amounts required to be deposited to the Revenue Stabilization Fund pursuant to Article X, Section 8, Constitution of Virginia, the certified amounts for fiscal year 2023 shall include any amounts transferred from the general fund to the 2023 Individual Income Tax Rebate that will be used to provide refunds pursuant to paragraph B.

D. For the purposes of determining the amounts required to be deposited to the Revenue Reserve Fund pursuant to § 2.2-1831.3, Code of Virginia, and the amounts required to be deposited to the Water Quality Improvement Fund pursuant to § 10.1-2128, Code of Virginia, for fiscal year 2023, general fund revenue collections shall include any amounts transferred to the 2023 Individual Income Tax Rebate that will be used to provide refunds pursuant to paragraph B.

§ 3.5-29 REAL PROPERTY TAX

A. Virginia Code § 58.1-3295.3 requires fixtures in a data center, when classified as real estate, to be valued by a locality based on the cost approach (cost less depreciation) rather than the income generated. Fixtures in a data center, when classified as real estate, shall be assessed at one-hundred percent fair market value as determined by the cost approach and consistent with § 58.1-3201.

§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

§ 3-6.01 RECORDATION TAX FEE

There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§

58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55.1-345, Code of Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1-2128.1, Code of Virginia.

§ 3-6.02 ANNUAL VEHICLE REGISTRATION FEE ($6.25 FOR LIFE)

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

§ 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

A. Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund shall be $100.

B. Notwithstanding the provisions of § 46.2-395 of the Code of Virginia, no court shall suspend any person's privilege to drive a motor vehicle solely for failure to pay any fines, court costs, forfeitures, restitution, or penalties assessed against such person. The Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges including those paid to the Trauma Center Fund. Nothing herein shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license.

§ 3-6.04 ASSESSMENT OF ELECTRONIC SUMMONS FEE BY LOCALITIES

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

§ 3-6.05 PROCEDURES FOR PREPAYMENT OF CIVIL PENALTIES IN AN EXECUTIVE ORDER

Any civil penalty under § 44-146.17(1) shall be prepayable in the amount set by executive order and in accordance with § 16.1-69.40:2 B of the Code of Virginia. Any civil penalty amount set by executive order shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial.

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. To the extent that a public institution of higher education maintains and operates university housing during scheduled intercessions, the institution shall provide access to housing for students eligible under § 23.1-601, Code of Virginia at no cost to the student provided that the student (i) is a registered student for the immediate following term and (ii) meets the definitions and conditions of the federal McKinney-Vento Homeless Assistance Act.

§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

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

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

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

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

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

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

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

c. Increased Nongeneral Fund Revenue:

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

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

d. Reduced General Fund Resources:

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

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

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

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

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

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

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees concurrently with that budget reduction plan.

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

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

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

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

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

billing cycles that have been established by law or policy by the governing board.

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

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

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

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

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

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

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

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

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

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

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

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

§ 4-1.03 APPROPRIATION TRANSFERS

GENERAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those services at the present level, or

c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia, or

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director,

Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

§ 4-1.04 APPROPRIATION INCREASES

a. UNAPPROPRIATED NONGENERAL FUNDS:

1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:

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

2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or

3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or

5) participate in a federal or sponsored program provided that the provisions of § 4-5.03 shall also apply to increases in appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a condition of their acceptance; or

6) realize cost savings in excess of the additional funds provided, or

7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or

8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 l of this act, or

9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall make a listing of such transactions available to the public via electronic means no less than ten business days following the approval of the appropriation of any such

balance.

5. Reporting:

The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

b) General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 23.1-1002, Code of Virginia.

c) To improve the stability in institutional planning and predictability for students and families to prepare for the cost of higher education, public higher education institutions are encouraged to employ the financial management strategy of establishing an institutional reserve fund supported by any unexpended education and general appropriations of the institution at the end of the fiscal year. The establishment of such a fund is designed to foster more long-term planning, promote efficient resource utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians. Independent of the provisions of § 23.1-1001, institutions are authorized to carry over education and general unexpended balances to establish and maintain a reserve fund in an amount not to exceed six percent of their general fund appropriation for educational and general programs in the most recently-completed fiscal year. Any use of the reserve fund shall be approved by the Board of Visitors of the affected institution, and the institution shall immediately report the details of the approved plan for use of the reserve fund to the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Any reserve fund shall be subject to the provisions of § 23.1-1303.B.11.

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

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

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

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

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

b. NONGENERAL FUND OPERATING EXPENSE:

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

c. CAPITAL PROJECTS:

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

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

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

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

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

b. LIMITATIONS ON CASH DISBURSEMENTS.

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

§ 4-1.07 ALLOTMENTS

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

§ 4-2.00 REVENUES

§ 4-2.01 NONGENERAL FUND REVENUES

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

1. a) No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds, except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less than $5,000, such as

library items or small display items, may be approved by the Executive Director of the Virginia War Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

b) The limits on solicitation and acceptance of donations, gifts, grants, and contracts stated in paragraph 1.a) above shall not apply to donations, gifts, grants, and contracts associated with support and/or response to the needs and impacts of the COVID-19 pandemic provided that acceptance of such does not create any ongoing commitments against general or nongeneral fund resources of the Commonwealth.

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

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

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

5. Notwithstanding any other provision of law, public institutions of higher education may enter into agreements or contracts with nonprofit organizations that provide funding for research or other mission related activities and require use of binding arbitration or application of the laws of another jurisdiction, upon approval of the Office of the Attorney General.

b. HIGHER EDUCATION TUITION AND FEES

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

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

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

c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent, unless: i) such enrollment is intended to support workforce development needs within the Commonwealth of Virginia as identified in consultation with the Virginia Economic Development Partnership, and ii) the number of in-state undergraduate students does not drop below fall 2018 full-time equivalent census levels as certified by the State Council of Higher Education for Virginia. Norfolk State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction. Any such increases shall be limited to no more than a one percentage point increase over the prior year.

3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to

cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 144 and 145 of the 2019 Acts of Assembly, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of $4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) 1) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond three percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

2) The University of Mary Washington is hereby authorized to undertake a review of its tuition and fee structure for the purpose of more closely aligning auxiliary fees, including room, board, and the comprehensive fee, with auxiliary expenditure budgets. Adjustments to mandatory fees in auxiliary programs may exceed three percent subject to annual approval by the University's Board of Visitors to the extent required to effect budgetary alignment of revenues and expenditures. This exemption will be limited to the period beginning in fiscal year 2019-20 and extending through the end of fiscal year 2023-24.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

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

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

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

c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

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

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

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

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

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

§ 4-2.02 GENERAL FUND REVENUE

a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

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

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

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

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

3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.

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

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

6) Revenue payable to the Oyster Leasing Conservation and Replenishment Programs Fund.

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

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

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

d) Secretary of the Commonwealth, from all sources.

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

f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.

g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

h) Department of the Treasury, from the following source:

Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is

paid.

k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates in educational programs shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds – Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

a. Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

c. DATE OF RECEIPT OF REVENUES:

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

d. RECOVERIES BY THE OFFICE OF THE ATTORNEY GENERAL

1. As a condition of the appropriation for Item 59 of this Act, there is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; two members of the House of Delegates appointed by the Speaker of the House; two members of the Senate appointed by the Chairman of the Senate Committee on Rules; and two members appointed by the Governor.

2. Whenever forfeitures are available for distribution by the Attorney General through programs overseen by either the U.S. Department of Justice Asset Forfeiture Program or the U.S. Treasury Executive Office for Asset Forfeiture, by virtue of the Attorney General's participation on behalf of the Commonwealth or on behalf of an agency of the Commonwealth, the Attorney General shall seek input from the Committee, to the extent permissible under applicable federal law and guidelines, for the preparation of a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both. If a federal entity must approve the Plan for such distribution or use, or both, and does not approve the Plan submitted by the Attorney General, the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval following notification of the Committee. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall inform the Committee, and ensure that such money or property, or both, is distributed or used, or both, in a manner that is consistent with the Plan approved by the federal entity. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller and consistent with any federal authorization in order to ensure proper accounting on the books of the Commonwealth.

§ 4-2.03 INDIRECT COSTS

a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

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

b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

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

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

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

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

c. INSTITUTIONS OF HIGHER EDUCATION:

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

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

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

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

d. REPORTS

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

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS

§ 4-3.01 DEFICITS

a. GENERAL:

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

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

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

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

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

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

3. Deficits shall not be authorized for capital projects.

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

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

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

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

§ 4-3.02 TREASURY LOANS

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

b. ANTICIPATION LOANS: Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on anticipation loans made for operating purposes and capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

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

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01 L: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 l are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when collected.

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 l is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 l, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such plans and reported to the Chairman of the House Appropriations and Senate Finance and Appropriations Committees.

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

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

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

§ 4-3.03 LONG-TERM LEASES

a. GENERAL:

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

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as long-term lease agreements. The State Treasurer shall be responsible for incorporating existing and authorized long-term lease agreements meeting the approved parameters into the annual Debt Capacity Advisory Committee reports.

b. APPROVAL OF FINANCINGS:

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

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

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

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

§ 4-4.00 CAPITAL PROJECTS

§ 4-4.01 GENERAL

a. Definition:

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

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

3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the lease remain the property of the lessor.

4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C and 33.2-1010, Code of Virginia.

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

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and private sector projects.

2. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and

2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.

3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 l hereof, or projects included under the central appropriations for capital project expenses in this act.

g. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

h. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor or his designee.

2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided, however, that the Governor or his designee is authorized to release from any appropriation for a major state project made pursuant to this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-1188, Code of Virginia.

3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.

4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or activity.

i. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be reviewed as follows:

1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, State Council of Higher Education for Virginia, if the project is requested by an institution of higher education.

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1 of each year.

3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the Constitution of Virginia.

j. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04 a.3, and 4-4.01 l of this act.

k.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 l of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

l. Projects Not Included In This Act:

1. Authorization by Governor:

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

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

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

1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.

5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

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

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

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

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

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

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

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

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

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

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any repair, renovation, or new construction project costing up to $3,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the $3,000,000 maximum.

2. All state agencies and institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to $3,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to $3,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid

award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

n. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

o. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

p. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

q. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

r.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

s.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

t. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as follows:

1. Such improvements shall be considered an operating expense, provided that:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval

and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the total cost does not exceed $3,000,000; and

e) if the total cost exceeds $3,000,000, but does not exceed $7,000,000, the energy savings from the project offset the total cost of the project, including debt service and interest payments.

2. If (a) the total cost of the improvement exceeds $7,000,000 or (b) the total cost exceeds $3,000,000, but does not exceed $7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the following conditions must be met:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the project has been reviewed by the Department of Planning and Budget; and

e) the project has been approved by the Governor.

3. If the total project exceeds $250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.

The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy conservation projects that qualify as capital expenses.

4. As used in this paragraph, “improvement” does not include (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures, If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay process as set out in this section.

5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.

u. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

v. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

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

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

year and any projects that would be eligible for such funding in future fiscal years.

§ 4-4.02 PLANNING AND BUDGETING

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

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

§ 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

§ 4-5.01 TRANSACTIONS WITH INDIVIDUALS

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

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

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

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the Council.

2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the percentage used for federal Return to Title IV program purposes.

e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according to the size of comparable awards made in that institution's regular session.

