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# VIRGINIA STATE BUDGET

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2015 Session

## Budget Bill - HB1400 (Introduced)

Bill Order » Central Appropriations » Item 471.40

Central Appropriations

Item 471.40	First Year - FY2015	Second Year - FY2016
<del>Reversion Clearing Account – Miscellaneous (23600)</del>	<del>-\$40,620,360</del>	<del>-\$284,881,274</del>
Reversion Clearing Account – Miscellaneous (23600)	-\$40,620,360	-\$284,881,274
Fund Sources:		
General	-\$40,620,360	-\$284,881,274

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Authority: Discretionary Inclusion.

A. The Director of the Department of Planning and Budget shall withhold and transfer to this Item amounts estimated at \$46,300,000 the first year and \$23,000,000 the second year from the general fund appropriations included in this act as described in Paragraphs 1 through 7 of this Paragraph A. reflecting savings generated by utilizing nongeneral fund resources to offset general fund expenses and from other actions to reduce spending.

1. In recognition of additional fiscal year 2014 Lottery Proceeds Funds and Literary Funds, and to accomplish general fund savings estimated at \$43,100,000 the first year, the Department of Planning and Budget is hereby authorized to transfer amounts to this Item from the general fund appropriation for Direct Aid to Public Education, Agency 197, Item 136 of this general appropriation act as follows: a) \$26,200,288 from Textbooks, b) \$1,899,712 from Remedial Summer School, and c) \$15,000,000 from payment of teacher retirement costs. There is hereby appropriated \$28,100,000 of additional Lottery Fund proceeds to Direct Aid to Public Education, Agency 197, Item 136, as follows: a) \$26,200,288 for Textbooks, and b) \$1,899,712 for Remedial Summer School. There is hereby appropriated \$15,000,000 from additional Literary Fund revenues to Direct Aid to Public Education, Agency 197, Item 136 of this general appropriation act for the appropriation set out for the payment of teacher retirement costs in FY 2015.

2. To accomplish savings estimated at \$3,200,000 the first year and \$23,000,000 the second year, the Department of Planning and Budget is hereby authorized to transfer amounts to this Item from the general fund appropriation for debt service payments in Item 276 of this general appropriation act. These savings reflect reduced payment requirements due to bond refinancings.

3. Notwithstanding the provisions of § 10.1-2128.1 of the Code of Virginia, to accomplish savings estimated at \$1,000,000 the first year and \$1,000,000 the second year, the Department of Planning and Budget is hereby authorized to transfer amounts to this Item from the nongeneral funds deposited into the Natural Resources Commitment Fund in Item 357 D.2.

4. On or before June 30, 2015, the Director of the Department of Planning and Budget shall revert an amount estimated at \$151,800,000 to the general fund from unobligated balances from executive branch agencies.

5. On or before June 30, 2015, the Director of the Department of Planning and Budget shall revert an amount estimated at \$700,000 from Judicial agency balances.

6. On or before June 30, 2015, the Director of the Department of Planning and Budget shall revert an amount

estimated at \$2,850,000 from legislative agency balances, \$500,000 from the House of Delegates, and \$500,000 from the Senate of Virginia.

7. On or before June 30, 2015, the Director of the Department of Planning and Budget shall transfer to the general fund an amount estimated at \$950,000 from balances of the Virginia Alcohol Safety Action Program.

B. Notwithstanding the amounts appropriated in any item in Part 1, appropriation reductions required on the part of agencies to implement the savings enumerated in this Item are hereby authorized provided that such actions do not conflict with the provisions of § 4-1.02 of this act.

C. Any nongeneral fund appropriation change or changes in the appropriation of agency authorized positions required to implement the savings enumerated in this Item are hereby authorized.

D. Included in this appropriation is \$5,679,640 the first year and \$10,118,726 the second year to be transferred by the Director of the Department of Planning and Budget to Items 39, 40, and 41 to effectuate the filling of judgeships. The amounts appropriated in this paragraph for each year of the biennium to effectuate the filling of judgeships shall be the maximum amounts transferred to Items 39, 40, and 41 for such purposes notwithstanding any relevant provision to the contrary. In addition, all conditions and restrictions relating to the filling of judgeships shall be as provided in Items, 39, 40, and 41.

E.1. For purposes of determining a transfer from the Revenue Stabilization Fund to the general fund as a result of a downward revision in general fund revenues, the term "total general fund revenues appropriated" shall mean the general fund operating and capital appropriations for each year of the biennium contained in the Appropriation Act which is in effect at the time when such downward revision in general fund revenues is made.

2. In accordance with Article 10, § 8, Virginia Constitution, and § 2.2-1830, Code of Virginia, the amount of the transfer shall not exceed the lesser of one half of the balance of the Revenue Stabilization Fund or one half of the forecasted shortfall in revenues.

3. The anticipated shortfalls in general fund revenues for fiscal years ending June 30, 2015, and June 30, 2016, shall be computed by comparing the revised forecast for "Total General Fund Resources Available for Appropriation" as shown in § 3 of the first enactment to the total general fund revenues appropriated for each year of the biennium as contained in the general appropriation act as it became effective on July 1, 2014 (Chapter 2 of the Acts of Assembly of 2014, Special Session I).

4. One half of the shortfall in revenues is estimated at \$648,650,000, which is more than one half of the balance in the Revenue Stabilization Fund as of September 15, 2014. Of this shortfall amount, \$470,000,000 is hereby appropriated in FY 2015, pursuant to § 2.2-1830, Code of Virginia. Upon completion of the Auditor of Public Accounts' report on certified tax revenues for FY 2014 pursuant to § 2.2-1829, Code of Virginia, the State Comptroller shall deposit this sum into the general fund of the state treasury on or before June 30, 2015.

5. One half of the balance of the Revenue Stabilization Fund, estimated at \$235,000,000, is hereby appropriated in FY 2016, pursuant to § 2.2-1830, Code of Virginia. Upon completion of the Auditor of Public Accounts' report on certified tax revenues for FY 2015 pursuant to § 2.2-1829, Code of Virginia, the State Comptroller shall deposit this sum into the general fund of the state treasury on or before June 30, 2016.

F. To accomplish savings estimated at \$272,000,000 in fiscal year 2016, the Governor shall develop budget reduction plans and other strategies for submission to the 2015 General Assembly as part of the requirements of § 2.2-1509, Code of Virginia. In developing these plans, the Governor shall take into consideration any further adjustments to the revenues pursuant to § 2.2-1503, Code of Virginia.

G.1. The Governor is hereby authorized to reallocate up to \$5,000,000 from existing appropriations from programs

in the Executive Department that foster economic development during each year of the current biennium to enhance economic development efforts in the Commonwealth if he determines that all or a portion of that amount is needed and better used to take advantage of the availability of job creation or workforce development opportunities in order to further diversify and grow the economy of Virginia.

2. At least five days prior to any action to implement the provisions contained in paragraph 1, the Governor shall submit a notice of his intended action to the Chairmen of the House Appropriations and Senate Finance Committees which itemizes the source or sources of such funding and the specific purposes or uses of any disbursements he intends to authorize pursuant to the provisions of this item.

H. Pursuant to the provisions of subsection G of § [58.1-638](#) of the Code of Virginia, the increase in the portion of the general sales and use tax revenue required to be deposited into the Highway Maintenance and Operating Fund in fiscal year 2015, estimated at an additional \$49,800,000, shall be deposited to the Highway Maintenance and Operating Fund in fiscal year 2015.

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) that were dedicated to transportation-related funds have been appropriated in conformity with the requirements of those respective chapters.