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# VIRGINIA STATE BUDGET

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2004 Session

## Budget Bill - HB29 (Chapter 943)

Bill Order » Part 4: General Provisions » Item 4-2.02

### Item 4-2.02 (Not set out)

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#### § 4-2.02 GENERAL FUND REVENUE

##### a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in subdivision 2 of this subsection, 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 § 3.1-684.63, 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.

b)1) 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 mentally retarded, 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) Department of Medical Assistance Services, from funds received from health care providers as a result of overpayments made in previous fiscal years and recoveries from third parties, after a determination is made of the Commonwealth's share of such recoveries.

e) Board of Bar Examiners, from all sources.

f) Secretary of the Commonwealth, from all sources.

g)1) Institutions in the Department of Corrections, as required by law, including revenues from sales of dairy and

farm products, and payments to the Department of Corrections from the U.S. Immigration and Naturalization Service for the housing of illegal aliens and other inmates, but excluding payments to the Virginia Correctional Enterprises, the Department of Corrections, Department of Correctional Education; and the Department of Juvenile Justice for work performed by inmates, wards, and by work-release prisoners for their expenses. The amounts for the Department of Correctional Education shall be used to increase vocational training “live work” activities and to purchase work tools and work clothes for inmates upon release.

2) Notwithstanding § 53.1-45, Code of Virginia, the Department is authorized to sell dairy, animal or farm products on the open market and through the Virginia Farmer's Market Network, for those products for which Virginia imports more than it exports.

h) 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.

i) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

j) Department of the Treasury, from the following sources:

1) Fees collected from insurance companies for the safekeeping and handling of securities or surety bonds deposited with the State Treasurer pursuant to § 38.2-1057, Code of Virginia.

2) Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

k) Attorney General, from recoveries of attorneys' fees and costs of litigation.

l) 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.

m) 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.

2. The provisions of subdivision 1 of this subsection 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 § 4-1.05 b 1 of this act, sums derived from the sale of property 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 unless the General Assembly provides otherwise.

**b. 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.

**c. LEASES FOR COMMUNICATIONS TOWERS:**

1. Any state agency, except the Virginia Department of Transportation, proposing to lease real property under its control for the erection of communications towers or the installation of nonstate-owned equipment on existing

towers for electronic transmissions shall obtain prior approval of such lease as prescribed in § 2.2-1151, Code of Virginia. The revenue from such lease shall be paid into the state treasury in accordance with § 2.2-1156, Code of Virginia except as provided by § 2.2-1130, Code of Virginia, and Chapter 477, Acts of Assembly of 2002.

2. The Director, Department of General Services, shall provide annually a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees, identifying the agencies entering into such leases, the location of the real property, the amount of the lease and the amount of the payments into the general fund. Such report shall be made pursuant to § 4-8.00 of this act.