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the soil scientist scholarships authorized under § 23.1-615, Code of Virginia and (2) need-based financial aid programs for industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will be subject to guidelines developed by the State Council of Higher Education for Virginia.

g) Unless noted elsewhere in this act, general fund awards shall be named "Commonwealth" grants.

h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

2. Grants To Undergraduate Students:

a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend such sums as approved for that purpose by the Council.

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23.1, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

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

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

5. Discontinued Loan Program:

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

b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23.1, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact

that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

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

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

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

C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

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

d. VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGAM

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

§ 4-5.02 THIRD PARTY TRANSACTIONS

a. EMPLOYMENT OF ATTORNEYS:

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

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

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

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

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

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

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

d. DEBT COLLECTION SERVICES:

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

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

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

§ 4-5.03 SERVICES AND CLIENTS

a. CHANGED COST FACTORS:

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

b) The limits on altering or changing cost factors stated in paragraph 1.a) above shall not apply to changes associated with implementing and/or altering services in response to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

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

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

4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless the resulting change is provided in the final General Assembly enacted budget.

5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in this Item for each internal service fund.

6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-1.03 a. 7 of this act.

7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond the rates enacted in the budget in the event of an emergency or to implement actions approved by the General Assembly, upon prior notice to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Such prior notice shall be no less than five days prior to enactment of a revised or new rate and shall include the basis of the rate change and the impact on state agencies.

8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and

Budget consistent with the provisions of this Item.

9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state agency shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an appropriation proration of such expenses.

b. NEW SERVICES:

1.a) No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

b) The limits on establishing new services stated in paragraph 1.a) above shall not apply to new services established to respond to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. a) The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the success of the programs at the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute, and encourages these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and establishment of the Virginia Tech/Carilion School of Medicine within the institution notwithstanding § 23.1-203 Code of Virginia. No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution.

b) Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the teaching hospital affiliated with the Virginia Tech Carilion School of Medicine. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to Medicaid hospital services in Western Virginia. The funds to be transferred must comply with 42 CFR 433.51.

4. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

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

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

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

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

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

d. PERFORMANCE MEASUREMENT

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

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

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

§ 4-5.04 GOODS AND SERVICES

a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

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

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

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

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

b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and services of every description for its own benefit or on behalf of other state executive branch agencies and institutions, or authorize other state executive branch agencies or institutions to undertake such procurements on their own. “Executive branch agency” means the same as that term is defined in § 2.2-2006.

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth

University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, or to the Virginia Alcoholic Beverage Control Authority.

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education and the Alcoholic Beverage Control Authority shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education and the Authority to like vehicles under the state contract. If the comparison demonstrates for a given institution or the Authority that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution or the Authority pursuant to this subparagraph c.

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

d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia Lottery

Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2006, Code of Virginia.

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

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

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

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

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

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

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

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

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

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

i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.

j. TELECOMMUNICATION SERVICES AND DEVICES:

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

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

3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to

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

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

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

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

m. In an effort to expand cooperative procurement efforts, all public institutions of higher education in the Commonwealth of Virginia may access the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) contracts regardless of their level of purchasing delegated authority, non-VASCUPP institutions shall amend terms and conditions of VASCUPP contracts to incorporate Virginia Public Procurement Act, and Commonwealth of Virginia Agency Procurement and Surplus Property Manual.

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

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

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

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

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

b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been incurred for its operation.

3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

4. Operating appropriations for nonstate agencies equal to or in excess of $150,000 shall be disbursed to nonstate agencies in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations for nonstate agencies of less than $150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements.

5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency shall include the request of such commission or organization within its own request, but identified separately. Requests by the commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget, listing the name and purpose for organizational memberships held by that agency with annual dues of $5,000 or more. The institutions of higher education shall be exempt from this reporting requirement.

§ 4-5.06 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § 2.2-104 , Code of Virginia.

b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which

institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until revoked.

c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and Appropriations and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the decentralization program.

d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of $100,000 for a single project, the not to exceed sum of $500,000 for all projects performed, and the option to renew for two additional one-year terms.

g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

§ 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 shall be secured by, and at the discretion of, the Division of Risk Management, Department of the Treasury, pursuant to the provisions of Virginia Code §2.2-1837(A)(2), through either 1) the Virginia Risk Management Liability Plan (“the Plan"), or 2) a separate insurance policy procured by the Division of Risk Management, the cost of which shall be charged to the agencies using USFS lands.

§ 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs, pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the

Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the extent to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the memorandum of understanding.

b. The Governor shall consult with the House Appropriations and Senate Finance and Appropriations Committees before amending any existing memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the Commonwealth.

§ 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

1. Any emergency declared in accordance with §§ 44-146.18:2 or § 44-146.28, Code of Virginia, or

2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.

3. Surplus property valued at less than $5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the property.

c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road known as Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's Culpeper District Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road network in the Town of Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the Town of Culpeper, upon such terms and conditions as the Department deems proper and for such considerations the Department may determine, the property on which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled "plat Showing Property and Various Easements for Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper County, Virginia" prepared by ATCS P.L.C and sealed March 14, 2012, together with easements to the Town of Culpeper for electric utility, slopes and drainage as shown on said plat. The conveyance shall be made with the approval of the Governor and in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

d. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, if tax-exempt bonds were issued by the Commonwealth or its related authorities, boards or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law to maintain the tax-exempt status of such bonds.

§ 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair market value as determined by the assessments.

b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Commonwealth's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 ~~D~~ *I*, Code of Virginia.

c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee shall report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees. The report shall include information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund, and the fair market value of the sold property.

d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those subaqueous

lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

e. Notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall begin the process to convey, as is and pursuant to § 2.2-1150, approximately 432 acres of land located within County of York, Virginia, known as Tax Parcel 12-00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority, or any of its members, subsidiaries or affiliates (hereinafter referred to Authority) for an amount not to exceed $1,350,000. The Commonwealth of Virginia shall provide to the Authority copies of the two most recent state appraisals for 150-200 acres for the parcel, and in no case shall the transaction price per acre exceed the average of the two most recent state appraisals. The Authority shall have the right to waive the appraisal requirement. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents. The conveyance of the Property should occur no later than December 31, 2021, but may occur earlier if requested by the Authority. The Authority and its designees shall have the right to enter the Property and to perform due diligence and design studies and activities prior to the conveyance. The Authority shall have the right to file applications and related documents seeking land, zoning and use entitlements, and the Commonwealth is authorized to execute such documents as may be required for such purposes, but without incurring obligations on the Commonwealth by such execution.

1. The Authority is authorized to convey the property rights for portions of the Property conveyed by the Commonwealth in paragraph e., to one or more operators of one or more utility scale solar facilities, or to lease the property rights to such an operator or operators, for an amount as agreed by the Authority and such operator(s).

2. Any remaining Property at the site shall be subject to a deed restriction created in the Commonwealth of Virginia and Authority property sale described herein to restrict the use of such property by the Authority to any non-residential use, as determined by the Authority.

f. There is hereby created in the state treasury a special subfund of the Virginia Business Ready Sites Program Fund, known as the Site Replacement Fund. The Site Replacement Fund shall be established on the books of the Comptroller. Any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Site Replacement Fund. Interest earned on moneys in the Site Replacement Fund shall remain in the Site Replacement Fund and be credited to it. In addition, notwithstanding the provisions of the preceding subsection b, with respect to sales of property in Henrico County where the Commonwealth has a continuing interest pursuant to that certain Real Estate Purchase Agreement dated May 20, 1996, and any amendments thereto, sales proceeds received by the Commonwealth in excess of the fair market value, as defined in such Real Estate Purchase Agreement, as amended, shall be deposited to the Site Replacement Fund. Moneys in the Site Replacement Fund shall be used in accordance with Section §2.2-2240.2:1, Code of Virginia and the guidelines established by the Virginia Economic Development Partnership Authority for the Virginia Business Ready Sites Program Fund, except that moneys, and any interest thereon, deposited into the Site Replacement Fund pursuant to sales of the aforementioned property in Henrico County shall be maintained for and made available only to the Economic Development Authority of Henrico County, Virginia. Any grant made from the Site Replacement Fund to such Economic Development Authority shall only be from moneys, and any interest thereon, deposited into the Site Replacement Fund pursuant to sales of the aforementioned property in Henrico County. Moneys remaining in the Site Replacement Fund at the end of each fiscal year, including interest, shall not revert to the general fund, but shall revert to the general fund at the end of the fiscal year after the fifth anniversary of the deposit of such moneys in the Site Replacement Fund.

§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

a. 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.

b. All property controlled by the Department of General Services shall require a permit for use by persons, organizations, or groups for events. Such events are eligible for a permit when the use will not interfere with or disrupt a function sponsored by the Commonwealth of Virginia government entity in support of an agency's mission. The Department shall prepare and publish on its website the requirements for the submission, processing, review, and disposition of permit applications for events on property controlled by the Department to ensure the health, safety, and welfare of the public; coordinate multiple uses of the property; preserve the rights of individuals to free expression; and to protect the Commonwealth from financial and property losses.

For the purposes of this subsection, an “event” means the assemblage on property controlled by the Department of ten (10) or more persons for any demonstration, rally, march, performance, picketing, speechmaking, holding of vigils, sit-ins, or other

activities that involve the communication or expression of views or ideas having the effect, intent, or propensity to draw a crowd or onlookers. An “event” does not include casual use of the property by visitors or tourists.

All existing regulations for the use of property controlled by the Department shall remain in effect unless amended or rescinded. The Virginia Division of Capitol Police and other law enforcement entities having jurisdiction shall enforce the Department's property use requirements.

§ 4-6.00 POSITIONS AND EMPLOYMENT

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown. However, if an incumbent is reappointed, his or her salary may be as high as his or her prior salary.

	July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~ *December 9, 2023***	***December 10, 2023 to June 30,2024***
Chief of Staff	$202,705	$212,840	*$217,097*
Secretary of Administration	$194,845	$204,587	*$208,679*
Secretary of Agriculture and Forestry	$199,228	$209,190	*$213,374*
Secretary of Commerce and Trade	$194,845	$204,587	*$208,679*
Secretary of the Commonwealth	$199,229	$209,190	*$213,374*
Secretary of Education	$194,845	$204,587	*$208,679*
Secretary of Finance	$203,839	$214,031	*$218,312*
Secretary of Health and Human Resources	$194,845	$204,587	*$208,679*
Secretary of Labor	$194,845	$204,587	*$208,679*
Secretary of Natural and Historic Resources	$194,845	$204,587	*$208,679*
Secretary of Public Safety and Homeland Security	$201,433	$211,505	*$215,735*
Secretary of Transportation	$194,845	$204,587	*$208,679*
Secretary of Veterans and Defense Affairs	$199,228	$209,189	*$213,373*

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range except if the new hire was employed in a state classified position, then the Governor may exceed the maximum salary for the position and set the salary for the employee at a salary level not to exceed the employee's salary at their prior state position.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar positions in the public sector.

2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Human Resource Management for retention in its records.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

5.a. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Virginia Museum of Natural History, Gunston Hall, and the Library Board may supplement the salary of the Director of each museum, and the Librarian of Virginia from nonstate funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The Board of Trustees of the Jamestown-Yorktown Foundation may supplement, using nonstate funds, the salary of the Executive Director of the Foundation. In approving the supplement the Board should be guided by criteria which provides a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable Foundations in other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.

