

---

# VIRGINIA STATE BUDGET

---

2008 Session

## Budget Bill - HB29 (Introduced)

Bill Order » Office of Public Safety » Item 393

Department of Criminal Justice Services

### Item 393

First Year - FY2007    Second Year - FY2008

<b>Financial Assistance to Localities - General (72800)</b>	<b>\$206,339,291</b>	<b>\$215,791,448</b>
Financial Assistance to Localities Operating Police Departments (72813)	\$206,339,291	\$215,791,448
Fund Sources:		
General	\$206,339,291	\$215,791,448

---

Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.

A. 1. Funds in this item are appropriated pursuant to the provisions of Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599) and shall be distributed to localities with qualifying police departments.

2. Out of the appropriation for this Item, the department shall allocate \$67,467 the second year from the general fund for the town of Windsor.

3. Out of this appropriation, an additional \$1,116,050 the second year from the general fund is provided for local law enforcement agencies which are eligible to receive financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia. It is the intent of the General Assembly that these additional funds be allocated only to those local law enforcement agencies that would otherwise lose funding as a result of updated input data in the current House Bill 599 formula, and that any funding received by these local law enforcement agencies through this additional appropriation be used entirely for local law enforcement activities that respond to or reduce the incidence of violent crime.

4. *As part of the implementation of the budget reductions directed by the Governor on October 1, 2007, in the second year the agency shall reduce the amount calculated according to the provisions of this Item for distribution to each locality by five percent.*

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 Chairmen of the

House Appropriations and Senate Finance Committees within 30 days following the submission of the local certifications.

D. Out of this appropriation, an additional \$3,460,129 the first year from the general fund is provided for local law enforcement agencies which are eligible to receive financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia. The Department shall distribute this additional amount using a methodology based on the incidence of violent crimes as reported to the Virginia Department of State Police. It is the intent of the General Assembly that these additional funds be allocated only to those local law enforcement agencies that would otherwise lose funding as a result of updated input data in the current House Bill 599 formula, and that any funding received by these local law enforcement agencies through this additional appropriation be used entirely for local law enforcement activities that respond to or reduce the incidence of violent crime. Prior to the distribution of these additional funds, the Secretary of Public Safety shall provide the Chairmen of the House Appropriations and Senate Finance Committees with a report on the proposed distribution methodology and the amount proposed for each eligible law enforcement agency.

E. The Secretaries of Public Safety and Finance shall review the current methodology for the distribution of state aid to localities with police departments (HB 599 of 1979) to determine whether or not the enabling legislation and funding formula warrant modification. Copies of this review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by October 16, 2006.

F. Effective July 1, 2007, 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.