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SENATE BILL NO. 1428

Offered January 20, 2011

A *BILL to amend and reenact §§ 2.2-1517 and 2.2-1518 of the Code of Virginia, relating to the Six-Year Capital Outlay Plan.*

Patron—Marsh

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:**1. That §§ 2.2-1517 and 2.2-1518 of the Code of Virginia are amended and reenacted as follows:**

§ 2.2-1517. Agency submission of information.

A. In addition to all other reporting requirements imposed upon state agencies and public educational institutions provided under law, state agencies and public educational institutions shall submit to the Advisory Committee information requested as determined by the Advisory Committee in the format and on the schedule established by the Advisory Committee for the initial development of the capital outlay project list as described in § 2.2-1516, as well as for the annual modifications to the six-year capital outlay plan described in § 2.2-1518. The information for the annual modifications shall include, but not be limited to, changes in cost estimates.

B. On or before January 30 each year, the Director of the Department of General Services, on behalf of the Advisory Committee, shall advise state agencies and public educational institutions of the content, format, and method established by the Advisory Committee for submitting the information described in subsection A.

C. State agencies and public educational institutions shall submit the information, in the manner prescribed by the Director of the Department of General Services on behalf of the Advisory Committee pursuant to subsection B, to the Department of General Services and the Department of Planning and Budget on or before March 30 each year. In addition, public educational institutions shall submit the information to the State Council of Higher Education.

D. The Department of Planning and Budget, the Department of General Services, and the State Council of Higher Education shall review the information submitted and shall submit the information and the results of their review, in the manner prescribed by the Advisory Committee, to the Advisory Committee on or before June 30 each year.

E. On the same day that the Governor reports his reestimate of general fund revenues pursuant to § 2.2-1503.3, the Advisory Committee shall meet at a time and place specified by the Director of the Department of General Services to consider the information provided pursuant to subsection D, as well as a capital outlay project status report, to be prepared by the Director of the Department of General Services, on all active projects that have received any funding, including completed planning estimates, project bids, and project timelines. The Advisory Committee shall submit its evaluations and recommendations regarding capital outlay projects to the Governor and the General Assembly on or before November 1 each year.

§ 2.2-1518. Governor to submit a tentative bill for a capital outlay plan; gubernatorial amendments proposed to the plan.

A. 1. No later than January 13, 2009, the Governor shall submit to the General Assembly a tentative bill establishing a capital outlay plan that includes new capital outlay projects (and previously planned or authorized capital outlay projects) that the Governor proposes to be funded entirely or partially from general fund-supported resources for the six fiscal years beginning July 1, 2009. Projects included in the capital outlay plan shall be in addition to any projects for which funds are appropriated from the Central Maintenance Reserve of the general appropriation act.

2. The capital outlay plan submitted by the Governor shall list capital outlay projects in different tiers. Each tier shall be a grouping of capital outlay projects with the total estimated cost of each project in the tier falling within a minimum and a maximum project cost assigned to the tier, provided that no estimated project costs shall be set out in the plan. The minimum and maximum range assigned to a tier shall be mutually exclusive of all other minimum and maximum ranges assigned to other tiers in order that no capital outlay project shall be reported in more than one tier.

For each capital outlay project listed in the plan the Governor shall provide the following information: (i) the agency or public educational institution to which the project is related, (ii) a description of the project, and (iii) a ranking number assigned to the project, which number shall signify the priority of the project when compared to all other projects of the agency or institution listed in the plan.

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59 B. In ~~2010~~ 2011, and each year thereafter, the Governor shall, ~~by no later than the day that~~
60 ~~immediately precedes the first day of the regular session of the applicable General Assembly on or~~
61 ~~before December 20~~, submit to the General Assembly a tentative bill proposing amendments to the
62 current capital outlay plan enacted into law, including adjusting the fiscal years covered by the plan so
63 that the plan will cover the six fiscal years beginning on the immediately following July 1. Any such
64 tentative bill shall be submitted using the format described in subsection A.

65 C. In submitting to the General Assembly tentative bills for the initial capital outlay plan and for
66 plan amendments, the Governor shall consider the capital outlay project list submitted by the Advisory
67 Committee pursuant to § 2.2-1516 and any amendments to the six-year capital outlay plan recommended
68 by the Advisory Committee pursuant to such section.