July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~**	***December 10, 2023 to June 30, 2024***

		December 9, 2023	
Level I Range	**$190,717 - $266,213**	**~~$200,253~~ - ~~$279,524~~** ***$195,846 - $279,524***	***$199,763 - $285,114***
Midpoint	**$228,465**	**~~$239,888~~** ***$237,685***	***$242,439***
Chief Information Officer, Virginia Information Technologies Agency	$234,150	$245,858	*$250,775*
Commissioner, Department of Motor Vehicles	$191,086	$200,640	*$204,653*
Commissioner, Department of Social Services	$266,213	$279,524	*$285,114*
Commissioner, Department of Behavioral Health and Developmental Services	$266,213	$279,524	*$285,114*
Commonwealth Transportation Commissioner	$240,906	$252,951	*$258,010*
Director, Department of Corrections	$213,188	$223,847	*$228,324*
Director, Department of Environmental Quality	$226,366	$237,684	*$242,438*
Director, Department of Medical Assistance Services	$229,210	$240,671	*$245,484*
Director, Department of Planning and Budget	$186,520	$195,846	*$199,763*
State Health Commissioner	$226,366	$237,684	*$242,438*
State Tax Commissioner	$190,717	$200,253	*$204,258*
Superintendent of Public Instruction	$266,213	$279,524	*$285,114*
Superintendent of State Police	$213,946	$224,643	*$229,136*

	July 10, 2022 **to** **June 9, 2023**	**July 10, 2022** **to** **~~June 30, 2024~~** ***December 9, 2023***	***June 10, 2023*** ***to*** ***June 30, 2024***
Level II Range	**$129,515 - $288,750**	**~~$139,052~~ - ~~$218,921~~** ***$135,991 - $303,188***	***$138,711 - $309,252***
Midpoint	**$209,133**	**~~$178,986~~** ***$219,590***	***$223,982***
Commissioner, Department for Aging and Rehabilitative Services	$180,575	$189,604	*$193,396*

Commissioner, Department of Agriculture and Consumer Services	$169,006	$177,456	*$181,005*
Commissioner, Department of Veterans Services	$169,006	$177,456	*$181,005*
Commissioner, Virginia Employment Commission	$189,000	$198,450	*$202,419*
Executive Director, Department of Wildlife Resources	$159,217	$167,178	*$170,522*
Commissioner, Marine Resources Commission	$160,860	~~$168,903~~ *$135,991*	*$138,711*
Director, Department of Forensic Science	$194,093	$203,798	*$207,874*
Director, Department of General Services	$193,685	$203,369	*$207,436*
Director, Department of Human Resource Management	$183,868	~~$193,061~~ *$175,350*	*$178,857*
Director, Department of Juvenile Justice	$169,006	$177,456	*$181,005*
Director, Department of Energy	$170,011	$178,512	*$182,082*
Director, Department of Rail and Public Transportation	$176,453	~~$185,276~~ *$209,475*	*$213,665*
Director, Department of Small Business and Supplier Diversity	$176,085	~~$184,889~~ *$183,750*	*$187,425*
Executive Director, Motor Vehicle Dealer Board	$132,430	$139,052	*$141,833*
Executive Director, Virginia Port Authority	$163,671	$171,855	*$175,292*
State Comptroller	$199,896	$209,891	*$214,089*
State Treasurer	$199,728	~~$209,714~~ *$183,750*	*$187,425*
Executive Director, Board of Accountancy	$164,259	$172,472	*$175,921*
Chief Executive Officer, Virginia Alcoholic Beverage Control Authority	$208,496	~~$212,921~~ *$303,188*	*$309,252*
	July 10, 2022 to June 9, 2023	**June 10, 2024 to ~~June 30, 2024~~**	***December 10, 2023 to June 30, 2024***

		December 9, 2023	
Level III Range	**$124,965 - $181,903**	**~~$131,213~~ - ~~$190,998~~** ***$133,837 - $190,998***	***$136,514 - $194,818***
Midpoint	**$153,434**	**~~$161,106~~** ***$162,418***	***$165,666***
Adjutant General	$181,903	$190,998	*$194,818*
Chairman, Virginia Parole Board	$177,899	$186,794	*$190,530*
Vice Chairman, Virginia Parole Board	$127,464	~~$133,837~~ *$137,774*	*$140,529*
Member, Virginia Parole Board	$131,213	~~$133,774~~ *$133,837*	*$136,514*
Commissioner, Department of Labor and Industry	$162,750	$170,888	*$174,306*
Coordinator, Department of Emergency Management	$154,556	$162,284	*$165,530*
Director, Department of Aviation	$169,923	$178,419	*$181,987*
Director, Department of Conservation and Recreation	$177,899	$186,794	*$190,530*
Director, Department of Criminal Justice Services	$159,380	~~$167,349~~ *$159,380*	*$162,568*
Director, Department of Health Professions	$156,557	$164,385	*$167,673*
Director, Department of Historic Resources	$146,550	$153,878	*$156,956*
Director, Department of Housing and Community Development	$154,556	$162,284	*$165,530*
Director, Department of Professional and Occupational Regulation	$154,556	$162,284	*$165,530*
Director, The Science Museum of Virginia	$160,771	$168,810	*$172,186*
Director, Virginia Museum of Fine Arts	$167,162	$175,520	*$179,030*
Director, Virginia Museum of Natural History	$137,237	$144,099	*$146,981*
Executive Director, Jamestown-Yorktown Foundation	$153,580	$161,259	*$164,484*
Executive Secretary, Virginia Racing Commission	$144,360	$151,578	*$154,610*

Librarian of Virginia	$177,899	$186,794	*$190,530*
State Forester, Department of Forestry	$163,441	$171,613	*$175,045*

	July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~ *December 9, 2023***	***December 10, 2023 to June 30, 2024***
Level IV Range	**$104,871 - $136,500**	**~~$110,115 - $143,993~~ *$110,115 - $143,325***	***$112,317 - $146,192***
Midpoint	**$121,004**	**~~$127,054~~ *$126,720***	***$129,254***
Administrator, Commonwealth's Attorneys' Services Council	$124,821	$131,062	*$133,683*
Commissioner, Virginia Department for the Blind and Vision Impaired	$136,500	$143,325	*$146,192*
Executive Director, Frontier Culture Museum of Virginia	$122,515	$128,641	*$131,214*
Commissioner, Department of Elections	$121,003	~~$127,053~~ *$139,650*	*$142,443*
Executive Director, Virginia-Israel Advisory Board	$111,017	$116,568	*$118,899*
Director, Gunston Hall	$104,871	$110,115	*$112,317*
Executive Director, Department of Fire Programs	*$108,000*	*$113,400*	*$115,668*

	July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~ *December 9, 2023***	***December 10, 2023 to June 30, 2024***
Level V Range	**$26,639 - $114,182**	**$27,971 - $119,891**	***$28,530 - $122,289***
Midpoint	**$70,411**	**$73,932**	***$75,411***
Director, Virginia Department for the Deaf and Hard-of-Hearing	$114,182	$119,891	*$122,289*
~~Executive Director, Department of Fire Programs~~	~~$113,400~~	~~$119,000~~	
Executive Director, Virginia Commission for the Arts	$111,670	~~$117,254~~ *$111,670*	*$113,903*
Chairman, Compensation Board	$26,639	$27,971	*$28,530*

7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

	July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~** ***December 9, 2023***	***December 10, 2023 to June 30, 2024***
Independent Range	**$194,793 - $210,558**	**~~$218,101- $223,008~~** ***$204,533 - $221,086***	***$208,624 - $225,508***
Midpoint	**$202,676**	**~~$220,556~~** ***$212,810***	***$217,066***
Executive Director, Virginia Lottery	$194,793	~~$223,008~~ *$204,533*	*$208,624*
Director, Virginia Retirement System	$210,558	$221,086	*$225,508*
Chief Executive Officer, Virginia College Savings Plan	$207,715	$218,101	*$222,463*

8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the compensation of its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

10. Notwithstanding any provision of this act, the Board of the Virginia Alcoholic Beverage Control Authority may supplement the salary of its Chief Executive Officer in accordance with § 4.1-101.02. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable independent agencies. The Board shall report such criteria and potential supplement level to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its record.

d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a president or director. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to $17,000.

d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	July 10, 2022 to June 9, 2023	**June 10, 2023 to ~~June 30, 2024~~ *December 9, 2023***	***December 10, 2023 to June 30, 2024***
NEW COLLEGE INSTITUTE			
Executive Director, New College Institute	$163,536	$171,713	*$175,147*
STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA			
Director, State Council of Higher Education for Virginia	$231,059	$242,612	*$247,464*
SOUTHERN VIRGINIA HIGHER EDUCATION CENTER			
Director, Southern Virginia Higher Education Center	$163,536	$171,713	*$175,147*
SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER			
Director, Southwest Virginia Higher Education Center	$163,536	$171,713	*$175,147*
VIRGINIA COMMUNITY COLLEGE SYSTEM			
Chancellor of Community Colleges	$209,626	$220,107	*$224,509*
SENIOR COLLEGE PRESIDENTS' SALARIES			
Chancellor, University of Virginia's College at Wise	$136,489	~~$143,313~~ *$143,067*	*$145,928*
President, Christopher Newport University	$165,182	~~$173,441~~ *$173,444*	*$176,913*
President, The College of William and Mary in Virginia	$190,891	$200,436	*$204,445*
President, George Mason University	$178,288	$187,202	*$190,946*

President, James Madison University	$195,355	$205,123	*$209,225*
President, Longwood University	$178,215	$187,126	*$190,869*
President, Norfolk State University	$207,833	$218,225	*$222,590*
President, Old Dominion University	$196,807	$206,647	*$210,780*
President, Radford University	$184,173	$193,382	*$197,250*
President, Richard Bland College	$157,251	$165,114	*$168,416*
President, University of Mary Washington	$171,513	$180,089	*$183,691*
President, University of Virginia	$212,324	$222,940	*$227,399*
President, Virginia Commonwealth University	$205,496	$215,771	*$220,086*
President, Virginia Polytechnic Institute and State University	$224,599	$235,829	*$240,546*
President, Virginia State University	$173,163	$181,821	*$185,457*
Superintendent, Virginia Military Institute	$175,344	$184,111	*$187,793*

e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

k.1.a. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as

the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10 to June 24 in any calendar year in which July 1 falls on a weekend.

2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23.1-1302 B and the cash payment offered under such compensation plans pursuant to § 23.1-1302 D, Code of Virginia. Notwithstanding the limitations in § 23.1-1302 D, the total cost in any fiscal year for any such compensation plan , shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed $5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in this Act.

r. Any public institution of higher education shall not provide general fund monies above $100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of $100,000.

§ 4-6.02 EMPLOYEE TRAINING AND STUDY

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

§ 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of service and compensation received during the period of reemployment, or

b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any purchase of service that may be eligible for purchase under the provisions of § 51.1-142.2, Code of Virginia.

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section 14 of the Constitution of Virginia.

§ 4-6.04 CHARGES

a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. PARKING SERVICES:

1. State-owned parking facilities

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. -

2. Leased parking facilities in metropolitan Richmond area

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of

General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking space must be approved by the Director, Department of General Services.

3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to the provisions of paragraph 1 of this item.

