

20101216D

**HOUSE BILL NO. 302**

Offered January 8, 2020

Prefiled December 31, 2019

*A BILL to amend and reenact § 10.1-1422.01 and to repeal Article 2 (§§ 58.1-1706 through 58.1-1710) of Chapter 17 of Title 58.1 of the Code of Virginia, relating to litter tax.*

\_\_\_\_\_  
Patron—McNamara

\_\_\_\_\_  
Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Be it enacted by the General Assembly of Virginia:****1. That § 10.1-1422.01 of the Code of Virginia is amended and reenacted as follows:****§ 10.1-1422.01. Litter Control and Recycling Fund established; use of moneys; purpose of Fund.**

A. All moneys collected from the taxes imposed under §§ 58.1-1700 through ~~58.1-1710~~ *58.1-1705* and by the taxes increased by Chapter 616 of the 1977 Acts of Assembly, shall be paid into the treasury and credited to a special nonreverting fund known as the Litter Control and Recycling Fund, which is hereby established. The Fund shall be established on the books of the Comptroller. Any moneys remaining in the Fund shall not revert to the general fund but shall remain in the Fund. Interest earned on such moneys shall remain in the Fund and be credited to it. The Director is authorized to release money from the Fund on warrants issued by the Comptroller after receiving and considering the recommendations of the Advisory Board for the purposes enumerated in subsection B of this section.

B. Moneys from the Fund shall be expended, according to the allocation formula established in subsection C of this section, for the following purposes:

1. Local litter prevention and recycling grants to localities that meet the criteria established in § 10.1-1422.04; and

2. Payment to (i) the Department to process the grants authorized by this article and (ii) the actual administrative costs of the Advisory Board. The Director shall assign one person in the Department to serve as a contact for persons interested in the Fund.

C. All moneys deposited into the Fund shall be expended pursuant to the following allocation formula:

1. Ninety-five percent for grants made to localities pursuant to subdivision B 1 of this section; and

2. Up to a maximum of 5% for the actual administrative expenditures authorized pursuant to subdivision B 2 of this section.

**2. That Article 2 (§§ 58.1-1706 through 58.1-1710) of Chapter 17 of Title 58.1 of the Code of Virginia is repealed.****3. That any tax levied pursuant to Article 2 (§§ 58.1-1706 through 58.1-1710) of Chapter 17 of Title 58.1 of the Code of Virginia prior to July 1, 2020, shall not be affected by the provisions of this act.**

INTRODUCED

HB302