2021 Special Session I

Budget Bill - SB1100 (Introduced)

Department of Criminal Justice Services

Item 408	First Year - FY2021	Second Year - FY2022
Financial Assistance to Localities - General (72800)	~~**$207,858,483**~~ ***$199,229,909***	~~**$200,374,655**~~ ***$191,746,081***
Financial Assistance to Localities Operating Police Departments (72813)	~~$207,858,483~~ *$199,229,909*	~~$200,374,655~~ *$191,746,081*
Fund Sources:		
General	~~$207,858,483~~ *$199,229,909*	~~$200,374,655~~ *$191,746,081*

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

A. The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599), except that, in accordance with the requirements of § 15.2-1302, Code of Virginia, such funds shall also be distributed to a city without a qualifying police force that was created by the consolidation of a city and a county subsequent to July 1, 2011, pursuant to the provisions of § 15.2-3500 et seq. of the Code of Virginia. Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be ~~$200,374,655~~ *$191,746,081* the first year and ~~$200,374,655~~ *$191,746,081* the second year. The amount to be distributed to such a city created by consolidation shall equal the sum distributed to the city during the year prior to the effective date of the consolidation, net of any additional funds allocated by the Compensation Board to the sheriff of the consolidated city as a result of such consolidation, as adjusted in proportion to the increase or decrease in the total amount distributed to all localities during the applicable year. Notwithstanding the provisions of § 9.1-165, Code of Virginia, the amount to be distributed to each locality in each year shall be proportionate to the amount distributed to that locality in FY 2018.

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. 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.

E. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due to 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 the police department within a locality is not registering sex offenders as required in § 9.1-903, Code of Virginia. Upon subsequent notification by the Superintendent that the local law enforcement agency is compliant with the requirements of § 9.1-903, Code of Virginia, the Director shall make reimbursement of withheld funding due to the locality in the same fiscal year in which the local law enforcement agency comes into compliance.

F. Included in the appropriation for this item is $7,483,828 in the first year from the general fund, which shall be distributed by the Department of Criminal Justice Services to local police departments statewide on December 1, 2020. These funds shall be distributed among the localities based on the respective percentage shares of the most recent headcount of sworn law enforcement officers employed by each local police department. These funds shall be used for the purposes of attracting and retaining the most qualified local police department sworn personnel and support the costs associated with criminal justice reform.