4.a. The assignment of 300 parking spaces in the Department of General Services parking facility to be built at the corner of 9th and Broad Streets in the City of Richmond, shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Such parking spaces shall be subject to the provisions of paragraph 1 of this item.

b. The remaining parking spaces in the Department of General Services parking facility to be built at the corner of the 9th and Broad Streets in the City of Richmond shall be under the control of and administered by the Department of General Services; however, the Department shall prioritize remaining spaces in the DGS parking system to full-time employees of the Legislative Department with permanent offices in the General Assembly Building who participate in the DGS parking system on an annual basis. Such parking spaces shall be subject to the provisions of paragraph 1 of this item.

§ 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

§ 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

Except as provided in subsection A of § 23.1-1020 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, with regard to their participating covered employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act addresses such an employee.

§ 4-7.00 STATEWIDE PLANS

§ 4-7.01 MANPOWER CONTROL PROGRAM

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

6. Positions assigned to the Virginia Management Fellows Program Administration are for reference only and may fluctuate depending on funding availability.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees in the case of any such approvals.

g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher education may not work more than 29 hours per week on average over a twelve month period, including classroom or other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties. DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the “Act”) and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any costs associated with maintaining compliance with it and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining compliance with the Act and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall modify this provision consistent with any updates or changes to federal law and regulations.

§ 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 and Appropriations 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 and Appropriations, 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.

e) For reporting on fiscal year 2023 and beyond, reporting requirements on intercollegiate athletic revenues and expenses, specifically related to the share of athletic revenues from school funds and student fees, as set out in § 23.1-1309, Code of Virginia, fiscal years 2020, 2021, and 2022 shall be excluded from the calculated five-year rolling average of the change in generated revenue

and student fees also outlined in § 23.1-1309, Code of Virginia.

4.a) 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 and Appropriations 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 l (see § 4-4.01 l. 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 and Appropriations 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 and Appropriations 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 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

d. Any state agency that is required to return federal grant funding as a result of not fulfilling the specifications of a grant, shall, as soon as practicable but no later than November 1st, report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees of such forfeiting of federal grant funding.

§ 4-8.03 LOCAL GOVERNMENTS

a.1. The Auditor of Public Accounts shall establish a workgroup to develop criteria for a preliminary determination that a local government may be in fiscal distress. Such criteria shall be based upon information regularly collected by the Commonwealth or otherwise regularly made public by the local government. This information includes expenditure reports submitted to the Auditor, budget information posted on local government websites, and reports prepared by the Commission on Local Government on revenue fiscal stress. Information provided by the Virginia Retirement System, the Virginia Resources Authority, the Virginia Public Building Authority, and other state and regional authorities concerning late or missed debt service payments shall be shared with the Auditor. Fiscal distress as used in this context shall mean a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings including but not limited to cash flow issues; inability to pay expenses; revenue shortfalls; deficit spending; structurally imbalanced budgets; billing and revenue collection inadequacies and

discrepancies; debt overload; failure to meet obligations to authorities, school divisions, or political subdivisions of the Commonwealth; and/or lack of trained and qualified staff to process administrative and financial transactions. Fiscal distress may be caused by factors internal to the unit of government or external to the unit of government and in various degrees such conditions may or may not be controllable by management, or the local governing body, or its constitutional officers.

2. Based upon the criteria established by the workgroup and using information identified above, the Auditor of Public Accounts shall establish a prioritized early warning system. Under the prioritized early warning system, the Auditor of Public Accounts shall establish a regular process whereby it reviews data on at least an annual basis to make a preliminary determination that a local government is in fiscal distress.

3. For local governments where the Auditor of Public Accounts has made a preliminary determination of fiscal distress based upon the early warning system criteria, the Auditor of Public Accounts shall notify the local governing body of its preliminary determination that it may meet the criteria for fiscal distress. Based upon the request of the local governing body or chief executive officer, the Auditor of Public Accounts may conduct a review and request documents and data from the local government. Such review shall consider factors including, but not limited to, budget processes, debt, borrowing, expenses and payables, revenues and receivables, and other areas including staffing, and the identification of external variables contributing to a locality's financial position, and if so, the scope of the issues involved. Any local governing body that receives requests for information from the Auditor of Public Accounts pursuant to such preliminary determination based on the above described threshold levels shall acknowledge receipt of such a request and shall ensure that a response is provided within the time frames specified by the Auditor of Public Accounts. After such review, if the Auditor of Public Accounts is of the opinion that state assistance, oversight, or targeted intervention is needed, either to further assess, help stabilize, or remediate the situation, the Auditor shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the governing body of the local government in writing outlining specific issues or actions that need to be addressed by state intervention.

4. The notification issued by the Auditor of Public Accounts pursuant to paragraph 3 above shall satisfy the notification requirement necessary to effectuate the provisions of this act in paragraph b.3 below.

b.1. The Director of the Department of Planning and Budget shall identify any amounts remaining unexpended from general fund appropriations in this Act as of June 30 of each year, which constitute state aid to local governments. The Director shall provide a listing of such amounts designated by item number and by program on or before August 15 of each year, to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee.

2. From such unexpended balances identified by the Director of the Department of Planning and Budget, the Governor may reappropriate up to $750,000 from amounts which would otherwise revert to the balance of the general fund and transfer such amounts as necessary to establish a component of fund balance which may be used for the purpose of providing technical assistance and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress. Any such reappropriation approved by the Governor, shall be separately identified in the commitments specified on the balance sheet and financial statements of the State Comptroller for the close of each fiscal year, to the extent that such reserve is not used or added to by future appropriation actions.

3. Prior to any expenditure of the reappropriated reserve, the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee must receive a notification from the Auditor of Public Accounts that a specific locality is in need of intervention because of a worsening financial situation. The Auditor of Public Accounts may issue such a notification upon receipt of audited financial statement or other information that indicates the existence of fiscal distress. But, no such notification shall be made until appropriate follow up and correspondence ascertains that, in the opinion of the Auditor of Public Accounts, such fiscal distress indeed exists. Such notification may also be issued by the Auditor of Public Accounts if written concerns raised about fiscal distress are not adequately addressed by the locality in question.

4. Once the Governor has received a notification from the Auditor of Public Accounts indicating fiscal distress in a specific local government, the Governor shall consult with the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee about a plan for state intervention prior to any expenditure of funds from the cash reserve. Any plan approved by the Governor for intervention should, at a minimum, specify the purpose of such intervention, the estimated duration of the intervention, and the anticipated resources (dollars and personnel) directed toward such effort. The staffing necessary to carry out the intervention plan may be assembled from either public agencies or private entities or both and, notwithstanding any other provisions of law, the Governor may use an expedited method of procurement to secure such staffing when, in his judgment, the need for intervention is of an emergency nature such that action must be taken in a timely manner to avoid or address unacceptable financial risks to the Commonwealth.

5. The governing body and the elected constitutional officers of a locality subject to an intervention plan approved by the Governor shall assist all state appointed staff conducting the intervention regardless of whether such staff are from public agencies or private entities. Intervention staff shall provide periodic reports in writing to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee outlining the scope of issues discovered and any recommendations made to remediate such issues, and the progress that is made on such recommendations

or other remediation efforts. These periodic reports shall specifically address the degree of cooperation the intervention team is receiving from locally elected officials, including constitutional officers, city, county, or town managers and other local personnel in regards to their intervention work.

6. The Department of General Services is hereby encouraged to develop a master contract of qualified private sector turnaround specialists with expertise in local government intervention that the Governor can use to procure intervention services in an expeditious manner when he determines that state intervention is warranted in situations of local fiscal distress.

c. No locality that has been previously authorized as an eligible host city pursuant to § 58.1-4107, Code of Virginia, to conduct casino gaming which held a local referendum on November 2, 2021, that failed, shall be eligible to hold a subsequent local referendum until November 2023.

§ 4-9.00 HIGHER EDUCATION RESTRUCTURING

§ 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with § 23.1-206, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance and Administration as appropriate, and communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits provided to each institution in accordance with § 23.1-1002 will be evaluated in light of that institution's performance.

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

a. BIENNIAL ASSESSMENTS

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.

2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.

3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.

5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented populations.

6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

b. Elementary and Secondary Education

1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth.

However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

c. SIX-YEAR PLAN

Institution prepares six-year financial plan consistent with § 23.1-907.

d. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable.

The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

6. The institution will complete major information technology projects (with an individual cost of over $1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Administration shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

e. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly. They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

1. Financial

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Debt Management

a) The institution shall maintain a bond rating of AA- or better;

b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and

c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

3. Human Resources

a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and

b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

4. Procurement

a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and

b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

5. Capital Outlay

a) The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;

b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and

c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

6. Information Technology

a) The institution will complete major information technology projects (with an individual cost of over $1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

g. EXEMPTION

The requirements of this section shall not be in effect if they conflict with § 23.1-206.D. of Chapters 828 and 869 of the Acts of Assembly of 2011.

§ 4-9.02 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;

2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia. The development and administration of education-related measures described in paragraph b. and in § 23.1-1003 A.3. are suspended through 2022-2024.

c. Subject to review of its Shared Services Center by the Department of General Services, and approval to proceed with decentralized procurement of authority by the Department of General Services, the Virginia Community College System (VCCS) is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item. The State Board for Community Colleges may request any subsequent delegation of procurement authority after consultation with and positive recommendation by the Department of General Services.

d. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement for institutions of higher education that have operational authority in the area of procurement, the small purchases thresholds shall be the same thresholds set forth in the Virginia Public Procurement Act (§ 2.2- 4300 et seq). Where small purchase thresholds in the Rules Governing Procurement for such institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

e. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have operational authority in the area of procurement are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2.

§ 4-9.03 LEVEL III AUTHORITY

a. The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the

Management Agreements need to be renegotiated or revised.

b. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement the small purchases thresholds for Level III institutions shall be the small purchase thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et seq). Where small purchase thresholds under Rules Governing Procurement for Level III institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

c. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have Management Agreements are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2

§ 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to athletics, on a separate page attached to student invoices;

2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue through charging for specialized programs and services, expanding membership, and/or charging all users of recreation facilities;

3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure. Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures where possible;

4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct reports;

5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are unusually narrow; and,

6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods, including use of institution-wide contracts;

7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that are exceptions to the institutional policies for standardizing purchases;

8. participate in national faculty teaching load assessments by discipline and faculty type.

b. The State Council on Higher Education for Virginia, to the extent practicable, shall:

1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory non-E&G fees, including for intercollegiate athletics;

2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;

3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure current use of space and plans for future use of space at Virginia's public higher education institutions;

4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee, the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering institutions' instructional expenditures per student while maintaining or enhancing student learning;

5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;

6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing learning.

c. Notwithstanding the provisions of § 23.1-1304, the State Council of Higher Education for Virginia shall annually train boards of

visitors members on the types of information members should request from institutions to inform decision making, such as performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends. Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year institutions, as appropriate.

d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and differences in facility use.

e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which capital projects should receive funding.

f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

§ 4-11.00 STATEMENT OF FINANCIAL CONDITION

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

§ 4-12.00 SEVERABILITY

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

§ 4-13.00 CONFLICT WITH OTHER LAWS

Notwithstanding any other provision of law, and until June 30, 2024, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

§ 4-14.00 EFFECTIVE DATE

This act is effective on its passage as provided in § 1-214, Code of Virginia.

