
VIRGINIA STATE BUDGET

2018 Special Session I

Budget Bill - HB5002 (Introduced)

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Interfund Transfers

Item 3-1.01

§ 3-1.00 TRANSFERS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2019	FY 2020
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,141,363	\$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)	\$23,613	\$23,613
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)	\$2,419	\$2,419

4. For collection by Department of Taxation

a) Aircraft Sales & Use Tax (§ 58.1-1509 , Code of Virginia)	\$39,169	\$39,169
b) Soft Drink Excise Tax	\$1,596	\$1,596
c) Virginia Litter Tax	\$9,472	\$9,472

5. Proceeds of the Tax on Motor Vehicle Fuels

For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
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6. Virginia Retirement System (Trust and Agency)

For postage by the Department of the Treasury	\$34,500	\$34,500
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7. Department of Alcoholic Beverage Control (Enterprise)

For services by the:

a) Auditor of Public Accounts	\$75,521	\$75,521
b) Department of Accounts	\$64,607	\$64,607
c) Department of the Treasury	\$47,628	\$47,628

TOTAL

\$74,913,243	\$74,913,243
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2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at \$109,800,000 the first year and \$115,500,000 the second year.

b. Notwithstanding the provisions of § 4.1-116 B, Code of Virginia, the Department of Alcoholic Beverage Control shall properly record the depreciation of all depreciable assets, including approved projects, property, plant and equipment. The State Comptroller shall be notified of the amount of depreciation costs recorded by the Department of Alcoholic Beverage Control. However, such depreciation costs shall not be the basis for reducing the quarterly transfers needed to meet the estimated profits contained in this act.

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.02 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

154	Department of Motor Vehicles	\$7,416,469	\$7,416,469
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D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at \$5,986,862 the first year and \$5,986,862 the second year.

E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs attributable to increased sales and use tax compliance efforts and revenue forecasting for the Transportation Trust Fund by the Department of Taxation estimated at \$2,933,496 the first year and \$2,933,496 the second year.

F. On or before June 30 of each year, the State Comptroller shall transfer \$12,965,823 the first year and \$12,965,823 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	Fund Group	FY 2019	FY 2020
Administration of Health Insurance (149)	0500	\$558,986	\$558,986

Department of Agriculture & Consumer Services (301)	0200	\$1,847	\$1,847
Department of Forestry (411)	0200	\$48,576	\$48,576
Department of Forestry (411)	0900	\$297	\$297
Board of Accountancy (226)	0900	\$11,302	\$11,302
Department of Housing and Community Develop. (165)	0900	\$306	\$306
Department of Labor and Industry (181)	0200	\$7,404	\$7,404
Department of Professional & Occupational Regulations (222)	0200	\$8,513	\$8,513
Southwest Virginia Higher Ed. Center (948)	0200	\$9,535	\$9,535
Virginia Museum of Fine Arts (238)	0200	\$24,516	\$24,516
Virginia Museum of Fine Arts (238)	0500	\$19,470	\$19,470
Department for the Deaf and Hard-Of-Hearing (751)	0200	\$13,975	\$13,975
Department of Behavioral Health and Developmental Services (720)	0200	\$99,048	\$99,048
Department of Health (601)	0900	\$152,263	\$152,263
Department for Aging and Rehabilitative Services (262)	0200	\$85,374	\$85,374
Virginia for Health Youth Foundation (852)	0900	\$23,052	\$23,052
State Corporation Commission (171)	0900	\$10,928	\$10,928
Virginia College Savings Plan (174)	0500	\$380,986	\$380,986
Board of Bar Examiners (233)	0200	\$5,155	\$5,155
Supreme Court (111)	0900	\$343,043	\$343,043
Virginia State Bar (117)	0900	\$56,836	\$56,836
Department of Conservation and Recreation (199)	0200	\$206,500	\$206,500
Department of Conservation and Recreation (199)	0900	\$47,612	\$47,612
Department of Game and Inland Fisheries (403)	0900	\$315,439	\$315,439
Department of Historic Resources (423)	0900	\$144	\$144
Marine Resources Commission (402)	0200	\$26,282	\$26,282

