

2021 SPECIAL SESSION II

INTRODUCED

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SB7001

21300143D

SENATE BILL NO. 7001

Offered August 2, 2021

Prefiled July 30, 2021

A BILL to amend and reenact § 3-5.23 and the fourteenth and fifteenth enactments of Chapter 1289 of the Acts of Assembly of 2020, as amended by Chapter 56 of the Acts of Assembly of 2020, Special Session 1, and Chapter 552 of the Acts of Assembly of 2021, Special Session 1, which appropriated funds the two years ending, respectively, on June 30, 2021, and June 30, 2022, and to amend Chapter 1289 of the Acts of Assembly of 2020, as amended by Chapter 56 of the Acts of Assembly of 2020, Special Session 1, and Chapter 552 of the Acts of Assembly of 2021, Special Session 1, by adding an item numbered 479.20 and by adding enactments numbered 14 through 26, relating to emergent issues; pandemic response and appropriation of federal American Rescue Plan Act of 2021 funds.

Patrons—Howell; Delegate: Torian

Referred to Committee on Finance and Appropriations

Be it enacted by the General Assembly of Virginia:

1. That Chapter 1289 of the Acts of Assembly of 2020, as amended by Chapter 56 of the Acts of Assembly of 2020, Special Session 1, and Chapter 552 of the Acts of Assembly of 2021, Special Session I, is amended and reenacted by amending § 3-5.23 and the fourteenth and fifteenth enactments, and that Chapter 1289 of the Acts of Assembly of 2020, as amended by Chapter 56 of the Acts of Assembly of 2020, Special Session 1, and Chapter 552 of the Acts of Assembly of 2021, Special Session 1, is amended by adding an item numbered 479.20 and by adding enactments numbered 14 through 26 as follows:

479.20	First Year - FY2021	Second Year - FY2022
Disaster Planning and Operations (72200)	\$0	\$9,054,283,601
Pandemic Response (72211)	\$0	\$9,054,283,601
Fund Sources:		
Federal Trust	\$0	\$9,054,283,601

A. Out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021 (ARPA), the following table represents non-discretionary amounts appropriated prior to the enactment of this act.

ARPA Funding Source	Agency / Purpose	Amount
State and Local Recovery Fund - Local (Non-Entitlement) - (US Treasury)	Department of Accounts Transfer Payments (162) / ARPA local allocations - Non-Entitlement Localities - Part I	\$316,876,775
WIC Cash Value Vouchers Increase (USDA)	Department of Health (601) / Increase WIC Cash-value voucher benefit for fruit and vegetables	\$8,910,669
Unemployment Insurance Extension Implementation Grants (US DOL)	Virginia Employment Commission (182) / Unemployment Insurance Benefits	\$2,058,424,317
Aid to State Veterans Homes - Per Diem Program (US VA)	Department of Veterans Services (912) / Aid to State Veterans Homes per diem Program	\$4,285,124

B.1. The appropriation for this Item includes an amount estimated at \$3,141,030,631 in the second year from the revenues to be received from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA).

2. The following appropriations shall be transferred from this Item for the following purposes:

a. Unemployment Assistance

1) \$73,600,000 to the Virginia Employment Commission (182) for information technology modernization, call center improvements, security, and claims adjudication. Information technology improvements shall include a customer relationship management system and other such communication tools to better serve Unemployment Insurance clients.

2) \$862,000,000 to the Virginia Employment Commission (182) for deposit to the Unemployment Trust Fund.

3) Notwithstanding any other provision of law, the Virginia Employment Commission shall compute tax rates for Calendar Year 2022 by excluding pandemic related claim activity. Any such rate for any employer for Calendar Year 2022, may be less than, but shall not exceed the established rate for that

60 employer for Calendar Year 2021. For purposes of this calculation, pandemic related claim activity is
61 defined as all regular Unemployment Insurance claims activity from April 1, 2020, through June 30,
62 2021. The pool charge for Calendar Year 2022 shall be computed using this same methodology and set
63 at an amount not to exceed the rate in effect for Calendar Year 2021.

64 b. Broadband

65 1) \$500,000 to the Department of General Services (194) for legal and real estate transaction
66 support for agencies that own property to support broadband expansion.

67 2) \$479,000,000 to the Department of Housing and Community Development (165) to support
68 broadband access managed and awarded through the Virginia Telecommunications Initiative grant
69 making process; however, the agency may adjust the criteria to reflect the provisions established by the
70 U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local
71 Fiscal Recovery Funds established under the American Rescue Plan Act.

72 3) \$8,000,000 to the Department of Housing and Community Development (165) for the Line
73 Extension Customer Assistance Program to support the extension of existing broadband networks to low
74 to moderate income residents.

75 4) For grants awarded from the amounts appropriated in paragraphs B.2.b.2), C.1., and Item 114,
76 Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I for the construction of
77 broadband infrastructure through the Virginia Telecommunications Initiative, the Department of Housing
78 and Community Development shall deliver an annual performance report to the Governor, Secretary of
79 Commerce and Trade, and Chairs of the House Appropriations Committee and Senate Finance and
80 Appropriations Committee on or before November 1st of each year, starting in Calendar Year 2022. To
81 the extent possible, the annual performance report shall contain information by grant recipient and year
82 on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and
83 Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract
84 performance period, and on-time progress towards project delivery; (4) Maximum advertised project
85 speeds available; and, (5) Achievement of key project milestones. The annual performance report shall
86 include an evaluation of any projects under risk of incompleteness or underperformance. The Department
87 of Housing and Community Development shall develop a public facing dashboard to be updated
88 quarterly that contains key performance information by grant recipient and year, and includes the key
89 performance indicators outlined above. Information in this public facing tool shall contain data
90 beginning with grants awarded in the Fiscal Year 2022 Virginia Telecommunications Initiative grant
91 cycle.

92 c. Rebuild VA

93 1) \$250,000,000 to the Department of Small Business and Supplier Diversity (350) for the Rebuild
94 VA program. In awarding these funds, priority shall be given to qualifying applications received by the
95 Department on or before June 30, 2021, for which a grant has not been awarded. The Department shall
96 solicit new applications to allocate any balance that remains from this appropriation. In allocating
97 funds to support grants for applications solicited by the agency after June 30, 2021: (1) the Department
98 shall prioritize funding for businesses in the hospitality and tourism industry, that includes, but is not
99 limited to hotel and lodging establishments, restaurants, and entertainment and public amusement
100 venues; and, (2) in awarding these funds to restaurants, funds shall be reserved for restaurants that
101 have not received federal assistance through the Small Business Administration's Restaurant
102 Revitalization Fund or loan forgiveness from the Small Business Administration's Paycheck Protection
103 Program.

104 d. Other small business

105 1) \$22,500,000 to the Department of Housing and Community Development (165) to support the
106 Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding §36-155,
107 Code of Virginia, for the purposes of this funding, the maximum grant amount shall be \$5,000,000 for
108 projects in economically distressed areas, and any grant award in excess of \$1,000,000 for projects in
109 economically distressed areas shall be conditioned upon a 100 percent match of local and/or private
110 funds by the local government. The funds shall be managed and awarded through the Industrial
111 Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions
112 established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus
113 State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to
114 these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines
115 that make more projects viable, especially in communities disproportionately impacted by the pandemic.
116 Where the proposed project's end user is a private business, DHCD shall include evaluation criteria
117 that incentivizes significant private investment.

118 2) \$4,000,000 to the Department of Housing and Community Development to support the Virginia
119 Main Street Program in providing assistance to businesses recovering from the COVID-19 pandemic.

120 e. Utility Assistance

121 1) a) \$120,000,000 for utility assistance, to help provide direct assistance to residential utility

122 customers with accounts over 60 days in arrears including the cost to administer the program.

123 b) The State Corporation Commission shall establish an application process to distribute funds
 124 directly to utilities for the purpose of efficiently providing direct assistance to customers. Funds shall be
 125 awarded proportionally based on total arrearages of residential utility customer accounts over 60 days
 126 in arrears as of August 31, 2021. The Director, Department of Planning and Budget shall distribute
 127 funds to the State Corporation Commission within 30 days of the passage of this act. The Director,
 128 Department of Planning and Budget in consultation with the State Corporation Commission and the
 129 Department of Housing and Community Development shall transfer amounts from this allocation to
 130 address the arrearages held by residential customers of utilities outside the jurisdiction of the
 131 Commission to the Department of Housing and Community Development for distribution to these
 132 utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph
 133 establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

134 c) Upon receipt of any funds provided in this paragraph, utilities shall maintain separate ARPA
 135 COVID-19 Utility Assistance Funds and record direct assistance payments to residential customers on
 136 their books in accordance with applicable accounting standards. Utilities may not direct any funds
 137 provided in this paragraph to new deposits, down payments, fees, late fees, interest charges, or
 138 penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the
 139 utility that the customer has experienced a financial hardship resulting directly or indirectly from the
 140 COVID-19 pandemic or that they have experienced a hardship to pay during the COVID-19 pandemic
 141 prior to receiving direct assistance from the utility's ARPA COVID-19 Utility Assistance Fund. While
 142 utilities may require attestation of such hardship, it is implied that arrearages accrued over 60 days for
 143 customer nonpayment of bills from March 12, 2020, to the effective date of this act, for which federal
 144 relief funds shall be used for direct subsidy payments on behalf of customers were incurred as a
 145 financial hardship created by the COVID-19 pandemic. Utilities shall reflect the direct assistance
 146 payment on an eligible customer's monthly bill, after the funds are applied to the customer's account.
 147 Should the application of any assistance render a customer due a balance necessitating a cash refund
 148 payable to the customer, such assistance shall be proportionally reduced as to achieve a zero balance.

