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SENATE BILL NO. 903

Offered January 19, 2018

A *BILL to amend and reenact § 33.2-616 of the Code of Virginia, relating to electronic toll collection device; contributions to Virginia State Police Association General Fund.*

Patron—Petersen

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 33.2-616 of the Code of Virginia is amended and reenacted as follows:****§ 33.2-616. Electronic toll collection device; DRIVE SMART Virginia Education Fund and Virginia State Police Association General Fund contributions.**

A. The Department shall establish a method by which holders of an account for an electronic toll collection device that is the property of the Commonwealth may opt to make a voluntary contribution to the DRIVE SMART Virginia Education Fund *or the Virginia State Police Association General Fund* through electronic means.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the DRIVE SMART Virginia Education Fund, referred to in this section as "the *DRIVE SMART* Fund." DRIVE SMART Virginia is a nonprofit organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code. The *DRIVE SMART* Fund shall be established on the books of the Comptroller. All funds collected *for the DRIVE SMART Fund* pursuant to subsection A shall be paid into the state treasury and credited to the *DRIVE SMART* Fund. Interest earned on moneys in the *DRIVE SMART* Fund shall remain in the *DRIVE SMART* Fund and be credited to it. Any moneys remaining in the *DRIVE SMART* Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the *DRIVE SMART* Fund. Moneys in the *DRIVE SMART* Fund, less costs of administration incurred and withheld by the Department, shall be used solely for the purposes of supporting educational projects in the Commonwealth through DRIVE SMART Virginia's existing network of education, corporate, and community partners in an effort to improve behavior, raise awareness, and educate members of the general public in workplaces, schools, municipalities, and other locations on issues related to safe driving. Such issues shall include work zone safety, sharing the road with bicyclists and pedestrians, teen driver safety, occupant protection, designated driving, distracted road users, and other issues as needed. DRIVE SMART Virginia shall submit an annual report to the Secretary regarding its use of disbursements from the *DRIVE SMART* Fund. Expenditures and disbursements from the *DRIVE SMART* Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.

C. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia State Police Association General Fund, referred to in this section as "the State Police Fund." The Virginia State Police Association is a nonprofit organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code. The State Police Fund shall be established on the books of the Comptroller. All funds collected for the State Police Fund pursuant to subsection A shall be paid into the state treasury and credited to the State Police Fund. Interest earned on moneys in the State Police Fund shall remain in the State Police Fund and be credited to it. Any moneys remaining in the State Police Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the State Police Fund. Moneys in the State Police Fund, less costs of administration incurred and withheld by the Department, shall be used solely for the purposes of supporting Virginia State Police and drug and alcohol prevention programs in Virginia schools and other child-focused charities across the Commonwealth. The Virginia State Police Association shall submit an annual report to the Secretary regarding its use of disbursements from the State Police Fund. Expenditures and disbursements from the State Police Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.*

INTRODUCED

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