

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 58.1-202.1, relating to the Tax*  
3 *Commissioner's authority to enter into public-private partnerships.*

4  
5 Approved

[S 239]

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

7 **1. That the Code of Virginia is amended by adding a section numbered 58.1-202.1 as follows:**

8 *§ 58.1-202.1. Public-private partnerships.*

9 *A. The Tax Commissioner is hereby authorized through the Department of General Services in*  
10 *accordance with the Virginia Public Procurement Act to enter into public-private partnership contracts*  
11 *to finance agency technology needs. The Tax Commissioner may issue a request for information to seek*  
12 *out potential private partners interested in providing programs pursuant to an agreement under this*  
13 *section. The compensation for such services shall be computed with reference to and paid from the*  
14 *increased revenue attributable to the successful implementation of the technology program for the period*  
15 *specified in the contract.*

16 *B. An external oversight group, including but not limited to the State Comptroller, the Director of*  
17 *the Department of Planning and Budget, the State Internal Auditor, one representative appointed by the*  
18 *President Pro Tempore of the Senate, and one representative appointed by the Speaker of the House of*  
19 *Delegates, shall be responsible for reviewing and approving the terms of contracts under this section*  
20 *relating to the measurement of the revenue attributable to the technology program. The Tax*  
21 *Commissioner shall prepare an annual report for the Governor and General Assembly on all*  
22 *agreements under this section, describing each technology program, its progress, revenue impact, and*  
23 *such other information as may be relevant.*

24 *C. The Tax Commissioner shall determine annually the total amount of increased revenue*  
25 *attributable to the successful implementation of a technology program under this section, and such*  
26 *amount shall be deposited in a special fund known as the Technology Partnership Fund ("the Fund").*  
27 *The Tax Commissioner is authorized to use moneys deposited in the Fund to pay private partners*  
28 *pursuant to the terms of contracts under this section. All moneys in excess of that required to be paid to*  
29 *private partners, as determined by the Department, shall be reported to the Comptroller and transferred*  
30 *to the appropriate general or nongeneral fund.*

ENROLLED

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