ADDITIONAL ENACTMENTS

2. That § 58.1-301 of the Code of Virginia is amended and reenacted as follows:

58.1-301. Conformity to Internal Revenue Code.

A. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

B. Any reference in this chapter to the laws of the United States relating to federal income taxes shall mean the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as they existed on ~~December 31, 2020,~~ *December 31, 2021,* except for:

1. The special depreciation allowance for certain property provided for under §§ 168(k), 168(l), 168(m), 1400L, and 1400N of the Internal Revenue Code;

2. The carry-back of certain net operating losses for five years under § 172(b)(1)(H) of the Internal Revenue Code;

3. The original issue discount on applicable high yield discount obligations under § 163(e)(5)(F) of the Internal Revenue Code;

4. The deferral of certain income under § 108(i) of the Internal Revenue Code. For Virginia income tax purposes, income from the

discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument" (as defined under § 108(i) of the Internal Revenue Code) reacquired in the taxable year shall be fully included in the taxpayer's Virginia taxable income for the taxable year, unless the taxpayer elects to include such income in the taxpayer's Virginia taxable income ratably over a three-taxable-year period beginning with taxable year 2009 for transactions completed in taxable year 2009, or over a three-taxable-year period beginning with taxable year 2010 for transactions completed in taxable year 2010 on or before April 21, 2010. For purposes of such election, all other provisions of § 108(i) of the Internal Revenue Code shall apply mutatis mutandis. No other deferral shall be allowed for income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument";

5. For taxable years beginning on and after January 1, 2019, the suspension of the overall limitation on itemized deductions under § 68(f) of the Internal Revenue Code;

6. For taxable years beginning on and after January 1, 2017, but before January 1, 2018, and for taxable years beginning on and after January 1, 2019, the 7.5 percent of federal adjusted gross income threshold set forth in § 213(a) of the Internal Revenue Code that is used for purposes of computing the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code. For such taxable years, the threshold utilized for Virginia income tax purposes to compute the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code shall be 10 percent of federal adjusted gross income;

7. The provisions of §§ 2303(a) and 2303(b) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the net operating loss limitation and carryback;

8. The provisions of § 2304(a) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to a loss limitation applicable to taxpayers other than corporations;

9. The provisions of § 2306 of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the limitation on business interest; and

10. For taxable years beginning before January 1, 2021, ~~The~~ *the* provisions of §§ 276(a), 276(b)(2), 276(b)(3), 278(a)(2), 278(a)(3), 278(b)(2), 278(b)(3), 278(c)(2), 278(c)(3), 278(d)(2), and 278(d)(3) of the federal Consolidated Appropriations Act, P.L. 116-260 (2020), *and §§ 9673(2), 9673(3), 9672(2), and 9672(3) of the federal American Rescue Plan Act, P.L. 117-2 (2021)* related to deductions, tax attributes, and basis increases for certain loan forgiveness and other business financial assistance.

The Department of Taxation is hereby authorized to develop procedures or guidelines for implementation of the provisions of this section, which procedures or guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

3. That § 58.1-339.8 of the Code of Virginia is amended and reenacted as follows:

58.1-339.8. Income tax credit for low-income taxpayers.

A. As used in this section, unless the context requires otherwise:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Household" means an individual, or in the case of married persons, an individual and his spouse, regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

"Poverty guidelines" means the poverty guidelines for the 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673(2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B.1. For taxable years beginning on and after January 1, 2000, any individual or persons filing a joint return whose family Virginia adjusted gross income does not exceed 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a *nonrefundable* credit against the tax levied pursuant to § 58.1-320 in an amount equal to $300 each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married individuals' income tax return for the taxable year. For any taxable year in which married individuals file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married individuals.

2. For taxable years beginning on and after January 1, 2006, any individual or married individuals, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision ~~B~~ 1, claim a *nonrefundable* credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married individuals for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision ~~B~~ 1 *or 3* for the same taxable year.

3. For taxable years beginning on and after January 1, 2022, but before January 1, 2026, any individual or married persons, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision 1 or 2, claim a refundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 15 percent of the credit claimed by the individual or married persons for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. The refundable credit shall be claimed on the Virginia income tax return and redeemed by the Tax Commissioner. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision 1 or 2 for the same taxable year.

~~For the purpose of this subdivision, "household" means an individual and, in the case of married individuals, the individual and his spouse regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.~~

C. The amount of the credit ~~provided~~ *claimed* pursuant to ~~subsection~~ *subdivision* B *1 and B 2, or in the case of a nonresident or a person to which § 58.1-303 applies, subdivision B 3,* for any taxable year shall not exceed the individual's or married individuals' Virginia income tax liability.

D. Notwithstanding any other provision of this section, no credit shall be allowed pursuant to subsection B in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married individuals' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision 8 of § 58.1-322.02;

2. The subtraction under subdivision 15 of § 58.1-322.02;

3. The subtraction under subdivision 16 of § 58.1-322.02;

4.The deduction for the additional personal exemption for blind or aged taxpayers under subdivision 2 b of § 58.1-322.03; or

5. The deduction under subdivision 5 of § 58.1-322.03.

4. That the provisions of the third enactment clause of this Act shall apply for taxable years beginning on and after January 1, 2022.

5. That § 58.1-611.1 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-611.1. Exemption for food purchased for human consumption and essential personal hygiene products.

A. ~~The~~*Before January 1, 2023,the* tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption and essential personal hygiene products shall be one and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C, and D of § 58.1-638.

B. ~~The provisions of this section shall not affect the imposition of tax on food purchased for human consumption and essential personal hygiene products pursuant to §§ 58.1-605 and 58.1-606.~~

~~C.~~*On and after January 1, 2023, and except for taxes imposed pursuant to §§ 58.1-605 and 58.1-606, no tax shall be imposed under this chapter, or pursuant to any authority granted under this chapter, on food purchased for human consumption or essential personal hygiene products.*

C. Beginning February 1, 2023, an amount equal to the revenue that would have been distributed pursuant to clause (ii) of subsection A shall be distributed as provided in subsections B, C, and D of § 58.1-638 based on the estimates of the population of cities and counties ages five to 19.

D. 1. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

2. As used in this section, "essential personal hygiene products" means (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow. "Essential personal hygiene products" does not include any item that is

otherwise exempt pursuant to this chapter.

6. That § 58.1-322.03 of the Code of Virginia is amended and reenacted as follows:

58.1-322.03. Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) ~~and~~*;* (ii) for taxable years beginning on and after January 1, 2019, but before January 1, ~~2026~~ *2022*, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return)*; and (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2026, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return)*. For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated

with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. For taxable years beginning on and after January 1, 2018, 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subdivision, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans."

7. That the provisions of the sixth enactment of this Act shall take effect for the 2022 tax year contingent on the Tax Department certifying annual revenue growth, adjusted for the impact tax policy changes, of at least five percent for the six month period of July 2022 through December 2022. If the five percent growth rate is not met for such six month period, the standard deduction for taxable year 2022 shall be $7,500 for single individuals and $15,000 for married persons.

8. That the provisions of the sixth enactment of this Act shall take effect for the 2023 tax year contingent on the Tax Department certifying annual revenue growth, adjusted for the impact tax policy changes, of at least five percent for the twelve month period of July 2022 through June 2023. If the five percent growth rate is not met for such twelve month period, the standard deduction for taxable year 2023 shall be $7,500 for single individuals and $15,000 for married persons.

9. That § 58.1-439.30 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-439.30. Virginia housing opportunity tax credit.

A. ~~A~~*Subject to the provisions of subsection H, a* housing opportunity tax credit shall be allowed for each qualified project for each year of the credit period, in an amount ~~equal~~ *up* to the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project~~, except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2)~~. *The credit shall be allowed ratably for each qualified project, with one-tenth of the credit amount allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.*

B. *1.* For taxable years beginning on and after January 1, 2021, but before January 1, 2026, a qualified taxpayer may claim a housing opportunity tax credit against its Virginia tax liability prior to reduction by any other credits allowed the taxpayer. The housing opportunity tax credit may be allocated by pass-through entities to some or all of its partners, members, or shareholders in any manner agreed to by such persons, regardless of whether or not any such person is allocated or allowed any portion of any federal low-income housing tax credit with respect to the qualified project, whether or not the allocation of the housing opportunity tax credit under the terms of the agreement has substantial economic effect within the meaning of § 704(b) of the Internal Revenue Code, and whether or not any such person is deemed a partner for federal income tax purposes as long as the partner or member would be considered a partner or member as defined under applicable state law, and has been admitted as a partner or member on or prior to the date for filing the qualified taxpayer's tax return, including any amendments thereto, with respect to the year of the housing opportunity tax credit. Such pass-through entities or qualified taxpayer may assign all or any part of its interest, including its interest in the tax credits, to one or more pass-through entities or qualified taxpayers, and the qualified taxpayer shall be able to claim the housing opportunity tax credit so long as its interest is acquired prior to the filing of its tax return claiming the housing opportunity tax credit.

2. If a housing opportunity tax credit has been awarded according to the terms of subsection G prior to January 1, 2026, such credit may continue to be claimed on a return for taxable years on and after January 1, 2026, but only pursuant to the applicable credit period specified in § 58.1-439.29.

C. The housing opportunity tax credit authorized by this article shall not be refundable. Any housing opportunity tax credit not used in a taxable year may be carried forward *by a qualified taxpayer* for the succeeding five years.

D. A qualified taxpayer claiming a housing opportunity tax credit shall submit a copy of the eligibility certificate at the time of filing its tax return with the Department. If the owner of the qualified project has applied to the Authority for the eligibility certificate but the Authority has not yet issued the eligibility certificate at the time the qualified taxpayer files its original tax return claiming the housing opportunity tax credit, the taxpayer may claim the housing opportunity tax credit based upon the amount of tax credit set forth in the ~~carryover allocation or 42(m) letter, as applicable,~~ *award letter issued by the Authority for the housing opportunity tax credit* issued to the qualified project and shall amend its tax return to include the eligibility certificate upon its receipt. If the amount of tax credit in the eligibility certificate is different than the amount of tax credit previously claimed, the taxpayer shall adjust the tax credit amount claimed on the amended tax return.

