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HOUSE BILL NO. 1967

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend and reenact § 2.2-903.1 of the Code of Virginia, relating to the Virginia Jobs Investment Program; eligibility for assistance.*

Patron—James

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-903.1 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-903.1. Virginia Jobs Investment Program; composition; general qualifications.**

A. There is hereby created the Virginia Jobs Investment Program (the Program) to support private sector job creation by encouraging the expansion of existing Virginia businesses and the start-up of new business operations in Virginia. The Program shall support existing businesses and economic development prospects by offering funding to offset recruiting and training and retraining costs incurred by companies that are either creating new jobs or implementing technological upgrades and by providing assistance with workforce-related challenges and organizational development workshops.

B. The Program shall consist of the following component programs:

1. The Virginia New Jobs Program;
2. The Workforce Retraining Program;
3. The Small Business New Jobs and Retraining Programs; and
4. The Small Business Jobs Grant Fund Program.

C. To be eligible for assistance under any of the component programs of the Program, a company ~~must~~ shall:

1. Create or sustain employment for the Commonwealth in a basic sector industry or function, which would include businesses or functions that directly or indirectly derive more than 50 percent of their revenues from out of state sources, as determined by the Department;

2. Pay a minimum entry-level wage rate per hour of at least 1.35 times the federal minimum wage. In areas that have (i) an unemployment rate of one and one-half times the statewide average unemployment rate or (ii) a higher labor force participation rate than the statewide average, the wage rate minimum may be waived by the Department. Only full-time positions that qualify for benefits shall be eligible for assistance; and

3. Meet such additional criteria as may be set forth by the Department.

D. There is hereby established in the state treasury a special nonreverting fund to be known as the Virginia Jobs Investment Program Fund. The Fund shall consist of any moneys appropriated thereto by the General Assembly from time to time and designated for the Fund. Any moneys deposited to or remaining in the Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund and be available for allocation under this article in ensuing fiscal years. Moneys in the Fund shall be used solely for grants to eligible businesses as provided in this article, except for assistance under the Small Business Jobs Grant Fund Program. The total amount of funds provided to eligible businesses under this article for any year, except for assistance under the Small Business Jobs Grant Fund Program, shall not exceed the amount appropriated by the General Assembly to the Fund for such year, plus any carryover from previous years. 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 Director or his designee. The Fund shall be administered by the Director.

E. As used in this article:

"Capital investment" means an investment in real property, personal property, or both, at a manufacturing or basic nonmanufacturing facility within the Commonwealth that is or may be capitalized by the company and that establishes or increases the productivity of the manufacturing facility, results in the utilization of a more advanced technology than is in use immediately prior to such investment, or both.

"Full-time employee" means a natural person employed for indefinite duration in a position requiring a minimum of either (i) 35 hours of the employee's time per week for the entire normal year, which "normal year" must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary employees shall not qualify as new full-time employees under this article.

INTRODUCED

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