Marine Resources Commission (402)	0900	\$8,205	\$8,205
Virginia Museum of Natural History (942)	0200	\$4,460	\$4,460
Alcoholic Beverage Control (999)	0500	\$169	\$169
Department of Criminal Justice Services (140)	0200	\$72,779	\$72,779
Department of Criminal Justice Services (140)	0900	\$64,195	\$64,195
Department of Fire Programs (960)	0200	\$124,615	\$124,615
Department of State Police (156)	0200	\$84,399	\$84,399
Department of Military Affairs (123)	0900	\$13,123	\$13,123
Division of Community Corrections (767)	0900	\$12,874	\$12,874
Innovation & Entrepreneurship Investment Authority (934)	0900	\$15,383	\$15,383
Department of Aviation (841)	0400	\$94,028	\$94,028
Department of Motor Vehicles (154)	0400	\$3,728,268	\$3,728,268
Department of Rail & Public Transportation (505)	0400	\$680,556	\$680,556
Department of Transportation (501)	0400	\$5,338,860	\$5,338,860
Motor Vehicle Dealer Board (506)	0200	\$15,065	\$15,065
Virginia Port Authority (407)	0200	\$170,539	\$170,539
Virginia Port Authority (407)	0400	\$80,916	\$80,916
		\$12,965,823	\$12,965,823

G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia, an amount estimated at \$586,673,186 the first year and \$586,673,186 the second year, from the Virginia Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis, or until the amount estimated at \$586,673,186 the first year and \$586,673,186 the second year has been transferred to the Lottery Proceeds Fund. Prior to June 20 of each year, the Virginia Lottery Director shall estimate the amount of profits in the Virginia Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

2. No later than 10 days after receipt of the annual audit report required by § 58.1-4022.1, Code of Virginia, the State Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the Virginia Lottery Fund for the prior fiscal year. If such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was based, the State Comptroller shall adjust the next monthly transfer from

the Virginia Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as specified in § 58.1-4022.1, Code of Virginia.

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate \$3,000,000 the first year and \$3,000,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public institutions of higher education, which are estimated to generate \$100,000 the first year and \$100,000 the second year, shall be paid into the general fund of the state treasury.

3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be paid into the general fund of the state treasury.

4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$50,000 the first year and \$50,000 the second year, and shall be paid into the general fund of the state treasury.

I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$4,500,000 the first year and \$4,500,000 the second year.

2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the State Comptroller to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the official revenue forecast for such collections.

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the

second year of the biennium.

M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed \$12,350,000 the first year and \$12,350,000 the second year.

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$4,089,914 the first year and \$4,089,914 the second year from the Court Debt Collection Program Fund at the Department of Taxation.

P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$7,400,000 the first year and \$7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$6,500,000 the first year and an amount estimated at \$6,500,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,364,585 the first year and \$3,864,585 the second year from operating efficiencies to be implemented by the Department of Alcoholic Beverage Control.

S. The State Comptroller shall transfer quarterly, one-half of the revenue received pursuant to § 18.2-270.01, of the Code of Virginia, and consistent with the provisions of § 3-6.03 of this act, to the general fund in an amount not to exceed \$8,055,000 the first year, and \$8,055,000 the second year from the Trauma Center Fund contained in the Department of Health's Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).

T. On or before June 30 each year, the State Comptroller shall transfer \$600,000 the first year and \$600,000 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

U. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

V.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The

Commonwealth may enter into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund.

W. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 344, 395, and 420 of this act, for the purposes enumerated in Section 17.1-275.12.

X. On or before June 30 each year, the State Comptroller shall transfer \$10,518,587 the first year and \$10,518,587 the second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

Y. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$106,451 the first year and \$106,451 the second year.

Z. Any amount designated by the State Comptroller from the June 30, 2018, or June 30, 2019, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

AA. The Department of General Services, with the cooperation and support of the Department of Behavioral Health and Developmental Services, is authorized to sell to Virginia Electric and Power Company, a Virginia corporation d/b/a Dominion Virginia Power, for such consideration as the Governor may approve, a parcel of land containing approximately 15 acres along the northern property line of Southside Virginia Training Center. After deduction of the expenses incurred by the Department of General Services in the sale of the property, the proceeds of the sale shall be deposited to the Behavioral Health and Developmental Services Trust Fund established pursuant to § 37.2-318, Code of Virginia. Any conveyance shall be approved by the Governor or his designee in the manner set forth in § 2.2-1150, Code of Virginia.

BB. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the State Health Insurance Fund (Fund 06200) the balance from the Administration of Health Benefits Services Fund (Fund 06220) at the Department of Human Resource Management.

CC. The Department of General Services is authorized to dispose of the following property currently owned by the Department of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the properties shall be deposited into the general fund no later than June 30, 2018 .

DD. The State Comptroller shall deposit an additional \$300,000 to the general fund on or before June 30, 2019, and an additional \$800,000 to the general fund on or before June 30, 2020, from the fees generated by the Firearms Transaction and Concealed Weapons Permit Programs at the Department of State Police.

