

# 2021 SPECIAL SESSION I

INTRODUCED

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## SENATE BILL NO. 1418

Offered January 13, 2021

A *BILL to amend and reenact § 2.2-621 of the Code of Virginia, relating to implementation of federal mandates; grants by the Commonwealth; certification of employment; waiver or reduction of capital investment and local match requirements.*

Patron—McPike

Referred to Committee on General Laws and Technology

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2.2-621 of the Code of Virginia is amended and reenacted as follows:**

**§ 2.2-621. Grants by the Commonwealth; certification of employment.**

A. A state agency may require that as a condition of receiving any grant or other incentive that is based on employment goals, a recipient company must provide copies of employer quarterly payroll reports that have been provided to the Virginia Employment Commission to verify the employment status of any position included in the employment goal.

B. In assessing the compliance of a recipient company in creating new jobs as a condition of receiving or maintaining a grant or *other discretionary or by-right* incentive, a state agency may include new jobs related to the activities of the recipient company or its affiliates in satisfying the terms of the grant or incentive (i) at sites in the Commonwealth owned or used by the recipient company or its affiliates or (ii) created by or on behalf of the recipient company or its affiliates, including teleworking positions (a) held by Virginia residents who are employees of the recipient company or its affiliates and (b) that pay at least 1.2 times the Virginia minimum wage, as determined by the Virginia Minimum Wage Act (§ 40.1-28.8 et seq.).

C. In assessing the compliance of a recipient company in investing capital as a condition of receiving or maintaining a grant or *other discretionary or by-right* incentive, a state agency may waive or reduce the requirement for capital investment if the company intends to create new teleworking positions. The teleworking positions shall (i) represent at least 75 percent of the expected new jobs related to the activities of the recipient company in satisfying the terms of the grant or incentive and (ii) be expected to pay an average of at least 1.2 times the minimum wage, as required by the Virginia Minimum Wage Act (§ 40.1-28.8 et seq.).

D. In an instance in which a state agency is providing relief from new jobs or capital investment requirements under subsection B or C, the state agency may also provide full or partial relief from any local match requirement or expectation in the grant or *other discretionary or by-right* incentive program.

E. As used in this section, "state agency" means the same as that term is defined in § 2.2-4347.

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