149 d) For the purposes of this appropriation, utilities include electric companies subject to regulation of
 150 the State Corporation Commission, natural gas suppliers subject to the regulation of the Commission,
 151 electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the
 152 regulation of Commission or constituting a municipal utility. "Municipal utility" means a utility
 153 providing electric, gas, water, or wastewater service that is owned or operated by a city, county, town,
 154 authority, or other political subdivision of the Commonwealth. Notwithstanding the provisions of this
 155 paragraph, a utility does not include any Phase II utility subject to the regulation of the State
 156 Corporation Commission.

157 e) The Department of Housing and Community Development shall survey municipal utilities to
 158 determine the amount of unspent utility assistance funds previously provided under the Coronavirus Aid,
 159 Relief, and Economic Security (CARES) Act (P.L. 116-136), as well as the level of outstanding customer
 160 arrearages as of August 31, 2021, from March 12, 2020. The information collected shall include the
 161 number and value of accounts that are at least 60 days in arrears disaggregated by residential,
 162 business, and industrial users. Utilities not subject to the regulation of the State Corporation
 163 Commission shall submit the required information to the Department in a timely manner. The
 164 Department shall submit a report on its findings to the Governor and the Chairs of the House
 165 Appropriations Committee and Senate Finance and Appropriations Committee by November 1, 2021.

166 f) The State Corporation Commission shall survey jurisdictional utilities to determine the amount of
 167 unspent utility assistance funds previously provided under the Coronavirus Aid, Relief, and Economic
 168 Security (CARES) Act (P.L. 116-136), as well as the level of outstanding customer arrearages as of
 169 August 31, 2021, from March 12, 2020. The information collected shall include the number and value of
 170 accounts that are at least 60 days in arrears disaggregated by residential, business, and industrial
 171 users. Utilities subject to the regulation of the State Corporation Commission shall submit the required
 172 information to the Commission in a timely manner. The Commission shall submit a report on its
 173 findings to the Governor and the Chairs of the House Appropriations Committee and Senate Finance
 174 and Appropriations Committee by November 1, 2021.

175 g) If it is determined that the funds provided in this paragraph are insufficient to satisfy the
 176 aggregate outstanding jurisdictional and municipal utility customer arrearages following the passage of
 177 this act, additional funding may be considered during the 2022 General Assembly Session.

178 f. Tourism

179 1) \$50,000,000 to the Virginia Tourism Authority (320) to support local domestic marketing
 180 organizations, as well as the Authority's marketing and incentive programs.

181 2) \$1,000,000 to the Virginia Tourism Authority (320) to collaborate and partner with the City of
 182 Virginia Beach to develop historical and cultural content with the Virginia African American Cultural

183 Center (VAACC).

184 3) \$6,000,000 to the Fort Monroe Authority (360) for construction of a permanent monument to
185 commemorate the 400-year anniversary of the First Landing of Africans at Point Comfort in Fort
186 Monroe.

187 4) \$250,000 to the Department of Historic Resources (423) to be provided to the City of
188 Harrisonburg to partner with the Dallard-Newman House to complete development of a Museum of
189 African- American History and Culture in Harrisonburg.

190 g. Education

191 1) \$500,000 to Direct Aid to Public Education (197) to support An Achievable Dream program in
192 Henrico County.

193 2) \$500,000 to Direct Aid to Public Education (197) to support Fredericksburg City Schools to
194 expand its career and technical education programs.

195 3) \$200,000 to Direct Aid to Public Education (197) to provide after school and summer education
196 programs to Sussex and Greensville Counties' students through the Sussex County Youth and Adult
197 Recreation Association (\$100,000) and the Washington Park Association (\$100,000).

198 4) \$800,000 to Direct Aid to Public Education (197) to provide a one-time grant to Portsmouth
199 Public Schools to support students with workforce readiness education and industry based skills,
200 including internships and externships, apprenticeships, and assistance in enrollment in post-secondary
201 education.

202 h. Education - Ventilation

203 1) \$250,000,000 to Direct Aid to Public Education (197) for qualifying ventilation improvement
204 projects in local public schools. Funds shall be allocated to local school divisions based on fiscal year
205 2022 projected March 31 average daily membership with a minimum allocation of \$200,000 per
206 division. Funds shall be paid to school divisions on a reimbursement basis. Localities shall provide a
207 match for these funds from any available fund sources equal to 100 percent of the grant amount. A
208 school division may elect to accept a grant amount less than its formula allocation. Before receiving
209 any funds, local school divisions must provide a description for each of the projects to be completed
210 with these funds, including estimated costs and date of completion, and certify to the Department of
211 Education no later than November 15, 2021, that these funds will be used to improve ventilation systems
212 in public facilities in accordance with guidelines issued by the U.S. Department of the Treasury for the
213 American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds. Following certification
214 from a school division that it will not participate in the grant program or elects to accept an amount
215 less than its formula allocation, the Department of Education is authorized to reallocate any program
216 balances based on actual demand. No later than December 15, 2021, the Department of Education shall
217 compile the school division certifications and submit a report to the Chairs of the Senate Finance and
218 Appropriations and House Appropriations Committees, the Secretary of Education, the Secretary of
219 Finance, and the Director, Department of Planning and Budget.

220 2) \$2,000,000 to the Jamestown-Yorktown Foundation (425) to upgrade its ventilation systems in its
221 facilities.

222 3) \$5,000,000 to the Virginia Museum of Fine Arts (238) to replace outdated air handling units on
223 the main museum campus.

224 i. Higher Education

225 1) \$100,000,000 to the State Council of Higher Education for Virginia (245) for need-based
226 financial aid for in-state undergraduate students from low- and moderate-income households at public
227 institutions of higher education. No less than 30 days prior to distributing the funds to the public
228 institutions, the Council shall report on the allocation methodology used to the Chairs of the House
229 Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, the
230 Secretary of Education, and the Director, Department of Planning and Budget.

231 2) \$11,000,000 to the State Council of Higher Education for Virginia (245) for need-based financial
232 aid for in-state undergraduate students from low- and moderate-income households at institutions of
233 higher education eligible for the Virginia Tuition Assistance Grant Program in accordance with
234 § 23.1-628 through § 23.1-635, Code of Virginia. No institution shall receive more than ten percent of
235 the total funding provided herein. No less than 30 days prior to distributing the funds to the private
236 institutions, the Council shall report on the allocation methodology used to the Chairs of the House
237 Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, the
238 Secretary of Education, and the Director, Department of Planning and Budget.

239 3) \$40,000,000 to the Virginia Community College System (260) for capital projects at Northern
240 Virginia Community College (NVCC). Of this allocation, \$15,000,000 is designated for construction of a
241 new building that would allow NVCC to expand its trades programs in carpentry, electrical, computer
242 integration in trades, advanced automotive, and backup power systems. \$25,000,000 is designated for
243 construction of a building that would allow NVCC to expand its nursing, phlebotomy, occupational
244 therapy assistant, and physical therapist assistant programs.

- 245 4) \$10,000,000 to the Online Virginia Network Authority (244).
 246 j. Food Access
 247 1) \$14,600,000 to the Department of Agriculture and Consumer Services (301) for food assistance,
 248 including the expansion of food access and healthcare partnerships, development of a shelf-stable food
 249 purchase program, and the purchase of food from local farmers through the Virginia Farm to Virginia
 250 Families Food Box Program.
 251 k. CSOs and Wastewater
 252 1) \$5,750,000 to the Department of Health (601) to provide improvement funds for well and septic
 253 systems for homeowners at or below 200 percent of the federal poverty guidelines.
 254 2) \$75,000,000 to the Department of Environmental Quality (440) for septic, straight pipe, and sewer
 255 collection system repair, replacement, and upgrades.
 256 3) \$125,000,000 to the Department of Environmental Quality (440) for grants to the cities of
 257 Alexandria, Lynchburg, and Richmond to pay a portion of the costs of combined sewer overflow control
 258 projects. The City of Alexandria is to receive \$50,000,000; the City of Lynchburg is to receive
 259 \$25,000,000; and the City of Richmond is to receive \$50,000,000. In order to receive these funds, the
 260 locality must certify that it is providing a 100 percent match to the funds it will receive pursuant to this
 261 paragraph.
 262 4) \$100,000,000 to the Department of Environmental Quality (440) to reimburse eligible entities as
 263 provided for in the Enhanced Nutrient Removal Certainty (ENRC) Program established in
 264 §62.1-44.19:14, Code of Virginia, for capital costs incurred for the design and installation of nutrient
 265 removal technology, and to reimburse the Town of Pound and the City of Petersburg for capital costs
 266 incurred for infrastructure improvements that are eligible for reimbursement under the Virginia Water
 267 Facilities Revolving Fund established in §§62.1-225, Code of Virginia. Such reimbursements shall be in
 268 accordance with eligibility determinations made by the Department of Environmental Quality.
 269 l. Drinking Water
 270 1) \$50,000,000 to the Department of Health (601) to support equal access to drinking water at small
 271 and disadvantaged community waterworks. These funds shall be limited in their use to qualifying
 272 municipal and private drinking water projects and shall not be used for improvements to the
 273 department's internal systems, staffing, or processes.
 274 m. Parks
 275 1) \$25,000,000 to the Department of Conservation and Recreation (199) for outdoor recreation area
 276 maintenance and construction needs.
 277 2) \$1,000,000 to the Department of Conservation and Recreation (199) to be provided to Fairfax
 278 County for trail system connections at Lake Royal Park.
 279 n. Mental Health
 280 1) \$45,000,000 to the Department of Behavioral Health and Developmental Services (720) for
 281 bonuses provided to direct care staff at state behavioral health facilities and intellectual disability
 282 training centers.
 283 2) \$10,000,000 to the Department of Behavioral Health and Developmental Services (720) for the
 284 continued expansion of community-based crisis services, which may include mobile crisis services and
 285 crisis receiving facilities.
 286 3) \$1,200,000 to the Department of Behavioral Health and Developmental Services (720) for the
 287 purchase of personal protective equipment at state facilities.
 288 4) \$50,000,000 to the Department of Behavioral Health and Developmental Services (720) for the
 289 renovation or replacement of ventilation and water or sewer systems at state facilities.
 290 5) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) for
 291 permanent supportive housing in Northern Virginia to assist with the bed crisis at state facilities.
 292 6) \$1,650,000 to the Department of Behavioral Health and Developmental Services (720) to expand
 293 a pilot program to serve approximately 60 additional individuals with a primary diagnosis of dementia
 294 who are ready for discharge from state geriatric behavioral health hospitals to the community and who
 295 are in need of nursing facility level care. Funding for the pilot program shall be dependent upon an
 296 agreement between the department and the Community Services Board in the jurisdiction the pilot
 297 program is located. The Department shall report to the Governor, the Chairs of the House
 298 Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department
 299 of Planning and Budget on the design and implementation of the pilot program by December 1, 2021,
 300 with a report on the program's outcomes, including data on hospital readmissions and program
 301 sustainability by June 30, 2022.
 302 7) \$1,000,000 to the Department of Criminal Justice Services (140) to provide resources for crisis
 303 intervention team training to law-enforcement officers and dispatchers, and one position to provide
 304 technical assistance in support of the mental health awareness response and community understanding
 305 services (Marcus) alert system.

