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HOUSE BILL NO. 738

Offered January 22, 1996

A BILL to amend and reenact §§ 30-19.03:1 and 30-19.1:6 of the Code of Virginia, relating to local fiscal impact and prison impact bills.

Patrons—Reynolds and Plum; Senators: Lambert and Miller, K.G.

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:**1. That §§ 30-19.03:1 and 30-19.1:6 of the Code of Virginia are amended and reenacted as follows:**

§ 30-19.03:1. Bills requiring net additional expenditures by local governments to be filed by first calendar day of session.

No bill which mandates a net additional expenditure by any county, city, or town shall be considered by the General Assembly at a regular session unless the bill has been filed on or before the first calendar day of any session of the General Assembly, unless requested by the Governor or is filed in accordance with the rules of the General Assembly. A bill shall be deemed to mandate an expenditure if it has the effect of requiring any county, city, or town to (i) perform or administer a new or expanded program or service, (ii) maintain an existing program or service at a specified level of spending or delivery, (iii) assume or incur administrative costs in support of a state or state-related program, or (iv) furnish capital facilities for state or state-related activities.

For purposes of this section, "net additional expenditure" means the cost anticipated to be incurred annually, less any revenues receivable on account of the program or service from fees charged recipients of the program or service, state or federal aid paid specifically and categorically in connection with the program or service, new or increased local sources of revenue authorized and designated specifically to offset the cost of the program or service, and any offsetting savings resulting from the reduction or elimination of any program or service directly attributable to the performance of the required program or service.

The provisions of this section shall not apply to a program or service that is required or arises from a court order or judgment, nor to a program or service that is provided at the option of the county, city, or town under a law that is permissive rather than mandatory.

The enactment of any statute that mandates a net additional expenditure by any county, city or town shall be conclusive proof that the procedural requirements of this section have been satisfied or waived.

§ 30-19.1:6. Limiting time for introduction of bills which increase terms of imprisonment.

No bill to which the provisions of § 30-19.1:4 apply shall be introduced for consideration by the General Assembly after the first calendar day of any session of the General Assembly, unless requested by the Governor or in accordance with the rules of the General Assembly.

The enactment of any statute that has a prison impact as defined in § 30-19.1:4 shall be conclusive proof that the procedural requirements of this section have been satisfied or waived.

2. That an emergency exists and this act is in force retroactively on and after January 10, 1996.

INTRODUCED

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