E. If under § 42 of the Internal Revenue Code, as amended, a portion of any federal low-income housing credits taken on a qualified project is required to be recaptured or is otherwise disallowed during the credit period, the taxpayer claiming housing opportunity tax credits with respect to such project shall also be required to recapture a portion of any tax credits authorized by this article. The percentage of housing opportunity tax credits subject to recapture shall be equal to the percentage of federal low-income housing credits subject to recapture or otherwise disallowed during such period. Any tax credits recaptured or disallowed shall increase the income tax liability of the qualified taxpayer who claimed the tax credits in a like amount and shall be included on the tax return of the

qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified. *The balance of any tax credits recaptured or disallowed shall be allocated by the Authority for any qualified project in accordance with subsection G.*

F. The Authority shall administer the housing opportunity tax credit program and shall be authorized to promulgate the regulations and guidelines necessary to implement and administer ~~the provisions of~~ this article. Such regulations and guidelines may include the imposition of application, allocation, certification, and monitoring fees designed to recoup the costs of the Authority in administering the housing opportunity tax credit program. ~~The Authority may also promulgate regulations and guidelines in consultation with the Department to allow a qualified project to elect in its application to the Authority to sell all or any portion of its credits awarded pursuant to this article to one or more unrelated taxpayers. Regulations and guidelines regarding the sale of credits, if promulgated, shall not take effect prior to January 1, 2023, and shall not apply to credits awarded prior to January 1, 2023.~~

G. *1. Any housing opportunity tax credit amounts authorized in a calendar year that are subsequently (i) canceled and returned to the Authority or (ii) recaptured or disallowed pursuant to subsection E may be awarded in the following calendar year, but no later than December 31, 2025. If the amount of housing opportunity tax credits authorized in a calendar year for qualified projects is less than the total amount of credits available for qualified projects under subdivision H 2, the balance of such credits, in an amount not greater than 15 percent of the amount of credits available for qualified projects under subdivision H 2, (a) shall be allocated by the Authority for any qualified project in the following calendar year, (b) shall not be allocated at any time after such following calendar year, and (c) shall be allocated no later than December 31, 2025.*

2. Such housing opportunity tax credits issued pursuant to this subsection shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

H. 1. The total amount of *housing opportunity* tax credits authorized *for qualified projects* under this article shall not exceed $15 million ~~per~~*for* calendar year *2021.*

2. For calendar years 2022 through 2025, the total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed $60 million per calendar year. Such credits issued each calendar year shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

3. Notwithstanding any other provision of law to the contrary, the aggregate amount of housing opportunity tax credits authorized for all qualified projects under this article shall not exceed $255 million across all calendar years.

10. That, for the purposes of the ninth enactment of this act, notwithstanding any provision of law or regulation to the contrary, only Virginia housing opportunity tax credits awarded in calendar year 2021, up to a maximum of $15 million total for all taxpayers in all taxable years, may be claimed pursuant to the provisions of § 58.1-439.30 of the Code of Virginia as set forth in Chapter 495 of the Acts of Assembly of 2021, Special Session I, prior to amendment by the ninth enactment of this act. Nothing in this enactment shall apply to § 58.1-439.30 of the Code of Virginia as amended by the sixth enactment of this act.

11. That, for the purposes of the ninth enactment of this act, the Virginia Housing Development Authority (the Authority) shall, upon request from the Chairs of the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations, provide information, data, and any other requested advisement on the potential structure and cost of a separately authorized certificated Virginia housing opportunity tax credit program that would allow a qualified project to sell all or any portion of its Virginia housing opportunity tax credits, to one or more unrelated taxpayers based on findings in the report of the Department of Housing and Community Development and the Authority stakeholder advisory group submitted pursuant to Chapter 517 of the Acts of Assembly of 2020.

12. That, for the purposes of the ninth enactment of this act, of the $60 million of Virginia housing opportunity tax credits authorized per calendar year from 2022 through 2025 for qualified projects by the Virginia Housing Development Authority (the Authority) pursuant to Article 13.4 (§ 58.1-439.29 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, as amended by the ninth enactment of this act, $20 million of such credits shall be first allocated exclusively for qualified projects located in a locality with a population no greater than 35,000 as determined by the most recent United States census. Such allocation of Virginia housing opportunity tax credits shall constitute the minimum amount of such tax credits to be allocated for qualified projects in such localities. However, if the amount of such tax credits requested for qualified projects in such localities is less than the total amount of such credits available for qualified projects in such localities, the balance of such credits shall be allocated for any qualified project, regardless of location. In allocating or allowing such credits to qualified projects in such localities, the Authority shall give equal consideration to qualified projects allocated or allowed a federal low-income housing credit in an amount equal to the 10-year present value calculation of the percentages prescribed under 26 U.S.C. §§ 42(b)(1)(B)(i) and 42(b)(1)(B)(ii).

13. That §§ 18.2-325 and 18.2-334.6 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-325. Definitions.

1. "Illegal gambling" means the making, placing, or receipt of any bet or wager in the Commonwealth of money or other consideration or thing of value, made in exchange for a chance to win a prize, stake, or other consideration or thing of value, dependent upon the result of any game, contest, or any other event the outcome of which is uncertain or a matter of chance, whether such game, contest, or event occurs or is to occur inside or outside the limits of the Commonwealth.

For the purposes of this subdivision and notwithstanding any provision in this section to the contrary, the making, placing, or receipt of any bet or wager of money or other consideration or thing of value shall include the purchase of a product, Internet access, or other thing made in exchange for a chance to win a prize, stake, or other consideration or thing of value by means of the operation of a gambling device as described in subdivision 3 b, regardless of whether the chance to win such prize, stake, or other consideration or thing of value may be offered in the absence of a purchase.

"Illegal gambling" also means the playing or offering for play of any skill game.

2. "Interstate gambling" means the conduct of an enterprise for profit that engages in the purchase or sale within the Commonwealth of any interest in a lottery of another state or country whether or not such interest is an actual lottery ticket, receipt, contingent promise to pay, order to purchase, or other record of such interest.

3. "Gambling device" includes:

a. Any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in an illegal gambling operation or activity;

b. Any machine, apparatus, implement, instrument, contrivance, board, or other thing, or electronic or video versions thereof, including but not limited to those dependent upon the insertion of a coin or other object for their operation, which operates, either completely automatically or with the aid of some physical act by the player or operator, in such a manner that, depending upon elements of chance, it may eject something of value or determine the prize or other thing of value to which the player is entitled; provided, however, that the return to the user of nothing more than additional chances or the right to use such machine is not deemed something of value within the meaning of this subsection; and provided further, that machines that only sell, or entitle the user to, items of merchandise of equivalent value that may differ from each other in composition, size, shape, or color, shall not be deemed gambling devices within the meaning of this subsection; and

c. Skill games.

Such devices are no less gambling devices if they indicate beforehand the definite result of one or more operations but not all the operations. Nor are they any less a gambling device because, apart from their use or adaptability as such, they may also sell or deliver something of value on a basis other than chance.

4. "Operator" includes any person, firm, or association of persons, who conducts, finances, manages, supervises, directs, or owns all or part of an illegal gambling enterprise, activity, or operation.

5. "Skill" means the knowledge, dexterity, or any other ability or expertise of a natural person.

6. "Skill game" means an electronic, computerized, or mechanical contrivance, terminal, machine, or other device that requires the insertion of a coin, currency, ticket, token, or similar object to operate, activate, or play a game, the outcome of which is determined by any element of skill of the player and that may deliver or entitle the person playing or operating the device to receive cash or cash equivalents, gift cards, vouchers, billets, tickets, tokens, or electronic credits to be exchanged for cash~~; merchandise; or anything of value~~ *or cash equivalents* whether the payoff is made automatically from the device or manually. *"Skill game" includes (i) a device that contains a meter or measurement device that records the number of free games or portions of games that are rewarded and (ii) a device designed or adapted to enable a person using the device to increase the chances of winning free games or portions of games by paying more than the amount that is ordinarily required to play the game. "Skill game" does not include any amusement device, as defined in § 18.2-334.6.*

7. "Unregulated location" means any location that is not regulated or operated by the Virginia Lottery or Virginia Lottery Board, the Department of Agriculture and Consumer Services or the Charitable Gaming Board, the Virginia Alcoholic Beverage Control Authority, or the Virginia Racing Commission.

§ 18.2-334.6. Exemptions to article; amusement devices.

A. As used in this section:

~~"Coin-operated amusement games" means games that do not deliver or entitle the person playing or operating the game to receive cash; cash equivalents, gift cards, vouchers, billets, tickets, tokens, or electronic credits to be exchanged for cash; or merchandise or anything of value.~~

~~"Family entertainment center" means an establishment that (i) is located in a building that is owned, leased, or occupied by the establishment for the primary purpose of providing amusement and entertainment to the public; (ii) offers coin-operated amusement games and skill games pursuant to the exemption created by this section; and (iii) markets its business to families with children.~~

"Amusement device" means a game that is activated by a coin, token, or other object of consideration or value and that does not provide the opportunity to (i) enter into a sweepstakes, lottery, or other illegal gambling event or (ii) receive any form of consideration or value, except for an appropriate reward.

"Appropriate reward" means a noncash, merchandise prize (i) the value of which does not exceed the cost of playing the amusement device or the total aggregate cost of playing multiple amusement devices, (ii) that is not and does not include an alcoholic beverage, (iii) that is not eligible for repurchase, and (iv) that is not exchangeable for cash or cash equivalents.

B. ~~Notwithstanding the provisions of § 18.2-325, a~~ *A* person ~~operating a family entertainment center~~ may make ~~skill games~~ *amusement devices* available for play if the prize won or distributed to a player is a noncash, merchandise prize or a voucher, billet, ticket, token, or electronic credit redeemable only for ~~a noncash, merchandise prize (i) the value of which does not exceed the cost of playing the skill game or the total aggregate cost of playing multiple skill games; (ii) that is not and does not include an alcoholic beverage; (iii) that is not eligible for repurchase; and (iv) that is not exchangeable for cash, cash equivalents, or anything of value whatsoever~~ *an appropriate reward. An appropriate reward shall only be redeemable on the premises where the amusement device is located.*

C. An amusement device shall not be designed or adapted to cause or enable a person to cause the release of free games or portions of games when designated as a potential reward for use of the device and shall not contain any meter or other measurement device to record the number of free games or portions of games that are rewarded.

D. An amusement device shall not be designed or adapted to enable a person using the device to increase the chances of winning free games or portions of games by paying more than is ordinarily required to play the game.

14. That §§ 3.2-5145.5, 4.1-1100, 4.1-1101, and 59.1-200 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-5145.5. Regulations.

A. The Board is authorized to adopt regulations for the efficient enforcement of this article.

B. The Board shall adopt regulations identifying contaminants of an industrial hemp extract or a food containing an industrial hemp extract and establishing tolerances for such identified contaminants.

C. The Board shall adopt regulations establishing labeling requirements for an industrial hemp extract or a food containing an industrial hemp extract. *Such regulations shall require that any industrial hemp extract or food containing an industrial hemp extract that contains tetrahydrocannabinol be equipped with a label that states (i) that the industrial hemp extract or food containing an industrial hemp extract contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (ii) all ingredients contained in the industrial hemp extract or food containing an industrial hemp extract, (iii) the amount of such industrial hemp extract or food containing an industrial hemp extract that constitutes a single serving, and (iv) the total percentage and milligrams of tetrahydrocannabinol included in the industrial hemp extract or food containing an industrial hemp extract and the number of milligrams of tetrahydrocannabinol that are contained in each serving.*

D. The Board shall adopt regulations establishing batch testing requirements for industrial hemp extracts. The Board shall require that batch testing of industrial hemp extracts be conducted by an independent testing laboratory that meets criteria established by the Board.

E. With the exception of § 2.2-4031, neither the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) nor public participation guidelines adopted pursuant thereto shall apply to the adoption of any regulation pursuant to this section. Prior to adopting any regulation pursuant to this section, the Board shall publish a notice of opportunity to comment in the Virginia Register of Regulations and post the action on the Virginia Regulatory Town Hall. Such notice of opportunity to comment shall contain (i) a summary of the proposed regulation; (ii) the text of the proposed regulation; and (iii) the name, address, and telephone number of the agency contact person responsible for receiving public comments. Such notice shall be made at least 60 days in advance of the last date prescribed in such notice for submittals of public comment. The legislative review provisions of subsections A and B of § 2.2-4014 shall apply to the promulgation or final adoption process for regulations pursuant to this section. The Board shall consider and keep on file all public comments received for any regulation adopted pursuant to this section.