- 306 o. *Substance Use Disorder*
- 307 1) \$5,000,000 to the Department of Health (601) for substance misuse and suicide prevention efforts.
- 308 2) \$10,000,000 to the Department of Behavioral Health and Developmental Services (720) to make
- 309 grants to members of the Virginia Association of Recovery Residences for recovery support services.
- 310 3) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) to expand
- 311 community-based substance use disorder treatment services.
- 312 p. *Public Health Initiatives*
- 313 1) \$2,500,000 to the Virginia State Bar (117) for legal aid funding for legal representation in
- 314 eviction cases.
- 315 2) \$2,285,000 to the Department of General Services (194) for Consolidated Labs to include courier
- 316 / dropbox enhancements, customer support upgrades, and Laboratory Information Management System
- 317 (LIMS) infrastructure, development, and improvement.
- 318 3) \$3,750,000 to the Department of Housing and Community Development (165) for a dedicated lead
- 319 rehabilitation program to address childhood lead poisoning in residential properties.
- 320 4) \$8,000,000 to the Department of Health (601) to address broadband connectivity and network
- 321 infrastructure issues at local health departments. The department shall communicate a detailed plan
- 322 and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate
- 323 Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by
- 324 September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of
- 325 the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the
- 326 Department of Planning and Budget on progress made, with the first progress report to be delivered not
- 327 later than December 31, 2021.
- 328 5) \$10,000,000 to the Department of Health (601) for the procurement and deployment of an
- 329 electronic health records system. The department shall communicate a detailed plan and implementation
- 330 schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and
- 331 Appropriations Committees, and the Director of the Department of Planning and Budget by September
- 332 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House
- 333 Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department
- 334 of Planning and Budget on progress made, with the first progress report to be delivered not later than
- 335 December 31, 2021.
- 336 6) \$30,000,000 to the Department of Health (601) to target core building upgrades at local health
- 337 departments to mitigate the impact of infrastructure that hinders the agency's ability to reach and serve
- 338 at-risk communities. The department shall communicate a detailed plan and implementation schedule to
- 339 the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations
- 340 Committees, and the Director of the Department of Planning and Budget by September 30, 2021.
- 341 Additionally, the department shall report quarterly to the Governor, the Chairs of the House
- 342 Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department
- 343 of Planning and Budget on progress made, with the first progress report to be delivered not later than
- 344 December 31, 2021.
- 345 7) \$10,000,000 to the Department of Health (601) for the modernization of administrative systems
- 346 and software in order to create response capacity during future emergencies. The department shall
- 347 communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House
- 348 Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department
- 349 of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to
- 350 the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations
- 351 Committees, and the Director of the Department of Planning and Budget on progress made, with the
- 352 first progress report to be delivered not later than December 31, 2021.
- 353 8) \$1,000,000 to the Department of Health (601) for the creation of a Public Oral Health Taskforce
- 354 aimed at strengthening public oral health and improving patient outcomes and experiences.
- 355 9) \$10,000,000 to the Department of Health (601) for a records management system that will digitize
- 356 and automate records processes. The department shall communicate a detailed plan and implementation
- 357 schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and
- 358 Appropriations Committees, and the Director of the Department of Planning and Budget by September
- 359 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House
- 360 Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department
- 361 of Planning and Budget on progress made, with the first progress report to be delivered not later than
- 362 December 31, 2021.
- 363 10) \$20,000,000 to the Department of Health (601) to provide targeted community outreach in
- 364 difficult to reach communities harmed by COVID-19.
- 365 11) \$10,000,000 to the Department of Medical Assistance Services (602) to address operational
- 366 backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding
- 367 also will be used to perform COVID-19 related outreach and engagement activities.

368 12) \$31,148,676 to the Department of Medical Assistance Services (602) to make payments to
 369 Medicaid-eligible nursing homes and specialized care providers equivalent to a \$5 per diem rate for
 370 service dates between July 1, 2021, and June 30, 2022. The department shall have the authority to work
 371 with necessary vendors and contractors to determine payment eligibility, amounts, and the process by
 372 which payments will be made. Final payments will be made by September 30, 2022. The department
 373 shall have the authority to implement such payments prior to the completion of any regulatory process
 374 to effect such changes. The Governor is authorized to adjust this SLRF appropriation to ensure that
 375 sufficient funding is available to make necessary payments.

376 13) \$528,300 to the Department for Aging and Rehabilitative Services (262) to fund HVAC/air
 377 quality systems and physical plant improvements in assisted living facilities that serve a disproportionate
 378 share of auxiliary grant residents.

379 14) \$1,000,000 to the Department of Social Services (765) for the Virginia Trauma-Informed
 380 Community Network (TICN) to provide a community awareness campaign, education, professional
 381 development, mini grants, and other initiatives to support existing networks.

382 15) \$600,000 to the Department for the Blind and Vision Impaired (702) to construct an outdoor
 383 multi-purpose pavilion to allow activities to be conducted outdoors in a safer environment relative to
 384 COVID-19 transmission.

385 16) \$11,500,000 to the Department for the Blind and Vision Impaired (702) to renovate the Virginia
 386 Industries for the Blind facility in Charlottesville to ensure that an essential link in the pandemic supply
 387 chain is available.

388 17) \$450,000 to the Department for the Blind and Vision Impaired (702) to upgrade the ventilation
 389 systems in six agency offices.

390 18) \$1,393,085 to the Department of Emergency Management (127) for Virginia Emergency Support
 391 Team (VEST) COVID-19 recovery activities and four support staff.

392 19) \$10,270,354 to the Department of Veterans Services (912) to address revenue shortfalls resulting
 393 from reduced census at Sitter & Barfoot Veterans Care Center and Virginia Veterans Care Center
 394 caused by COVID-19, and to provide support for temporary additional staff at state veterans cemeteries.

395 20) a) \$50,000,000 to the Department of Military Affairs (123) for projects at Readiness Centers
 396 (armories) to replace HVAC systems and to convert or expand existing multi-purpose spaces or to add
 397 space that may be used as emergency medical suites and to provide the necessary support equipment.
 398 Priority for use of these funds shall be given to completing HVAC projects.

399 b) No less than 60 days prior to initiating a project, the department shall submit preliminary plans
 400 and specifications along with cost estimates for review and approval by the Six-Year Capital Outlay
 401 Plan Advisory Committee.

402 21) \$529,000 to the Department of Military Affairs (123) for Infrared Body Temperature Scanning
 403 equipment and personal protective equipment.

404 q. Language Translation Capacity

405 1) \$500,000 to the Office of the Governor (121), Office of Equity, Diversity, and Inclusion, for
 406 language access translation planning consulting services. Consulting services will include the
 407 development of a plan to determine which state agencies have the highest need for translation services,
 408 determination of the types of services needed, and the determination of the costs to implement such
 409 services in support of determining amounts to consider for inclusion in the budget for the 2022-2024
 410 biennium. The Chief Diversity Officer shall provide a report on the results of the translation planning
 411 efforts to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations
 412 Committees by November 1, 2021.

413 r. Addressing Community Violence

414 1) \$2,500,000 to the Office of the Attorney General (141) for gun violence reduction projects in
 415 partnership with select localities.

