
VIRGINIA STATE BUDGET

1996 Session

Budget Bill - HB30 (Introduced)

Bill Order » Part 4: General Provisions » Item 4-1.06

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§ 4-1.06 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1. a) General fund appropriations to agencies in the Legislative Department, Judicial Department and Independent agencies which remain unexpended on the last day of each year of the biennium shall be reappropriated for expenditure in the succeeding year, except as may be specifically provided otherwise by the General Assembly.

b) General fund appropriations to agencies in the Executive Department which remain unexpended on the last day of each year of the biennium be reappropriated for expenditure in the succeeding year, with the prior written approval of the Governor, except as may be specifically provided otherwise by the General Assembly.

c) The Governor may, at his discretion, unallot funds from the reappropriated balances of Executive Department agencies which relate to unexpended appropriations for payments to individuals, aid to localities, or any other pass-through grants. Any such reappropriations which the Governor shall unallot as specified above shall revert to and become a part of the general fund, unless the General Assembly shall have specifically provided otherwise, and the State Comptroller shall not thereafter make any payment from such unallotted reappropriations.

2. Where the General Assembly has specifically provided for a reappropriation payable from the general fund, payment for such reappropriation shall be made only upon the Governor's certification that funds are available for such payment. This provision shall also apply to reappropriations based on compliance with management standards as specified hereinafter in Paragraph 3.

3. a) For institutions of higher education which meet management standards prescribed by the Governor, the appropriation for educational and general programs unexpended on the last day of each year of the biennium shall be reappropriated for use in the succeeding year. Further, all unexpended revenues from community education and public service programs shall be reappropriated for use in the succeeding year.

b) Appropriations for higher education student financial assistance which are unexpended on the last day of each year of the biennium shall be reappropriated for expenditure in the succeeding year.

4. Notwithstanding the last sentence of Paragraph C of § 2.1-457, 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.

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 twelve months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund; the Director, Department of Planning and Budget, may direct the restoration of such balance, or a part of it, within twelve months following the transfer, if he deems there exists an appropriate

need for expenditure or repayment of the sum, or a part of it, during this period.

c. CAPITAL PROJECTS:

1. The Director of the Department of Planning and Budget 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 he determines that such portion is not needed for completion of the project. He may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which he determines is not needed to complete the project. He may direct the restoration of any portion of the returned and 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 balance was reverted in the prior biennium, he may likewise restore any portion of such reverted amount under the same conditions.

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 unexpended nongeneral fund cash balance, if there be any, for such completed project shall be returned 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. 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.