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HOUSE BILL NO. 926**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee on Finance
on February 21, 2006)

(Patron Prior to Substitute—Delegate Landes)

A *BILL to amend the Code of Virginia by adding in Title 51.5 a chapter numbered 14, consisting of sections numbered 51.5-115 through 51.5-118, relating to Economic Development for Virginians with Disabilities Grant Program.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 51.5 a chapter numbered 14, consisting of sections numbered 51.5-115 through 51.5-118, as follows:

CHAPTER 14.**ECONOMIC DEVELOPMENT FOR VIRGINIANS WITH DISABILITIES GRANT PROGRAM.**

§ 51.5-115. *Economic Development for Virginians with Disabilities Grant Program established.*

A. *The Secretary of Health and Human Resources shall implement and administer a grant program to provide job creation for people with disabilities or with barriers to self-sufficiency.*

B. *The Secretary shall adopt procedures to administer the Economic Development for Virginians with Disabilities Grant Program and Fund to carry out the purposes of the Program. The procedures shall include: (i) application procedures, (ii) procedures for adequate public notice of available assistance, (iii) selection criteria that the Secretary shall consider in approving grant applications from qualified organizations, and (iv) provisions and certifications to ensure that state funds are spent and accounted for appropriately.*

§ 51.5-116. *Definitions.*

As used in this chapter:

"Nonprofit organization" means an organization that has qualified for exemption from income taxation under Section 501(c)(3) of the Internal Revenue Code.

"People with barriers to self-sufficiency" means people who have either (i) limited or no work experience, (ii) a low level of education or training, (iii) physical or mental disabilities, or (iv) lack of workplace skills.

"People with disabilities" means people who have a physical or mental impairment as defined in § 51.5-3.

"Qualified organization" means a nonprofit organization that has applied to the Secretary and has been certified pursuant to § 51.5-118.

§ 51.5-117. *Economic Development for Virginians with Disabilities Grant Fund established.*

There is hereby created in the state treasury a special nonreverting fund to be known as the Economic Development for Virginians with Disabilities Grant Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys as may be appropriated as well as grants, donations, and bequests from public and private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of assisting qualified organizations with capital costs of constructing retail stores or other employment facilities owned by such organizations. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.

§ 51.5-118. *Certification of nonprofit organization.*

The Secretary shall certify as qualified organizations those nonprofit organizations that:

1. Spend at least 75% of their gross revenues on program services, including directly employing or training for employment, people with disabilities or people with barriers to self-sufficiency, and

2. Have as a significant source of revenue the sale of donated goods or goods produced by employees of the nonprofit organization.

2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in the general appropriation act passed by the 2006 Session of the General Assembly, which becomes law.