416 2) \$12,199,930 to the Department of Criminal Justice Services (140) to support services to victims of
 417 crime including, but not limited, services for victims of sexual assault and domestic violence, victims of
 418 elder abuse and child abuse, and victims of crime.

419 3) \$1,000,000 to the Department of Criminal Justice Services (140) to support the Virginia Sexual
 420 and Domestic Violence Victim Fund.

421 4) \$800,000 to the Department of Criminal Justice Services (140) to provide a one-time grant to the
 422 City of Hampton to support an employment program for court-involved youths and adults facing
 423 barriers to employment, expand services for those participating in or at risk of participating in gun
 424 violence, and provide counseling or mental health services for those exposed to violence.

425 5) \$505,375 to the Department of Forensic Science (778) for the purchase of equipment to analyze
 426 firearms evidence.

427 s. Public Safety

428 1) \$375,000 to the Division of Capitol Police (961) to address staffing and security concerns at the

429 seat of government. The funding shall be allocated subject to the approval of a spending plan by the
430 Committee on Joint Rules that is consistent with federal requirements of the American Rescue Plan Act.

431 2) \$11,059,961 to the Compensation Board (157) for a one-time hazard pay bonus of \$1,000 for
432 state-supported sworn officers of Sheriffs Departments and Regional Jails.

433 3) \$31,494,724 to the Department of Corrections (799) for COVID-19 testing in correctional
434 facilities, including point prevalence testing at correctional facilities, antigen testing for non-vaccinated
435 staff and visitors, equipment and supplies for COVID tests, and for wastewater surveillance testing. Also
436 included in this amount is funding to support COVID-19 vaccination teams, to purchase equipment for
437 the emergency disinfection team, to purchase personal protective equipment (PPE) for correctional
438 facilities, and to support the expansion of telehealthcare.

439 4) \$10,000,000 to the Department of Corrections (799) for one-time hazard pay for corrections and
440 law enforcement staff.

441 5) \$1,618,086 to the Department of Corrections (799) to support rate increases for medical
442 contractors and five staff positions to support COVID-19 project management activities.

443 6) \$45,000 to the Department of Corrections (799) to reimburse the contractor that operates the
444 Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).

445 7) \$410,000 to the Department of Juvenile Justice (777) to provide quarantine spaces, tents to enable
446 outdoor visitation, testing supplies, personal protective equipment, and ventilation modifications for
447 facilities. Also included in this amount is funding for mobile smartphones, for medical tracking software,
448 and for vaccination clinics for residents and staff.

449 8) \$638,140 to the Department of Juvenile Justice (777) to provide hazard pay for probation and
450 security staff and a sign-on bonus for cafeteria and janitorial workers.

451 9) \$1,380,000 to the Department of State Police (156) to purchase live scan fingerprinting machines
452 for the agency's area offices.

453 10) a) \$20,000,000 to the Department of State Police (156) to provide one-time bonuses to sworn,
454 law enforcement personnel. The department is authorized to pay bonuses to its sworn, law enforcement
455 officers of: \$5,000 to all sworn, law enforcement officers, compression bonuses within a range
456 equivalent to two and eight percent of salary as appropriate to qualifying officers, sign-on/recruitment
457 bonuses to newly hired troopers of \$5,000, and retention bonuses as needed. In addition, these funds
458 may be used to reimburse up to \$2,000 of relocation expenses for each newly hired trooper and any law
459 enforcement personnel who is being relocated by the department.

460 b) The department shall report its plan for allocating these funds to the permitted uses stated above
461 in the compensation plan required in paragraph 5.k.5)b) of this item. In addition, no later than
462 September 1, 2022, the department shall report the actual bonuses and expenses paid in fiscal year
463 2022.

464 t. Elections

465 1) \$1,500,000 to the Department of Elections (132) for voter education efforts to inform voters about
466 new elections laws and to combat misinformation about Virginia elections.

467 2) \$3,000,000 to the Department of Elections (132) to support local efforts to expand early voting to
468 include the adoption of Sunday voting.

469 3.a. Prior to initiating any program, service, or spending from the appropriations listed in paragraph
470 2. above, the responsible agency must ensure that its intended action qualifies for the use of the funds
471 under the ARPA criteria to support health expenditures, to address negative economic impacts caused by
472 the public health emergency, to provide premium pay for essential workers, or to invest in water, sewer,
473 and broadband infrastructure as described in the Interim Final Rule or the guidance issued by the U.S.
474 Department of Treasury. Agencies shall not rely on the provisions for replacing lost public sector
475 revenue as a qualifying criteria without receiving prior written approval from the Governor.

476 b. Agencies must ensure compliance with all use, documentation, and reporting requirements
477 established in state and federal guidelines and laws.

478 4. The Governor is authorized to appropriate additional amounts not listed above if they must be
479 executed before the 2022 regular session of the General Assembly in order to respond to a public health
480 emergency or to prevent the emergence of a new health emergency. The Governor shall provide written
481 notice to the chairpersons of the House Appropriations Committee and the Senate Finance and
482 Appropriations Committee no less than five business days prior to appropriating such amounts.

483 5. In addition to the amounts appropriated in the second year in the preceding subparagraphs of
484 B.2. above, \$353,871,958 is authorized to be included in the Governor's introduced budget for the
485 2022-2024 biennium from SLRF amounts received from the federal government. The following agencies
486 shall provide a plan for the proposed use of the SLRF amounts listed to the Governor and the Chairs of
487 the House Appropriation and Senate Finance and Appropriations Committees via budget requests
488 submitted to the Department of Planning and Budget on or before October 1, 2021.

489 a. Unemployment Assistance

490 1) \$17,600,000 to the Virginia Employment Commission (182) for information technology

491 modernization, call center improvements, security, and claims adjudication. Information technology
492 improvements shall include a customer relationship management system and other such communication
493 tools to better serve Unemployment Insurance clients.

494 b. Broadband

495 1) \$1,500,000 to the Department of General Services (194) for legal and real estate transaction
496 support for agencies that own property to support broadband expansion.

497 2) \$8,000,000 to the Department of Housing and Community Development (165) for a Line Extension
498 Customer Assistance Program to support the extension of existing broadband networks to
499 low-to-moderate income residents.

500 c. Other small business

501 1) \$22,500,000 to the Department of Housing and Community Development (165) to support the
502 Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding §36-155,
503 Code of Virginia, for the purposes of this funding, the maximum grant amount shall be \$5,000,000 for
504 projects in economically distressed areas, and any grant award in excess of \$1,000,000 for projects in
505 economically distressed areas shall be conditioned upon a 100 percent match of local and/or private
506 funds by the local government. The funds shall be managed and awarded through the Industrial
507 Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions
508 established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus
509 State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to
510 these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines
511 that make more projects viable, especially in communities disproportionately impacted by the pandemic.
512 Where the proposed project's end user is a private business, DHCD shall include evaluation criteria
513 that incentivizes significant private investment.

514 2) \$4,000,000 to the Department of Housing and Community Development (165) to support the
515 Virginia Main Street program in providing assistance to businesses recovering from the COVID-19
516 pandemic.

517 d. Food Access

518 1) \$11,000,000 to the Department of Agriculture and Consumer Services (301) for food assistance,
519 including continuation of the Virginia Agriculture Food Assistance Program established in §3.2-4783,
520 Code of Virginia, and to expand the capacity of Virginia's network of food providers to accept, store,
521 and distribute food products.

522 e. CSOs and Wastewater

523 1) \$5,750,000 to the Department of Health (601) to provide improvement funds for well and septic
524 systems for homeowners at or below 200 percent of the federal poverty guidelines.

525 f. Drinking Water

526 1) \$50,000,000 to the Department of Health (601) to support equal access to drinking water at small
527 and disadvantaged community waterworks. These funds shall be limited in their use to qualifying
528 municipal and private drinking water projects and shall not be used for improvements to the
529 department's internal systems, staffing, or processes.

530 g. Mental Health

531 1) \$76,900,000 to the Department of Behavioral Health and Developmental Services (720) for salary
532 adjustments for direct care staff at state behavioral health facilities and intellectual disability training
533 centers.

534 2) \$20,000,000 to the Department of Behavioral Health and Developmental Services (720) for the
535 continued expansion of community-based crisis services.

536 3) \$1,200,000 to the Department of Behavioral Health and Developmental Services (720) for the
537 purchase of personal protective equipment at state facilities.

538 4) \$1,650,000 to the Department of Behavioral Health and Developmental Services (720) to continue
539 an expanded pilot program in FY 2023 to serve approximately 60 additional individuals with a primary
540 diagnosis of dementia who are ready for discharge from state geriatric behavioral health hospitals to
541 the community and who are in need of nursing facility level care. Funding for the pilot program shall
542 be dependent upon an agreement between the department and the Community Services Board in the
543 jurisdiction the pilot program is located.

544 5) \$3,000,000 to the Department of Criminal Justice Services (140) to provide resources for crisis
545 intervention team training to law-enforcement officers and dispatchers, and one position to provide
546 technical assistance in support of the mental health awareness response and community understanding
547 services (Marcus) alert system.

548 h. Substance Use Disorder

549 1) \$5,000,000 to the Department of Health (601) for substance misuse and suicide prevention efforts.

550 2) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) to expand
551 community-based substance use disorder treatment services.

552 *i. Public Health Initiatives*

553 1) \$4,756,000 to the Department of General Services (194) for Consolidated Labs to include
554 customer support upgrades and Laboratory Information Management System (LIMS) infrastructure,
555 development, and improvement.