§ 4.1-1100. Possession, etc., of marijuana and marijuana products by persons 21 years of age or older lawful; penalties.

A. Except as otherwise provided in this subtitle and notwithstanding any other provision of law, a person 21 years of age or older may lawfully possess on his person or in any public place not more than one ounce of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board.

B. Any person who possesses on his person or in any public place marijuana or marijuana products in excess of the amounts set forth in subsection A is subject to a civil penalty of no more than $25 *except as otherwise provided in this section*. The penalty for any violations of this section by an adult shall be prepayable according to the procedures in § 16.1-69.40:2.

C. With the exception of *possession by a person in his residence or possession by* a licensee in the course of his duties related to such licensee's marijuana establishment, any person who possesses on his person or in any public place *(i) more than four ounces but not more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a Class 3 misdemeanor and, for a second or subsequent offense, a Class 2 misdemeanor and (ii)* more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than $250,000, or both.

D. The provisions of this section shall not apply to members of federal, state, county, city, or town law-enforcement agencies, jail officers, or correctional officers, as defined in § 53.1-1, certified as handlers of dogs trained in the detection of controlled substances when possession of marijuana is necessary for the performance of their duties.

§ 4.1-1101. Home cultivation of marijuana for personal use; penalties.

A. Notwithstanding the provisions of subdivision ~~c~~*(c)* of § 18.2-248.1, a person 21 years of age or older may cultivate up to four marijuana plants for personal use at their place of residence; however, at no point shall a household contain more than four marijuana plants. For purposes of this section, a "household" means those individuals, whether related or not, who live in the same house or other place of residence.

A person may only cultivate marijuana plants pursuant to this section at such person's main place of residence.

A violation of this subsection shall be punishable as follows:

1. For possession of more than four marijuana plants but no more than 10 marijuana plants, (i) a civil penalty of $250 for a first offense, (ii) a Class 3 misdemeanor for a second offense, and (iii) a Class 2 misdemeanor for a third and any subsequent offense;

2. For possession of more than 10 but no more than 49 marijuana plants, a Class 1 misdemeanor;

3. For possession of more than 49 but no more than 100 marijuana plants, a Class 6 felony; and

4. For possession of more than 100 marijuana plants, a felony punishable by a term of imprisonment of not less than one year nor more than 10 years or a fine of not more than $250,000, or both.

B. A person who cultivates marijuana for personal use pursuant to this section shall:

1. Ensure that no marijuana plant is visible from a public way without the use of aircraft, binoculars, or other optical aids;

2. Take precautions to prevent unauthorized access by persons younger than 21 years of age; and

3. Attach to each marijuana plant a legible tag that includes the person's name, driver's license or identification number, and a notation that the marijuana plant is being grown for personal use as authorized under this section.

Any person who violates this subsection is subject to a civil penalty of no more than $25. The penalty for any violations of this section by an adult shall be prepayable according to the procedures in § 16.1-69.40:2.

C. A person shall not manufacture marijuana concentrate from home-cultivated marijuana. The owner of a property or parcel or tract of land may not intentionally or knowingly allow another person to manufacture marijuana concentrate from home-cultivated marijuana within or on that property or land.

~~D. The following penalties or punishments shall be imposed on any person convicted of a violation of this section:~~

~~1. For possession of more than four marijuana plants but no more than 10 marijuana plants, (i) a civil penalty of $250 for a first offense, (ii) a Class 3 misdemeanor for a second offense, and (iii) a Class 2 misdemeanor for a third and any subsequent offense;~~

~~2. For possession of more than 10 but no more than 49 marijuana plants, a Class 1 misdemeanor;~~

~~3. For possession of more than 49 but no more than 100 marijuana plants, a Class 6 felony; and~~

~~4. For possession of more than 100 marijuana plants, a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than $250,000, or both.~~

§ 59.1-200. Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.);

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.);

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2; ~~and~~

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.)*;*

67. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Article 4.2 of Chapter 34 of Title 54.1 of the Code of Virginia;

68. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Article 4.2 of Chapter 34 of Title 54.1 of the Code of Virginia;

69. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit; and

70. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

15. That the Secretary of Agriculture and Forestry shall, in conjunction with the Secretary of Public Safety and Homeland Security and Secretary of Health and Human Resources, establish a task force to analyze and make recommendations regarding whether any statutory or regulatory modifications are necessary to ensure the safe and responsible manufacture and sale of industrial hemp extracts and other substances containing tetrahydrocannabinol that are intended for human consumption, orally or by inhalation, in the Commonwealth. The task force shall focus on the current and recommended statutory and regulatory framework for the various isomers, salts, and salts of isomers of tetrahydrocannabinol. Such task force shall include representatives from the Department of Agriculture and Consumer Services, the Office of the Attorney General, the Department of Forensic Sciences, the Cannabis Control Authority, and other stakeholders as determined by the Secretary of Agriculture and Forestry. The Secretary of Agriculture and Forestry shall report the findings and recommendations of the task force to the Governor and the Chairmen of the Senate Committee on Rehabilitation and Social Services and the House Committee on General Laws by November 15, 2022.

16. That any person that sells or offers for sale an industrial hemp extract, as defined in § 3.2-5145.1 of the Code of Virginia, or a food containing an industrial hemp extract is subject to the provisions of Chapter 51 (§ 3.2-5100 et seq.) of Title 3.2 of the Code of Virginia and regulations adopted pursuant thereto.

17. That § 58.1-322.02 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-322.02. Virginia taxable income; subtractions.

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.

3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4. Up to $20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein less than $600 from a prize awarded by the Virginia Lottery.

8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or $3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified in this subdivision.

9. Amounts received by an individual, not to exceed $1,000 for taxable years beginning on or before December 31, 2019, and $5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract

with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds $15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds $30,000.

16. The first $15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is $15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. *a.* Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

b. For taxable years beginning on and after January 1, 2022, but before January 1, 2023, up to $10,000 of military benefits; for taxable years beginning on and after January 1, 2023, but before January 1, 2024, up to $20,000 of military benefits; for taxable years beginning on and after January 1, 2024, but before January 1, 2025, up to $30,000 of military benefits; and for taxable years beginning on and after January 1, 2025, up to $40,000 of military benefits. For purposes of this subdivision b, "military benefits" means any (i) military retirement income received for service in the Armed Forces of the United States, (ii) qualified military benefits received pursuant to § 134 of the Internal Revenue Code, (iii) benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States under the Survivor Benefit Plan program established by the U.S. Department of Defense, and (iv) military benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States. The subtraction allowed by this subdivision b shall be allowed only for military benefits received by an individual age 55 or older. No subtraction shall be allowed pursuant to this subdivision b if a credit, exemption, subtraction, or deduction is claimed for the same income pursuant to subdivision a or any other provision of Virginia or federal law.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than $3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time. However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary. For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36-171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 27:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to $100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

18. § 1. Programs offered to children who reside at a private school accredited by the Virginia Council for Private Education, which is located West of Sandy Ridge and on the watersheds of Big Sandy River, and to which no contributions are made by the Commonwealth or any agency thereof, shall not be required to obtain a licensure pursuant to Title 63.2 and Title 22.1 of the Code of Virginia. Such programs shall be subject to the safety and supervisory standards established for such school by the Virginia Council for Private Education.

19. That § 22.1-349.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-349.1. Definitions; objectives.

A. As used in this chapter, unless the context requires a different meaning:

"At-risk student" means a student having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board criteria, that research indicates may negatively influence educational success.

"College partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a public institution of higher education ~~or private institution of~~*; public higher education* ~~that operates a teacher education program approved by the Board~~ *center, institute, or authority; or an eligible institution as defined in § 23.1-628. Notwithstanding the provisions of § 22.1-349.5, a public institution of higher education; a public higher education center, institute, or authority; or an eligible institution as defined in § 23.1-628 may submit an application for formation of a college partnership laboratory school.*

"Governing board" means the board of a college partnership laboratory school that is responsible for creating, managing, and operating the college partnership laboratory school and whose members have been selected by the institution of higher education that establishes the college partnership laboratory school. The governing board shall be under the control of the institution of higher education that establishes the college partnership laboratory school.

B. College partnership laboratory schools may be established as provided in this chapter to (i) stimulate the development of

innovative programs for preschool through grade 12 students; (ii) provide opportunities for innovative instruction and assessment; (iii) provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure; (iv) encourage the use of performance-based educational programs; (v) establish high standards for both teachers and administrators; (vi) encourage greater collaboration between education providers from preschool to the postsecondary level; and (vii) develop models for replication in other public schools.

20. That § 58.1-322.03 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-322.03. (See Acts 2022, Sp. Sess. I, c. 2, cl. 7 and cl. 8 for contingencies) Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b.Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2022, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); ~~and~~ (iii) for taxable years beginning on and after January 1, 2022, but before January 1, ~~2026~~*2024*, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); *and (iv) for taxable years beginning on and after January 1, 2024, but before January 1, 2026, $8,500 for single individuals and $17,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return).* For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or

college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income

tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. For taxable years beginning on and after January 1, 2018, but before January 1, 2022, 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For taxable years beginning on and after January 1, 2022, 30 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subdivision, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of $500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

21. That § 58.1-322.02 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-322.02. Virginia taxable income; subtractions.

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.

3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4. Up to $20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein less than $600 from a prize awarded by the Virginia Lottery.

8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, (i) for taxable years beginning before January 1, 2023, not to exceed the amount of income derived from 39 calendar days of such service or $3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the subtractions specified in this clause, and (ii) for taxable years beginning on or after January 1, 2023, not to exceed the amount of income derived from 39 calendar days of such service or $5,500, whichever amount is less; however, only those persons in the ranks of O6 and below shall be entitled to the subtractions specified in this clause.

9. Amounts received by an individual, not to exceed $1,000 for taxable years beginning on or before December 31, 2019, and $5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds $15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds $30,000.

16. The first $15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is $15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. a. Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

b. For taxable years beginning on and after January 1, 2022, but before January 1, 2023, up to $10,000 of military benefits; *and* for taxable years beginning on and after January 1, 2023, but before January 1, 2024, up to $20,000 of military benefits.~~; for~~

c. For taxable years beginning on and after January 1, 2024, but before January 1, 2025, up to $30,000 of military benefits; and for taxable years beginning on and after January 1, 2025, up to $40,000 of military benefits.

d. For purposes of ~~this subdivision~~*subdivisions b and c*, "military benefits" means any (i) military retirement income received for service in the Armed Forces of the United States, (ii) qualified military benefits received pursuant to § 134 of the Internal Revenue Code, (iii) benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States under the Survivor Benefit Plan program established by the U.S. Department of Defense, and (iv) military benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States. The subtraction allowed by ~~this~~ subdivision b shall be allowed only for military benefits received by an individual age 55 or older. *The subtraction allowed by subdivision c shall be allowed for military benefits received by an individual of any age.* No subtraction shall be allowed pursuant to ~~this subdivision~~*subdivisions b and c* if a credit, exemption, subtraction, or deduction is claimed for the same income pursuant to subdivision a or any other provision of Virginia or federal law.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than $3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account.

Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time.

However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary.

For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36- 171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

As used in this subdivision 27: "Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the

management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment.

"Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28: "Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust.

