2026 Special Session I

# Budget Bill - HB30 (Enrolled)

Bill Order » Executive Offices » Item 50

Attorney General and Department of Law

| Item 50 | First Year - FY2027 | Second Year - FY2028 |
|---|---|---|
| **Legal Advice (32000)** | **$65,117,064** | **$66,102,035** |
| State Agency/Local Legal Assistance and Advice (32002) | $65,117,064 | $66,102,035 |
| Fund Sources: | | |
| General | $43,495,365 | $44,480,336 |
| Special | $19,870,867 | $19,870,867 |
| Dedicated Special Revenue | $500,000 | $500,000 |
| Federal Trust | $1,250,832 | $1,250,832 |

Authority: Title 2.2 Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, $150,000 the first year and $150,000 the second year.

2. Expenses of the Attorney General not otherwise reimbursed, $9,000 each year in equal monthly installments.

3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, $738,536 the first year and $738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 468 and § 3-1.01, Paragraph N of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed $100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought

pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to § 2.2-507, Code of Virginia, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students who receive a non-salary stipend from their law school or another institution or recent law school graduates who graduated within the past two years sponsored by their graduating institution with a non-salary stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory.

H.1. There is hereby created in the state treasury a special, nonreverting fund to be known as the Electronic Nicotine Delivery Systems Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund.

2. Notwithstanding any other provision of law, upon receipt of amounts from a settlement, judgment, verdict, or other court order relating to consumer protection claims regarding the marketing and distribution of electronic nicotine delivery systems (ENDS) products toward youth, such amounts shall be deposited into the Fund. Any amounts appropriated from the Fund shall be used, to the maximum extent possible, for efforts to prevent, abate, and cease the use of ENDS and other related nicotine products.

I. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the Electronic Nicotine Delivery Systems Fund shall be transferred to the Virginia Foundation for Healthy Youth to support a youth vaping prevention campaign.

J. Out of this appropriation, $500,000 the first year and $500,000 the second year from the Commonwealth Opioid Abatement and Remediation Fund shall be transferred to the Virginia Foundation for Healthy Youth to address the opioid crisis through a marketing campaign and classroom-based programmatic efforts.

K. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is designated for supporting group violence intervention efforts as defined in Item 394, subsection N of this act.

L. Out of this appropriation, $1,825,000 the first year and $1,825,000 the second year from the Electronic Nicotine Delivery Systems Fund is authorized for the Office of the Attorney General to support initial startup regulatory and enforcement costs associated with implementation of Chapters 1021 and 1044, 2026 Acts of Assembly.