556 2) \$3,750,000 to the Department of Housing and Community Development (165) for a dedicated
557 lead rehabilitation program to address childhood lead poisoning in residential properties.

558 3) \$20,000,000 to the Department of Health (601) for the procurement and deployment of an
559 electronic health records system.

560 4) \$40,000,000 to the Department of Health (601) for the modernization of administrative systems
561 and software in order to create response capacity during future emergencies.

562 5) \$20,000,000 to the Department of Health (601) for a records management system that will digitize
563 and automate records processes.

564 6) \$5,000,000 to the Department of Medical Assistance Services (602) to address operational
565 backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding
566 also will be used to perform COVID-19 related outreach and engagement activities.

567 7) \$3,479,700 to the Department for Aging and Rehabilitative Services (262) to fund HVAC/air
568 quality systems and physical plant improvements in assisted living facilities that serve a disproportionate
569 share of auxiliary grant residents.

570 *j. Addressing Community Violence*

571 1) \$75,000 to the Department of Forensic Science (778) for the purchase of equipment used to
572 analyze firearms evidence.

573 *k. Public Safety*

574 1) \$1,596,258 to the Department of Corrections (799) for five staff positions to support COVID-19
575 project management activities.

576 2) \$135,000 to the Department of Corrections (799) to reimburse the contractor that operates the
577 Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).

578 3) \$600,000 to the Department of Juvenile Justice (777) to fund mobile smartphones for agency staff.

579 4) \$1,380,000 to the Department of State Police (156) to support live scan fingerprinting machines
580 for the agency's area offices.

581 5) a) \$20,000,000 to the Department of State Police (156) to implement a new compensation plan for
582 sworn, law enforcement positions that addresses recruitment of new officers, retention of the existing
583 law enforcement workforce, and pay compression among the various levels of the sworn, law
584 enforcement positions in the department based upon the findings presented in the study required by
585 paragraph b) below.

586 b) The department shall convene a workgroup that shall include staff from the Department of Human
587 Resource Management and the Joint Legislative Audit and Review Commission for the purpose of
588 conducting a comprehensive study to document the current issues that create barriers to the
589 department's ability to recruit and retain qualified and diverse law enforcement personnel. The study
590 should address issues of pay compression among the various levels of the existing law enforcement
591 workforce, competition with other employers for individuals with the same preferred qualifications and
592 skill sets, and any other circumstances such as the cost of relocation that create barriers to maintaining
593 a diverse, high quality law enforcement workforce. In addition, the report shall include a detailed plan
594 for implementing a compensation program that responds to the issues and problems outlined in the
595 report and the related annual costs to implement the plan beginning in fiscal year 2023, and the
596 ongoing cost for the next five fiscal years. This plan shall be submitted to the Governor, the Chair of
597 the House Appropriations Committee, the Chair of the Senate Finance and Appropriations Committee,
598 the Director of the Department of Human Resource Management, and the Director of the Department of
599 Planning and Budget, no later than October 15, 2021, so that the required funding may be included in
600 the 2022-2024 budget to be adopted by the General Assembly at its 2022 Session.

601 C. 1. Out of the appropriation for this Item, amounts estimated at \$221,739,237 the second year
602 from the estimated revenues to be received from the federal distributions of Capital Project Fund
603 amounts from the American Rescue Plan Act of 2021 (ARPA) shall be transferred to Department of
604 Housing and Community Development for the implementation of broadband improvement projects in the
605 Commonwealth. The funds shall be managed and awarded through the Virginia Telecommunications
606 Initiative grant making process; however, the agency may adjust the criteria to reflect the provisions
607 established by the U.S. Department of the Treasury's rules and regulations established under the
608 American Rescue Plan Act.

609 2. For grants awarded from the amounts appropriated in paragraphs C.1., B.2.b.2., and Item 114,
610 Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I for the construction of
611 broadband infrastructure through the Virginia Telecommunications Initiative, the Department of Housing
612 and Community Development shall deliver an annual performance report to the Governor, Secretary of
613 Commerce and Trade, and Chairs of the House Appropriations Committee and Senate Finance and

614 Appropriations Committee on or before November 1st of each year, starting in Calendar Year 2022. To
 615 the extent possible, the annual performance report shall contain information by grant recipient and year
 616 on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and
 617 Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract
 618 performance period, and on-time progress towards project delivery; (4) Maximum advertised project
 619 speeds available; and, (5) Achievement of key project milestones. The annual performance report shall
 620 include an evaluation of any projects under risk of incompleteness or underperformance. The Department
 621 of Housing and Community Development shall develop a public facing dashboard to be updated
 622 quarterly that contains key performance information by grant recipient and year, and includes the key
 623 performance indicators outlined above. Information in this public facing tool shall contain data
 624 beginning with grants awarded in the Fiscal Year 2022 Virginia Telecommunications Initiative grant
 625 cycle.

626 D.1. The appropriation in this item includes an amount estimated at \$5,691,513,733 in the second
 627 year from the estimated revenues to be received pursuant to the American Rescue Plan Act of 2021
 628 (ARPA) from grants other than the State and Local Recovery Fund (SLRF) and Capital Project Fund.
 629 The following appropriations shall be transferred from this item to the following:

630	ARPA Fund Source / Grant	State Agency	FY 2022 Appropriation
631	State and Local Recovery Fund -	Department of Accounts Transfer	\$316,876,775
632	Local (Non-Entitlement) - (US	Payments (162)	
633	Treasury)		
634	Emergency Rental Assistance (US	Department of Housing and	\$465,508,855
635	Treasury)	Community Development (165)	
636	Elementary & Secondary School	Department of Education, Central	\$211,098,889
637	Emergency Relief (ESSER) - (US	Office Operations (201)	
638	DOE)		
639	Elementary & Secondary School	Direct Aid to Public Education (197)	\$1,899,890,002
640	Emergency Relief (ESSER) - (US		
641	DOE)		
642	Elementary & Secondary School	Department of Education, Central	\$13,818,290
643	Emergency Relief Homeless	Office Operations (201)	
644	Children and Youth (ESSER) - (US		
645	DOE)		
646	Emergency Assistance to	Department of Education, Central	\$46,344,360
647	Non-Public Schools (US DOE)	Office Operations (201)	
648	Higher Education Emergency	Maintain Affordable Access (984)	\$667,275,718
649	Relief Fund (HEERF) - Public &		
650	Non-Profit Institutions (US DOE)		
651	IDEA - Grants to States (US DOE)	Direct Aid to Public Education (197)	\$67,450,511
652	IDEA - Preschool (US DOE)	Direct Aid to Public Education (197)	\$4,931,537
653	IDEA - Infants and Toddlers (US	Department of Behavioral Health and	\$5,216,946
654	DOE)	Developmental Services (720)	
655	Child Care & Development Block	Department of Education, Central	\$305,492,999
656	Grant (ACF)	Office Operations (201)	
657	Child Care Stabilization Grants	Department of Education, Central	\$488,605,381
658	(ACF)	Office Operations (201)	
659	Child Care Entitlement to States	Department of Education, Central	\$13,091,800
660	(ACF)	Office Operations (201)	
661	Low-income Home Energy	Department of Social Services (765)	\$90,218,680
662	Assistance Program (ACF)		
663	Low-Income Household Water	Department of Social Services (765)	\$9,870,267
664	Assistance Program		
665	Pandemic Emergency Assistance	Department of Social Services (765)	\$15,744,856
666	(ACF)		
667	Community-based Child Abuse	Department of Social Services (765)	\$6,231,546
668	Prevention (ACF)		
669	Family Violence Prevention and	Department of Social Services (765)	\$3,004,484
670	Services (ACF)		
671	Child Abuse State Grants (ACF)	Department of Social Services (765)	\$2,502,243
672	Supportive Services (ACL)	Department for Aging and	\$11,109,729
673		Rehabilitative Services (262)	
674	Home Delivered Meals (ACL)	Department for Aging and	\$7,245,476
675		Rehabilitative Services (262)	
676	Congregate Meals (ACL)	Department for Aging and	\$10,868,214
677		Rehabilitative Services (262)	
678	Preventive Services (ACL)	Department for Aging and	\$1,062,670
679		Rehabilitative Services (262)	

