2024 Special Session I

Budget Bill - HB6001 (Chapter 2)

Central Appropriations

Item 471	First Year - FY2025	Second Year - FY2026
Payments for Special or Unanticipated Expenditures (75800)	**$11,300,000**	**$1,300,000**
Miscellaneous Contingency Reserve Account (75801)	$1,300,000	$1,300,000
Undistributed Support for Designated State Agency Activities (75806)	$10,000,000	$0
Fund Sources:		
General	$11,300,000	$1,300,000

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed $5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance and Appropriations Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to $5,000,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. Such payments shall be made in accordance with guidelines established by the Department of Agriculture and Consumer Services. In developing the guidelines to allocate payments, the Commissioner of the Department of Agriculture and Consumer Services shall consult the representatives of the affected industries.

D. Out of the appropriation for this item is included $1,000,000 the first year and $1,000,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

1. To address the six conditions listed in § 4-1.03 c 5 of this act.

2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities, services, and training which cannot be absorbed within agency appropriations including unbudgeted benefits associated with Workforce Transition Act requirements.

3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.

4. To provide a payment of up to $100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.

5. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to $1,000,000 the first year and $1,000,000 the second year from the general fund amounts appropriated for the Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.4. of this Item.

6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.

7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.

E. Included in this appropriation is $300,000 the first year and $300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 49, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 49, Paragraph B of this act.

F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.

G. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated

in the next fiscal year.

H.1. The balances of any amounts originally provided in Item 475, Chapter 2, 2018 Acts of Assembly Special Session I, Item 479, Chapter 552, 2021 Acts of Assembly, and Item 485, Chapter 2, 2022 Acts of Assembly, Special Session I are provided for the City of Richmond for the Slavery and Freedom Heritage Site in Richmond, Virginia. These balances remaining from the general fund originally intended to be provided to the City of Richmond for expenses incurred for the planning and development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements may be appropriated by the Director, Department of Planning and Budget, consistent with the provisions of this paragraph. Any unexpended general fund balances remaining from the appropriation in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and reappropriated for its original purpose.

2. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.

3. The Department of General Services shall act as the fiscal agent for these funds. The director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs and the Director, Department of Planning and Budget, is authorized to transfer these funds to the Department of General Services to implement this appropriation.

4. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act.

5. Any remaining funds contained in paragraph H.1. above for the purposes enumerated shall be made available to the City of Richmond upon the receipt of planning and development information by the Department of General Services. The Director of the Department of Planning and Budget shall provide the additional funds at the request of the Department of General Services as the fiscal agent for this project.

I.1. The Chief Transformation Officer shall provide quarterly program updates, to include the status of projects and amounts expended per project, to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees beginning October 1, 2022.

2. The Chief Transformation Officer, in consultation with the Virginia Information Technologies Agency, shall report on the use of consultants for transformation and reform initiatives since January 2022. The report shall be submitted by January 1, 2024, and then annually thereafter for each calendar year, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee and shall include for each instance that a consultant was used, the contract utilized, the amount, the purpose, and consultant name.

J. The balances of any funds originally provided for victims of mass violence pursuant to Item 485, Chapter 1, 2023 Acts of Assembly, Special Session I shall be reappropriated. Upon notification from the Director, Department of Criminal Justice Services, that the General Assembly has adopted a structure for administering this funding, the Director, Department of Planning and Budget shall transfer the funds to the appropriate agency or fund.

K.1. Notwithstanding the provisions of § 2.2-115, Code of Virginia, $250,000 the first year shall be transferred from the amounts in Item 101, Paragraph A. of this act to the Virginia Employment Commission on or before July 15, 2024, for the purpose of updating the November 2021 Paid and Family Medical Leave study.

2. The Virginia Employment Commission (the Commission), in collaboration with the Department of Human Resource Management, the Compensation Board, the Virginia Department of Education, and the Department of Planning and Budget, shall update its November 2021 Virginia Paid Family and Medical Leave study, as authorized by Item 111 of Chapter 1289 of the Acts of Assembly of 2020, to include an assessment of the budgetary impacts of extending application of paid family and medical leave benefits as contemplated in Senate Bill 373 of the 2024

General Assembly to exempt individuals, while maintaining the benefits provided in § 2.2-1210 of the Code of Virginia for state employees. Such assessment shall also examine (i) the number of exempt individuals that would receive expanded family and medical leave benefits; (ii) the budgetary impact and salary impact associated with providing each type of benefit to each class of employee described in clause (i); and (iii) the budgetary impact on state direct aid to public education. The Commission shall submit the updated study to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on or before December 1, 2024.

3. "Exempt individuals" for the purpose of this paragraph means a state employee, the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, sheriff of any county or city, regional jail superintendent or regional jail officer, or local director of finance, or deputy or employee of any such officer, or an employee of a local school division.

4."State employee" means all persons employed by the Commonwealth or a public institution of higher education to provide services, including both salaried and wage employees, whether employed full time or part time.

L. Out of the amounts in this item, $10,000,000 the first year from the general fund shall be provided to establish the Virginia Clean Energy Innovation Bank to finance climate initiatives. Up to $2,000,000 of these amounts may be used for administration.

M. Out of this appropriation, the Governor is authorized to expend additional amounts as necessary to support costs associated with the Presidential Debate hosted by Virginia State University in October 2024.