

2003 SESSION

INTRODUCED

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HOUSE BILL NO. 2482

Offered January 8, 2003

Prefiled January 8, 2003

A BILL to amend and reenact § 2.2-3205 of the Code of Virginia, relating to the Workforce Transition Act of 1995.

Patron—Tata

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-3205 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3205. Costs associated with this chapter; payment.

A. The terminating agency shall pay all costs associated with the provisions of this chapter within the twelve months following the date of an employee's involuntary separation, or within such shorter period as may be required. The costs shall be paid first from appropriations available to the terminating agency. If such sums are insufficient, then, if the agency's governing authority certifies that the agency is unable to pay the costs when due from appropriations available to the terminating agency without affecting the agency's ability to deliver essential services, aid to localities, or aid to individuals, the State Treasurer shall make a treasury loan to the agency to be used to finance the unsatisfied balance of the agency's obligations.

B. As used in this section, the "governing authority" shall mean (i) for an agency in the executive branch, the Governor or his designee; (ii) for an agency in the judicial branch, the Supreme Court of Virginia; (iii) and for an agency in the legislative branch or an independent agency, the appropriate collegial body.

C. Any treasury loan made pursuant to subsection A shall be repaid by the agency in the following order: (i) first, from unexpended fund balances available to the agency; (ii) next, from the unexpended year-end balances, less mandated uses as set out in the appropriation act, of all other state agencies and institutions in the terminating agency's branch of government (i.e., judicial, legislative, or executive); and (iii) finally, from such appropriations as the General Assembly may provide for such purpose. In budgeting for the payment of these costs, the general fund shall bear its actual share of such costs.

D. Notwithstanding subsections A, B, and C, for any involuntary separation that is effective between July 1, 2003, and July 1, 2004, the terminating agency is not required to pay the costs of benefits provided under § 2.2-3204 within the 12-month period specified in subsection A, but such costs shall be considered by the Virginia Retirement System in setting the employer contribution rates under § 51.1-145.

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