EE.1. On or before June 30 each year, the State Comptroller shall transfer \$4,414,446 the first year and \$273,627 the second year to the general fund from agency nongeneral funds, as detailed below, to fund a portion of the nongeneral share of costs for the expedited repayment of deferred contributions to the Virginia Retirement System authorized in Chapter 732, 2016 Acts of Assembly.

Agency Name	Fund Detail	FY 2019	FY 2020
Supreme Court (111)	02800	\$13,506	
Virginia State Bar (117)	09117	\$132,793	
Department of Emergency Management (127)	02870	\$17,828	
Department of Motor Vehicles (154)	04540	\$417,507	
Department of Motor Vehicles (154)	04100	\$31,425	
Wilson Workforce and Rehabilitation Center (203)	02203	\$92,218	\$92,217
Board of Bar Examiners (233)	02233	\$11,896	
Department for Aging and Rehabilitative Services (262)	02262	\$4,665	\$4,667
Department for Aging and Rehabilitative Services (262)	02800	\$53,670	\$53,670
Department of Environmental Quality (440)	02149	\$63	
Department of Environmental Quality (440)	02440	\$420	
Department of Environmental Quality (440)	02450	\$309	
Department of Environmental Quality (440)	02800	\$6,575	
Department of Environmental Quality (440)	05100	\$5048	
Department of Environmental Quality (440)	09024	\$1,622	
Department of Environmental Quality (440)	09042	\$5	
Department of Environmental Quality (440)	09060	\$34	
Department of Environmental Quality (440)	09070	\$47	
Department of Environmental Quality (440)	09080	\$873	
Department of Environmental Quality (440)	09110	\$1,682	
Department of Environmental Quality (440)	09190	\$914	
Department of Environmental Quality (440)	09143	\$2,891	
Department of Environmental Quality (440)	09250	\$10	

Department of Environmental Quality (440)	09640	\$454	
Department of Health (601)	02000	\$163,259	
Department of Health (601)	02030	\$3,873	
Department of Health (601)	02063	\$7,577	
Department of Health (601)	02110	\$17,839	
Department of Health (601)	02130	\$100,099	
Department of Health (601)	02150	\$3,927	
Department of Health (601)	02260	\$2,400	
Department of Health (601)	02480	\$112,729	
Department of Health (601)	02800	\$1,707,240	
Department of Health (601)	09013	\$51,751	
Department of Health (601)	09100	\$3,927	
Department of Health (601)	09312	\$23,326	
Department for the Blind and Vision Impaired (702)	05910	\$32,019	\$32,019
Department of Social Services (765)	02022	\$39,869	\$39,870
Department of Social Services (765)	02043	\$39,869	\$39,870
Department of Juvenile Justice (777)	02777	\$9,389	
Department of Corrections (799)	02711	\$147,786	
Department of Corrections (799)	02320	\$23,995	
Department of Corrections (799)	09530	\$68,864	
Virginia Foundation for Healthy Youth (852)	09430	\$11,313	\$11,314
Commonwealth's Attorneys' Services Council (957)	02957	\$561	
Department of Fire Programs (960)	02180	\$44,614	
Department of Alcoholic Beverage Control (999)	05001	\$1,001,765	
		\$4,414,446	\$273,627

2. Out of the amounts listed above, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from transfers from internal service funds identified in this list. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer

into the Federal Repayment Reserve Fund.

FF. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Health Insurance Fund - Local (Fund 05200) at the Administration of Health Insurance the balance from the Administration of Local Benefits Services Fund (Fund 05220) at the Department of Human Resource Management.

GG. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Line of Duty Death and Health Benefits Trust Fund (Fund 07420) at the Administration of Health Insurance the balance from the Administration of Health Benefits Payment - LODA Fund (Fund 07422) at the Department of Human Resource Management.

HH. On or before June 30, of each fiscal year, the State Comptroller shall transfer \$154,743 from Special Funds of the Department of Behavioral Health and Developmental Services (720) to Special Funds at the Office of the State Inspector General (147).

II. The Department of General Services, with the cooperation and support of the Department of Agriculture and Consumer Services, is authorized to sell, for such consideration and the Governor may approve, a portion of the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. After deduction of the expenses incurred by the Department of Agriculture and Consumer Services, any proceeds that remain shall be deposited to the general fund no later than June 30, 2020. Any conveyance shall be approved by the Governor in a manner set forth in §2.2-1150, Code of Virginia.

JJ. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balance of the Disaster Recovery Fund (Fund 02460) at the Virginia Department of Emergency Management that was received as a federal cost recovery. The amounts transferred represent repayment of the sum sufficient fund originally appropriated for federally-declared emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be transferred by June 1 of each year.