680	Family Caregivers (ACL)	Department for Aging and Rehabilitative Services (262)	\$3,463,008
681			
682	Title XX Adult Services (ACL)	Department for Aging and Rehabilitative Services (262)	\$2,021,926
683			
684	Title VII Long-term Care Ombudsman (ACL)	Department for Aging and Rehabilitative Services (262)	\$241,516
685			
686	Epidemiology and Lab Capacity for School Testing (CDC)	Department of Health (601)	\$244,000,000
687			
688	COVID-19 Vaccine Preparedness Adjustment (CDC)	Department of Health (601)	\$11,000,000
689			
690	Expand Genomic Sequencing (CDC)	Department of Health (601)	\$1,680,000
691			
692	Crisis Response Cooperative Agreement (CDC)	Department of General Services (194)	\$654,800
693			
694	Crisis Response Cooperative Agreement (CDC)	Department of Health (601)	\$30,500,000
695			
696	Disease Intervention Workforce (CDC)	Department of Health (601)	\$18,078,048
697			
698	Maternal, Infant and Early Childhood Home Visiting Grant Program (HRSA)	Department of Health (601)	\$449,000
699			
700			
701	Small Rural Hospital Improvement Program (SHIP) (HRSA)	Department of Health (601)	\$5,167,520
702			
703	Mental Health Block Grant (SAMHSA)	Department of Behavioral Health and Developmental Services (720)	\$35,786,432
704			
705	Substance Abuse Block Grant (SAMHSA)	Department of Behavioral Health and Developmental Services (720)	\$33,982,454
706			
707	Community-based overdose prevention programs, syringe services programs, and other harm reduction services (HHS)	Department of Behavioral Health and Developmental Services (720)	\$750,000
708			
709			
710			
711	Funding For Community-Based Local Behavioral Health Needs (HHS)	Department of Behavioral Health and Developmental Services (720)	\$1,250,000
712			
713			
714	SNAP 3-Year State Administrative Expense Grants (USDA)	Department of Social Services (765)	\$19,217,240
715			
716	Pandemic EBT Administrative Grant	Department of Social Services (765)	\$10,000,000
717			
718	HOME Investment Partnerships Program - Non-entitlement (HUD)	Department of Housing and Community Development (165)	\$39,724,473
719			
720	Unemployment Insurance Extension Implementation Grants (US DOL)	Virginia Employment Commission (182)	\$556,712,639
721			
722			
723	FTA Nonurbanized Area Formula - (US DOT)	Department of Rail and Public Transportation (505)	\$1,495,144
724			
725	Enhanced Mobility of Seniors & Persons with Disabilities - State (US DOT)	Department of Rail and Public Transportation (505)	\$890,896
726			
727			
728	FTA Intercity Bus Formula	Department of Rail and Public Transportation (505)	\$2,307,909
729			
730	Emergency Management Performance Grants (FEMA)	Department of Emergency Management (127)	\$2,297,623
731			
732	Institute of Museum and Library Services (IMLS)	The Library Of Virginia (202)	\$3,872,000
733			
734	National Endowment for the Arts - State Arts Agencies	Virginia Commission for the Arts (148)	\$871,100
735			
736	Aid to State Veterans Homes - Construction (US VA)	Department of Veterans Services (912)	\$1,439,777
737			
738	Environmental Justice Cooperative Agreement Program (EPA)	Department of Environmental Quality (440)	\$200,000
739			
740			

741 2. a. Out of the appropriation for the Elementary and Secondary School Emergency Relief (ESSER)
742 Fund, State Educational Agency (SEA) reservation, appropriated to the Department of Education,
743 Central Office Operations (201), \$3,500,000 the second year shall be transferred to Direct Aid to Public
744 Education (197) to support the state and local shares of special education private day school costs for
745 any student with a disability who received special education and related services in a private day school
746 setting during the 2020-2021 school year and who opts for an extension to attend school during the

747 2021-2022 school year pursuant to Item 146.d. of Chapter 552, 2021 Acts of Assembly, Special Session
 748 I. Payments to school divisions to support special education private day school costs for such students
 749 shall deduct any amounts due to the school division pursuant to Item 146.d of Chapter 552 and the
 750 local match for those funds based on the composite index of local ability-to-pay. All students who are
 751 provided the temporary extension of special education eligibility pursuant to Item 146.d of Chapter 552
 752 shall be provided a free appropriate public education consistent with the federal Individuals with
 753 Disabilities Education Act for the duration of the 2021-2022 school year, notwithstanding such students'
 754 age or school setting. School divisions are encouraged to use federal ESSER Funds to meet the local
 755 share of costs for such students.

756 b. Out of the appropriation for the Elementary and Secondary School Emergency Relief (ESSER)
 757 Fund, State Educational Agency (SEA) reservation, appropriated to the Department of Education,
 758 Central Office Operations (201), \$11,500,000 the second year shall be transferred to Direct Aid to
 759 Public Education (197) to support recruitment efforts through incentive payments to individuals hired to
 760 fill instructional positions between August 15, 2021, and November 15, 2021. Local school divisions
 761 wishing to participate in this program shall report to the Department of Education the number of
 762 instructional position vacancies on August 15, 2021, no later than August 31, 2021. Based on this
 763 information, the Department shall communicate to each school division its available allocation from
 764 these funds, and school divisions shall communicate the availability of these funds in their recruitment.
 765 Such payments shall be based on \$2,500 per individual; however, for individuals hired in hard-to-fill
 766 positions or hard-to-staff schools, as defined by the Department of Education, the incentive payment
 767 shall be based on \$5,000 per individual. The Department of Education and the school divisions are
 768 authorized to prorate these amounts if the demand exceeds the initial allocation. School divisions shall
 769 (i) provide half of the incentive payment to the individual no earlier than January 1, 2022, and (ii)
 770 provide the balance of the full amount of the incentive payment to the individual no earlier than May 1,
 771 2022, provided that the individual receives a satisfactory performance evaluation and provides a written
 772 commitment to return to the same school in the 2022-2023 school year. Individuals who are employed
 773 by a local school division in Virginia as of July 1, 2021, who accept an otherwise qualifying position in
 774 another local school division are not eligible for this incentive. Individuals employed by a local school
 775 division as of July 1, 2021, who transfer from a non-hard-to-staff school to a hard-to-staff school, as
 776 defined by the Department of Education, within the same division are eligible for the \$5,000 incentive
 777 payment. School divisions shall report to the Department of Education, in a format specified by the
 778 Department, all instructional hires in the 2021-2022 school year who qualify for this incentive payment,
 779 no later than November 30, 2021. No later than the first day of the 2022 General Assembly Session, the
 780 Department of Education shall report on the number of hires reported by each school division
 781 participating in this program and the anticipated amount of funding to be provided to each school
 782 division for payment to those individuals.

783 3. The Director of the Department of Planning and Budget is authorized to adjust the amounts
 784 appropriated in paragraph D.I. above to reflect the actual revenues received by the Commonwealth for
 785 each grant.

786 4.a. Agencies are authorized to initiate spending in the second year from these appropriations in
 787 order to provide one-time services for purposes authorized and permitted under federal law and in
 788 accordance with the guidance issued by the U.S. Department of Treasury and other applicable federal
 789 agencies, or to execute requirements of federal law that must be initiated. No such spending shall be
 790 initiated for programs or services that create an ongoing commitment of state resources after the
 791 conclusion of the federal grant unless such services are required by federal law.

792 b. Prior to initiating any program, service, or spending from these appropriations, the responsible
 793 agency must provide written notification of its intended action to the Governor, the Chairs of the House
 794 Appropriations Committee and the Senate Finance and Appropriations Committee, and the Director of
 795 the Department of Planning and Budget. Such notice shall be provided no less than ten business days
 796 before an agency initiates services or incurs any costs associated with the grant. For purposes of this
 797 section, initiating a program includes any public announcement or proposal presented to constituent
 798 groups.

799 c. If an agency wishes to spend any amounts from these grants for purposes that create an ongoing
 800 commitment that must be maintained by state resources after the conclusion of the federal grant, it must
 801 receive prior approval and authorization of the General Assembly. Agencies must submit such proposals
 802 to the Department of Planning and Budget for consideration by the Governor and the General Assembly
 803 for the 2022-2024 biennial budget.

804 d. Agencies must ensure compliance with all use, documentation, and reporting requirements
 805 established in state and federal guidelines and laws.

806 e. The Governor is authorized to appropriate any additional grants not listed above if they must be
 807 executed before the 2022 regular session of the General Assembly. The Governor shall provide written

808 notice to the chairpersons of the House Appropriations Committee and the Senate Finance and
809 Appropriations Committee no less than five business days prior to appropriating such grants.

810 E.1. Effective July 1, 2021, through December 31, 2021, the Department of Medical Assistance
811 Services (DMAS) shall temporarily increase the rates by 12.5 percent for all home and community based
812 services eligible under guidance from the Centers for Medicaid and Medicare Services. The department
813 shall have the authority to implement these changes prior to completion of any regulatory process
814 undertaken in order to effect such change.

815 2. The Department of Medical Assistance Services (DMAS) shall seek federal authority through the
816 necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act
817 to issue one-time COVID-19 support directed payments in the amount of \$1,000 to Agency Directed
818 personal care providers and Consumer Directed Attendants who provided personal care, attendant care,
819 respite care, or companion care services to members who receive services via the EPSDT,
820 Developmental Disability Waivers or the Commonwealth Coordinated Care Plus Waiver program during
821 the first quarter of state fiscal year 2022. DMAS shall have the authority to work with necessary
822 vendors and contractors to determine payment eligibility and the process by which payments will be
823 made. The department shall have the authority to implement necessary changes prior to the completion
824 of any regulatory process undertaken in order to effect such change. Effective October 1, 2021, DMAS
825 shall begin implementing these processes and make payments as soon as administratively feasible.

826 3. The Department of Medical Assistance Services (DMAS) shall develop strategies, for consideration
827 by the 2022 General Assembly, to re-invest general fund dollars freed-up by the enhanced federal match
828 on home and community based services (HCBS). These strategies should enhance the Commonwealth's
829 HCBS by creating capacity to meet the growing demand for HCBS and support structural changes
830 needed to strengthen the HCBS systems. In addition, DMAS shall work with the Department of
831 Behavioral Health and Developmental Services and the Centers for Medicaid and Medicare Services to
832 identify any opportunities to use HCBS reinvestment dollars to divert individuals who are at risk of
833 institutionalization in state facilities. DMAS shall prioritize those strategies that do not require
834 significant on-going obligations or rely on rate increases. By October 1, 2021, DMAS shall report these
835 strategies, including six year cost projections, to the Governor, the Chairs of the House Appropriations
836 and Senate Finance and Appropriations Committees, and the Director, Department of Planning and
837 Budget.