In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning before January 1, 2021, up to $100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

31. For taxable years beginning on and after January 1, 2022, any compensation for wrongful incarceration awarded pursuant to the procedures established under Article 18.2 (§ 8.01-195.10 et seq.) of Chapter 3 of Title 8.01."

22. That the provisions of the twentieth enactment of this Act shall take effect for the 2024 tax year contingent on the Auditor of Public Accounts certifying individual withholding growth of at least the growth rate in the official revenue estimate contained in this Act for the six month period of July 2023 through December 2023. The Auditor of Public Accounts shall complete the certification no later than January 22, 2024. If withholding collection growth is not met for such six month period, the standard deduction for taxable years beginning on and after January 1, 2024, but before January 1, 2026, shall be $8,000 for single individuals and $16,000 for married persons.

23. That §§ 58.1-322.03 and 58.1-402 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-322.03. (See Acts 2022, Sp. Sess. I, c. 2, cl. 7 and cl. 8 for contingencies) Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2022, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); and (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2026, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return). For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not

reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11.a. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows: a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.<

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. *Business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code:*

a. For taxable years beginning on and after January 1, 2018, but before January 1, 2022, 20 percent of *such disallowed* business interest*;*~~disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code.~~

b. For taxable years beginning on and after January 1, 2022, *but before January 1, 2024,* 30 percent of *such disallowed* business interest*;*~~disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code.~~

c. For taxable years beginning on and after January 1, 2024, 50 percent of such disallowed business interest.

For purposes of ~~this~~ subdivision *15*, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of $500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

58.1-402. Virginia taxable income.

A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C, D, E, G, and H.

For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C, D, E, G, and H.

B. There shall be added to the extent excluded from federal taxable income:

1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. [Repealed.]

4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;

5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

6. [Repealed.]

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code;

8. a. For taxable years beginning on and after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:

(1) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(2) The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or

(3) The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member, and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.

b. A corporation required to add to its federal taxable income intangible expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of intangible expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required

under subdivision a, for such intangible expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter, the Tax Commissioner shall permit the corporation to file an amended return.

For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related intangible expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 8 shall be construed to limit or negate the Department's authority under § 58.1-446;

9. a. For taxable years beginning on and after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:

(1) The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and

(2) The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and

(3) The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and

(4) One of the following applies:

(i) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(ii) Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;

(iii) The related member engages in transactions with parties other than related members that generate revenue in excess of $2 million annually; or

(iv) The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds that are borrowed from a party other than a related member or that are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.

b. A corporation required to add to its federal taxable income interest expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all

taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of interest expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such interest expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related interest expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 9 shall be construed to limit or negate the Department's authority under § 58.1-446.

d. For purposes of subdivision B 9:

"Arm's-length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those that the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.v"Valid business purpose" means one or more business purposes that alone or in combination constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.

10. a. For taxable years beginning on and after January 1, 2009, the amount of dividends deductible under §§ 561 and 857 of the Internal Revenue Code by a Captive Real Estate Investment Trust (REIT). For purposes of this subdivision, a REIT is a Captive REIT if:

(1) It is not regularly traded on an established securities market;

(2) More than 50 percent of the voting power or value of beneficial interests or shares of which, at any time during the last half of the taxable year, is owned or controlled, directly or indirectly, by a single entity that is (i) a corporation or an association taxable as a corporation under the Internal Revenue Code; and (ii) not exempt from federal income tax pursuant to § 501(a) of the Internal Revenue Code; and

(3) More than 25 percent of its income consists of rents from real property as defined in § 856(d) of the Internal Revenue Code.

b. For purposes of applying the ownership test of subdivision 10 a (2), the following entities shall not be considered a corporation or an association taxable as a corporation:

(1) Any REIT that is not treated as a Captive REIT;

(2) Any REIT subsidiary under § 856 of the Internal Revenue Code other than a qualified REIT subsidiary of a Captive REIT;

(3) Any Listed Australian Property Trust, or an entity organized as a trust, provided that a Listed Australian Property Trust owns or controls, directly or indirectly, 75 percent or more of the voting or value of the beneficial interests or shares of such trust; and

(4) Any Qualified Foreign Entity.

c. For purposes of subdivision B 10, the constructive ownership rules prescribed under § 318(a) of the Internal Revenue Code, as modified by § 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets, or net profits of any

person.

d. For purposes of subdivision B 10:

"Listed Australian Property Trust" means an Australian unit trust registered as a Management Investment Scheme, pursuant to the Australian Corporations Act, in which the principal class of units is listed on a recognized stock exchange in Australia and is regularly traded on an established securities market.

"Qualified Foreign Entity" means a corporation, trust, association or partnership organized outside the laws of the United States and that satisfies all of the following criteria:

(1) At least 75 percent of the entity's total asset value at the close of its taxable year is represented by real estate assets, as defined in § 856(c)(5)(B) of the Internal Revenue Code, thereby including shares or certificates of beneficial interest in any REIT, cash and cash equivalents, and U.S. Government securities;

(2) The entity is not subject to a tax on amounts distributed to its beneficial owners, or is exempt from entity level tax;

(3) The entity distributes, on an annual basis, at least 85 percent of its taxable income, as computed in the jurisdiction in which it is organized, to the holders of its shares or certificates of beneficial interest;

(4) The shares or certificates of beneficial interest of such entity are regularly traded on an established securities market or, if not so traded, not more than 10 percent of the voting power or value in such entity is held directly, indirectly, or constructively by a single entity or individual; and

(5) The entity is organized in a country that has a tax treaty with the United States.

e. For taxable years beginning on or after January 1, 2016, for purposes of subdivision B 10, any voting power or value of the beneficial interests or shares in a REIT that is held in a segregated asset account of a life insurance corporation as described in § 817 of the Internal Revenue Code shall not be taken into consideration when determining if such REIT is a Captive REIT.

1. For taxable years beginning on or after January 1, 2016, to the extent that tax credit is allowed for the same donation pursuant to § 58.1-439.12:12, any amount claimed as a federal income tax deduction for such donation under § 170 of the Internal Revenue Code, as amended or renumbered.

C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income) or, for taxable years beginning on and after January 1, 2018, § 951A of the Internal Revenue Code (Global Intangible Low-Taxed Income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12, 13. [Expired.]

14. For taxable years beginning on or after January 1, 1995, the amount for "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, but before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.2-3100; and (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999, by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19, 20. [Repealed.]

21. For taxable years beginning on and after January 1, 2004, any amount of intangible expenses and costs or interest expenses and costs added to the federal taxable income of a corporation pursuant to subdivision B 8 or B 9 shall be subtracted from the federal taxable income of the related member that received such amount if such related member is subject to Virginia income tax on the same amount.

22. For taxable years beginning on and after January 1, 2009, any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. For taxable years beginning on and after January 1, 2009, any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. For taxable years beginning on or after January 1, 2011, any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income must be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided the business has its principal office or facility in the Commonwealth and less than $3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment must be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 for the same investment.<

b. As used in this subdivision 25:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a

similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

26. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 or 25 for the same investment.

b. As used in this subdivision 26:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

27. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

28. For taxable years beginning before January 1, 2021, up to $100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

D. For taxable years beginning on and after January 1, 2006, there shall be subtracted from federal taxable income contract payments to a producer of quota tobacco or a tobacco quota holder as provided under the American Jobs Creation Act of 2004 (P.L. 108-357) as follows:

1. If the payment is received in installment payments, then the recognized gain, including any gain recognized in taxable year 2005, may be subtracted in the taxable year immediately following the year in which the installment payment is received.

2. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

E. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

F. Notwithstanding any other provision of law, the income from any disposition of real property which is held by the taxpayer for sale to customers in the ordinary course of the taxpayer's trade or business, as defined in § 453(l)(1)(B) of the Internal Revenue Code, of property made on or after January 1, 2009, may, at the election of the taxpayer, be recognized under the installment method described under § 453 of the Internal Revenue Code, provided that (i) the election relating to the dealer disposition of the property has been made on or before the due date prescribed by law (including extensions) for filing the taxpayer's return of the tax imposed under this chapter for the taxable year in which the disposition occurs, and (ii) the dealer disposition is in accordance with restrictions or conditions established by the Department, which shall be set forth in guidelines developed by the Department. Along with such restrictions or conditions, the guidelines shall also address the recapture of such income under certain circumstances. The development of the guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

G. ~~For taxable years beginning on and after January 1, 2018, but before January 1, 2022, there~~*There* shall be deducted to the extent included in and not otherwise subtracted from federal taxable income ~~20 percent~~*a percentage* of *the* business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code *in the amount of:*~~:~~

1. 20 percent for~~For~~ taxable years beginning on and after *January 1, 2018, but before* January 1, 2022*;*

2.~~;~~ ~~there shall be deducted to the extent included in and not otherwise subtracted from federal taxable income~~ 30 percent *for taxable years beginning on and after January 1, 2022, but before January 1, 2024; and*

3. *50 percent for taxable years beginning on and after January 1, 2024.* ~~of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code.~~

For purposes of ~~this~~ subsection *G*, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

H. For taxable years beginning before January 1, 2021, there shall be deducted to the extent not otherwise subtracted from federal taxable income up to $100,000 of the amount that is not deductible when computing federal taxable income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

24. That, notwithstanding any other provision of law or regulation, the retail sales and use tax exemption holidays authorized in subdivision 18 of § 58.1-609.1, § 58.1-611.2 and § 58.1-611.3 of the Code of Virginia, applicable to Energy Star or Watersense qualified products, school supplies, clothing and footwear, and certain hurricane preparedness equipment shall remain in effect through July 1, 2025; except that the retail sales and use tax exemption holidays so authorized for calendar year 2023 shall apply only to those sales occurring during the three-day period that begins on Friday, October 20, and ends at 11:59 p.m. on the following Sunday.

25. That the provisions of Chapters 1, 763, 772, and 791 of the Acts of Assembly of 2023 shall prevail over any conflicting provisions of the second enactment of this act, and § 4-13.00 of this act shall not be applicable with respect to any such conflict.

26. That § 55.1-507. of the Code of Virginia is amended and reenacted as follows:

§ 55.1-507. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Agricultural land" means real estate in the Commonwealth used or zoned in a manner that would permit the use of the real estate for an agricultural operation.

"Agricultural operation" means any operation devoted to the bona fide production of crops, animals, or fowl, including the production of fruits and vegetables of any kind; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silvicultural activity.

"Department" means the Department of Agriculture and Consumer Services.

"Foreign adversary" means any foreign government or nongovernment person determined by the U.S. Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons, as set forth in 15 C.F.R. § 7.4 or such successor regulation, declaration, or statute as may exist from time to time.

"Interest in agricultural land" means any right, title, or interest, direct or indirect, in and to (i) agricultural land or (ii) any entity or other organization that holds any right, title, or interest, direct or indirect, in and to agricultural land. For purposes of this definition, any interest that taken on its own or together with any other interest held in common or under common control does not give the holder of the interest the ability to possess or occupy the agricultural land in any manner or the power or authority to direct the conduct of the agricultural operation being conducted on the agricultural land*, shall not be deemed an "interest in agricultural land" for purposes of this chapter*.

27. That the provisions of the fifth enactment of this Act shall apply beginning January 1, 2023.

28. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2024.

29. That the provisions of the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, and twenty-sixth enactments of this act shall have no expiration date.

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