2000 Session

Budget Bill - HB30 (Introduced)

Item 4-5.07

§ 4-5.07 NONPROFIT CULTURAL AND ARTISTIC ORGANIZATIONS, 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. The agency shall provide for the segregation and accounting of state funds under such rules and regulations as the State Comptroller may prescribe.

b.1. For purposes of this subsection, the definition of "nonprofit cultural or artistic organization" is that contained in § 2.1-394.1, Code of Virginia.

2. Allotment of appropriations to nonprofit cultural and artistic organizations shall be subject to the following criteria:

a) Such organization is located in and operates in Virginia.

b) Effective July 1, 2002, no such organization shall receive operating support on a continued basis for more than two consecutive years. Capital, debt service, and other one-time expenses are excluded from this criterion.

c) The organization 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 nonprofit cultural or artistic organization until such organization has certified to the Secretary of Finance that cash is 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. In-kind or other forms of noncash assistance shall not be deemed to satisfy the match requirement unless specifically allowed by language in this act.

4. Unless specifically exempted by language in this act, operating appropriations in excess of $100,000 shall be disbursed to nonprofit cultural or artistic organizations in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year.

5. The provisions of § 11-35 I, Code of Virginia shall apply to any expenditure of state appropriations by a nonprofit cultural or artistic organization.

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 agency shall submit by September 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.