838 F. Notwithstanding any requirement in state law or regulation, the Superintendent of Public
839 Instruction, with the support of the Commissioner of Social Services, shall have the authority to alter
840 staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate
841 in the Child Care Subsidy Program by increasing the number of children per staff by (1) one child for
842 groups of children from birth to the age of eligibility to attend public school, and (2) two children for
843 groups of children from the age of eligibility to attend public school through 12 years. Child day
844 centers that take advantage of this flexibility must notify families in writing of the temporary increase in
845 ratios and group size. This authority and any resultant waiver of state law or regulation shall expire
846 June 30, 2022. The Superintendent of Public Instruction shall ensure that any action taken under this
847 provision is permissible under federal requirements.

848 G. Temporary nurse aides practicing in long term care facilities under the federal Public Health
849 Emergency 1135 Waiver may be deemed eligible by the Board of Nursing while this waiver is in effect
850 to take the National Nurse Aide Assessment Program examination upon submission of a completed
851 application, the employer's written verification of competency and employment as a temporary nurse
852 aide, and provided no other grounds exist under Virginia law to deny the application.

853 H. The Department of Behavioral Health and Developmental Services shall interpret Standard
854 12VAC35-105-530 E. to include "lack of adequate staff" as one of the conditions which can jeopardize
855 the health, safety or welfare of individuals and/or employees to permit implementation of the emergency
856 evacuation plan in accordance with Paragraphs A. (as applicable), B. & G. DBHDS shall, if
857 necessary, increase the licensed capacity for a minimum of six months for any location within 24 hours
858 of receiving notice either verbally or via electronic communication to ensure that compliance is
859 maintained with Department of Medical Assistance Regulation 12VAC30-122. Variances shall be
860 granted for standards 12VAC35-105-340 and/or 360 as requested. This requirement shall end on June
861 30, 2022.

862 I.1. Nurse practitioners licensed by the Boards of Medicine and Nursing in the category of clinical
863 nurse specialist shall practice in consultation with a licensed physician in accordance with a practice
864 agreement between the nurse practitioner and the licensed physician.

865 2. Notwithstanding the provisions of paragraph I.1. of this item, a nurse practitioner who was
866 registered with the Board of Nursing as a clinical nurse specialist immediately prior to July 1, 2021,
867 may practice without a practice agreement with a licensed physician if such nurse practitioner practices
868 without prescriptive authority. This provision shall expire after June 30, 2022.

869 J. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be

870 *reappropriated in the next fiscal year to be spent for the same purposes as stated in this act.*

871 § 3-5.23 CORPORATE INCOME TAX INFORMATIONAL REPORTING

872 A.1. Corporations that are members of a unitary business must file a report, in a manner prescribed
873 by the Tax Commissioner, for the unitary combined group containing the unitary combined net income
874 of such group. The report shall be based on taxable year 2019 computations and include, at a minimum
875 the difference in tax owed as a result of filing a unitary combined report, computed according to the
876 method or methods specified by the Tax Commissioner, compared to the tax owed under the current
877 filing requirements.

878 2. "Unitary business" means a single economic enterprise made up either of separate parts of a single
879 business entity or of a commonly controlled group of business entities that are sufficiently
880 interdependent, integrated, and interrelated through their activities so as to provide a synergy and mutual
881 benefit that produces a sharing or exchange of value among them and a significant flow of value to the
882 separate parts. A "unitary business" includes that part of the business that meets the definition in this
883 section and is conducted by a taxpayer through the taxpayer's interest in a partnership, whether the
884 interest in that partnership is held directly or indirectly through a series of partnerships or other
885 pass-through entities. A "unitary business" shall not include persons subject to, or that would be subject
886 to if doing business in the Commonwealth, the insurance premiums license tax under Chapter 25
887 (§ 58.1-2500 et seq.), Code of Virginia, or the bank franchise tax under Chapter 12 (§ 58.1-1200 et seq.)

888 3. The report must be submitted to the Department of Taxation on or before July 1, 2021, which date
889 shall not be extended.

890 4. Members of a unitary combined group shall exclude as a member and disregard the income and
891 apportionment factors of any corporation incorporated in a foreign jurisdiction (a "foreign corporation")
892 if the average of its property, payroll and sales factors outside the United States is eighty percent (80%)
893 or more. If a foreign corporation is includible as a member in the unitary combined group, to the extent
894 that such foreign corporation's income is subject to the provisions of a federal income tax treaty, such
895 income is not includible in the unitary combined group net income. Such member shall also not include
896 in the unitary combined report any expenses or apportionment factors attributable to income that is
897 subject to the provisions of a federal income tax treaty. For purposes of this paragraph, "federal income
898 tax treaty" means a comprehensive income tax treaty between the United States and a foreign
899 jurisdiction, other than a foreign jurisdiction which the organization for economic co-operation and
900 development has determined has not committed to the internationally agreed tax standard, or has
901 committed to the international agreed tax standard but has not yet substantially implemented that
902 standard, as identified in the then-current organization for economic co-operation and development
903 progress report.

904 B. Any corporation required to submit such report to the Department of Taxation that fails to do so
905 on or before July 1, 2021, or that makes a material omission or misstatement in connection with such a
906 report shall be subject to a penalty of \$10,000. The Tax Commissioner shall have the authority to waive
907 such penalty upon a determination that the requirement would cause an undue hardship. All requests for
908 a waiver shall be transmitted to the Tax Commissioner in writing.

909 C. *The Tax Commissioner shall on or before December 1, 2021, based on the information provided*
910 *in income tax returns and the data submitted under this section, submit a report to the Chair of the*
911 *Senate Finance and Appropriations Committee, the Chair of the House Appropriations Committee, and*
912 *the Chair of the House Finance Committee.*

913 *14. That the provisions of Item 479.10, paragraphs I.1. and I.2. of Chapter 552, 2021 Acts of*
914 *Assembly, Special Session I, are no longer effective upon signature of this act.*

915 *15. That the provisions of § 18.2-422 of the Code of Virginia shall not apply to a person wearing a*
916 *mask to prevent the spread of COVID-19.*

917 *16.a. That upon enactment of this act and through June 30, 2022, no landlord shall terminate a*
918 *residential tenancy, or take any action to obtain possession of a dwelling unit, for nonpayment of*
919 *rent, if the eligible tenant has qualified for unemployment benefits or experienced a reduction in*
920 *household income, incurred significant costs, or experienced other financial hardship during or due,*
921 *directly or indirectly, to the coronavirus pandemic, except as follows:*

922 *1. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when*
923 *due, the landlord shall, pursuant to § 55.1-1202, Code of Virginia, serve a written notice on the*
924 *tenant that informs the tenant of the Virginia Rent Relief Program and provides the website address*
925 *and statewide telephone number for that program. The written notice shall also provide information*
926 *on how to reach 2-1-1 Virginia to determine whether there are any other available federal, state and*
927 *local rent relief programs.*

928 *2. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent*
929 *shall apply for rental assistance on the tenant's behalf within 14 days of serving the notice on the*
930 *tenant, unless the tenant pays in full, enters into a payment plan or informs the landlord that they*

931 *have already applied for rental assistance. The landlord shall apply for rental assistance on behalf of*
932 *the tenant no later than 14 days after serving the written notice on the tenant, unless they receive the*
933 *full amount owed by the tenant or confirmation from the tenant that the tenant has applied for rental*
934 *assistance before the 14th day, or they have entered into a payment plan with the tenant. If the tenant*
935 *has applied for rental assistance, the landlord shall cooperate with the tenant's application, by*
936 *providing all information and documentation required to complete the application, including but not*
937 *limited to the W-9 form and any supporting affidavits. In an initial application, if the landlord or the*
938 *tenant does not receive written approval from the Virginia Rent Relief Program or any other federal,*
939 *state, or local rent relief program within forty-five days of when a completed application for*
940 *assistance is made by the tenant or the landlord, the landlord may proceed to obtain possession of the*
941 *premises as provided in § 55.1-1251. For any subsequent application, if the landlord or tenant does not*
942 *receive written approval from the Virginia Rent Relief Program or any other federal, state, or local*
943 *rent relief program within fourteen days of submission of the subsequent completed application, the*
944 *landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If a tenant*
945 *who has not paid in full or entered into a payment plan with the landlord within 14 days after the*
946 *written notice is served refuses to apply for rental assistance and also refuses to cooperate with the*
947 *landlord in providing information and documentation required to complete the application made by*
948 *the landlord, or if such tenant is determined ineligible for rental assistance, or there are no longer*
949 *funds available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L.*
950 *116-136) and from the American Rescue Plan Act of 2021 (ARPA) (P.L. 117-2) for rental assistance*
951 *through the Virginia Rent Relief program, the landlord may take action to obtain possession of the*
952 *tenant's dwelling unit as provided in § 55.1-1251, Code of Virginia.*

953 *b. If a landlord reports to a consumer reporting agency or debt collector regarding a tenant who is*
954 *participating in the repayment plan or receiving assistance from a federal, state, or local rent relief*
955 *program, the landlord shall report the account as "current" in accordance with the Public Law*
956 *116-136: Coronavirus Aid, Relief, and Economic Security Act.*

957 *c. If a tenant is complying with a written payment plan with the landlord or has resolved any*
958 *non-payment of rent, the landlord cannot take any action to obtain possession of a dwelling unit for*
959 *non-payment of rent.*

960 *d. Nothing in this section relieves either the landlord or the tenant from their obligations to maintain*
961 *the dwelling as those obligations are set forth in Article 2 and Article 3 of Chapter 12 of Title 55.1.*

962 *e. Nothing in this section shall void any judgment for possession validly obtained by a landlord prior*
963 *to the effective date of this act; however, a landlord shall not initiate, maintain, or advance any legal*
964 *process to obtain possession of a dwelling unit for non-payment of the rent unless the landlord*
965 *complies with the provisions of this section.*

966 *f. Notwithstanding any other language to the contrary, should the Governor declare a state of*
967 *emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of*
968 *public health threat as defined in § 44-146.16 of the Code of Virginia, and if that declaration*
969 *specifically provides that the eighth enactment of Chapter 552 of the Acts of Assembly Special Session*
970 *I shall supersede the language set forth in enactment sixteen of this act then this sixteenth enactment*
971 *shall not be effective so long as such a declared state of emergency remains in effect.*

972 *17.a. That notwithstanding any other provision of law, any permanent or interim legislative study or*
973 *advisory commission, committee, or subcommittee, other than a standing committee of the General*
974 *Assembly to which bills and resolutions are referred during a legislative session pursuant to Article*
975 *IV, Section 11 of the Constitution of Virginia, or any executive advisory board or council may*
976 *conduct a meeting by electronic communications means without a quorum of the public body*
977 *physically assembled at one location if the meeting is being held solely to receive presentations,*
978 *updates, public comment, or conduct other forms of information gathering. If a quorum is not*
979 *physically assembled, the commission, committee, subcommittee, board, or council shall not take any*
980 *votes or make any formal recommendations at such meeting.*

981 *b. Any entity meeting in accordance with this enactment shall comply with all other requirements for*
982 *conducting a meeting by electronic means set forth in subsection C of § 2.2-3708.2 of the Code of*
983 *Virginia.*

984 *c. Should the Governor declare a state of emergency pursuant to § 44-146.17 of the Code of Virginia*
985 *in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code*
986 *of Virginia, the provisions of item 4-0.01.g. of Chapter 552 of the 2021 Special Session I shall govern*
987 *the conduct of meetings.*

988 *18.a. That no institution or an agent thereof; athletic association; athletic conference; or other*
989 *organization with authority over intercollegiate athletics shall:*

990 *1. Provide a prospective or current student-athlete with compensation for the use of his or her name,*
991 *image, or likeness;*

992 *2. Prohibit or prevent a student-athlete from earning compensation for the use of his or her name,*

- 993 *image, or likeness, except as set forth in this subsection;*
 994 *3. Prohibit or prevent a student-athlete from obtaining professional representation by an athlete agent*
 995 *licensed pursuant to Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1 of the Code of Virginia, or legal*
 996 *representation by an attorney licensed to practice law in the Commonwealth, for issues related to*
 997 *name, image, or likeness;*
 998 *4. Declare ineligible for competition or reduce, cancel or not renew an athletic scholarship because a*
 999 *student-athlete earns compensation for the use of his or her name, image, or likeness; or*
 1000 *5. Prevent an institution from participating in intercollegiate athletics because a student-athlete earns*
 1001 *compensation for the use of his or her name, image or likeness, or obtains representation for related*
 1002 *issues.*
 1003 *b. An institution may prohibit a student-athlete from earning compensation for the use of his or her*
 1004 *name, image or likeness while the individual is engaged in academic, official team, or department*
 1005 *activities, including competition, practice, travel, academic services, community service, and*
 1006 *promotional activities.*
 1007 *c. An institution may prohibit a student-athlete from using his or her name, image or likeness to earn*
 1008 *compensation if the proposed use conflicts with an existing agreement between the institution and a*
 1009 *third party.*
 1010 *d. A student-athlete shall be prohibited from earning compensation for the use of his or her name,*
 1011 *image or likeness in connection with any of the following:*
 1012 *1. Casinos or gambling, including sports betting;*
 1013 *2. Alcohol products;*
 1014 *3. Adult entertainment;*
 1015 *4. Cannabis, cannabinoids, cannabidiol, or other derivatives;*
 1016 *5. Dangerous or controlled substances;*
 1017 *6. Performance enhancing drugs or substances (e.g., steroids, human growth hormone);*
 1018 *7. Drug paraphernalia;*
 1019 *8. Tobacco and electronic smoking products and devices; and*
 1020 *9. Weapons, including firearms and ammunition.*
 1021 *e. Any agreement entered into by a student athlete that provides compensation for the use of a*
 1022 *student-athlete's name, image, or likeness shall be disclosed prior to execution of the agreement by*
 1023 *such student-athlete in a manner designated by the institution the student-athlete is attending. If a*
 1024 *student-athlete discloses a potential agreement that conflicts with an existing institutional agreement,*
 1025 *the institution shall disclose the relevant terms of the conflicting agreement to the student-athlete.*
 1026 *f. A student-athlete shall not earn compensation for the use of his or her name, image, or likeness in*
 1027 *exchange for attendance at an institution or pay-for-performance.*
 1028 *g. A student-athlete shall not use an institution's facilities or uniforms, or the institution's intellectual*
 1029 *property, including logos, indicia, registered and unregistered trademarks, or products protected by*
 1030 *copyright, unless otherwise permitted by the institution.*
 1031 *h. For the purposes of this subsection:*
 1032 *"Institution" means a private institution of higher education or baccalaureate public institution of*
 1033 *higher education.*
 1034 *"Pay-for-performance" means payments and compensation provided to student-athletes that is*
 1035 *contingent on the student athlete's achieving certain performance goals or objectives.*
 1036 *"Student-athlete" means an individual enrolled at an institution who participates in intercollegiate*
 1037 *athletics.*
 1038 *19. That § 38.2-3461, § 38.2-3462, § 38.2-3463, § 38.2-3464 shall not apply to a nonprofit group*
 1039 *model health maintenance organization. "Nonprofit group model health maintenance organization"*
 1040 *means a health maintenance organization authorized by Title 38.2, Chapter 43 that:*
 1041 *(i) Is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;*
 1042 *(ii) Contracts with one multispecialty group of physicians who are employed by and shareholders of*
 1043 *the multispecialty group; and*
 1044 *(ii) Provides and arranges for the provision of physician services to patients at medical facilities*
 1045 *operated by the health maintenance organization.*
 1046 *20. That for the purposes of the Virginia Overtime Wage Act §40.1-29.2 the terms "Wages" and*
 1047 *"Pay" shall also mean overtime compensatory time in lieu of wages for overtime pay by public*
 1048 *agencies as provided by the Fair Labor Standards Act, 29 U.S.C. §207(o). Employees covered under*
 1049 *29 U.S.C. §213(b)(10)(A) shall be exempt from the overtime requirements set out in Code of Virginia*
 1050 *§40.1-29.2.*
 1051 *21. That notwithstanding Item C-72, Chapter 552, 2021 Acts of Assembly, Special Session I, up to*
 1052 *\$25,000,000 of the \$40,000,000 in Virginia Public Building Authority debt authorized in Item C-72,*
 1053 *Chapter 552, 2021 Acts of Assembly, Special Session I, may be used by the Virginia Port Authority to*

1054 *fund capital projects for infrastructure improvements necessary to improve the Portsmouth Marine*
1055 *Terminal to handle loading in and out of large, heavy offshore wind components and serve as an*
1056 *offshore wind hub; however, such debt may only be issued if the Secretary of Finance, the Secretary*
1057 *of Transportation, and the Virginia Port Authority Board of Commissioners each approve the capital*
1058 *project or projects.*

1059 *22. That a Phase II Utility shall be prohibited from disconnecting service for non-payment of bills or*
1060 *fees, from the effective date of this act until March 1, 2022, for any jurisdictional residential customer*
1061 *who has previously demonstrated they received federal, state, nonprofit entity, or utility payment*
1062 *assistance at any time between January 1, 2019 and July 31, 2021, or as having a qualified medical*
1063 *account designation with the utility as of July 31, 2021, or as certified by the Virginia Department of*
1064 *Social Services, which shall work with the utility to provide such certification, as being a recipient of*
1065 *Supplemental Nutrition Assistance Program (SNAP); Women, Infants, and Children Program (WIC);*
1066 *or Temporary Assistance for Needy Families (TANF) benefits at any time between January 1, 2019*
1067 *and July 31, 2021.*

1068 *23. That this act is effective on its passage as provided in § 1-214 of the Code of Virginia.*

1069 *14. 24. That the provisions of the first, second, third, fourth, sixth, seventh, eighth, and twelfth,*
1070 *fourteenth, fifteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, and*
1071 *twenty-third enactments of this act shall expire at midnight on June 30, 2022.*

1072 *25. That the provisions of the sixteenth enactment of this act shall expire at midnight on June 30,*
1073 *2022 unless: 1) there are no funds available for the Virginia Rent Relief program from the*
1074 *Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) and from the American*
1075 *Rescue Plan Act of 2021 (ARPA) (P.L. 117-2), or 2) the provisions of paragraph f. of the sixteenth*
1076 *enactment of this act becomes effective.*

1077 *15. 26. That the provisions of the fifth, ninth, tenth, eleventh, and thirteenth enactments of this act*
1078 *shall have no expiration date.*