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HOUSE BILL NO. 1445

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations
on January 21, 1999)

(Patron Prior to Substitute—Delegate Hamilton)

A BILL to amend and reenact § 9-6.23 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9-171.1, relating to the School Resource Officer Grants Program and Fund.

Be it enacted by the General Assembly of Virginia:

1. That § 9-6.23 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 9-171.1 as follows:

§ 9-6.23. Prohibition against service by legislators on boards, commissions, and councils within the executive branch.

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch which are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch which is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position. The provisions of this section shall not apply, however, to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who shall be appointed as provided for in § 2.1-741; to members of the Council on Indians, who shall be appointed as provided for in § 9-138.1; to members of the Virginia Technology Council, who shall be appointed as provided for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Maternal and Child Health Council, who shall be appointed as provided for in § 9-318; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.1-750; to members of the Advisory Council on the Virginia Business-Education Partnership Program, who shall be appointed as provided in § 9-326; to members of the Advisory Commission on Welfare Reform, who shall be appointed as provided for in § 63.1-133.44; to members of the Virginia Correctional Enterprises Advisory Board, who shall be appointed as provided for in § 2.1-451.2; to members appointed to the Virginia Veterans Cemetery Board pursuant to § 2.1-739.2; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the Commonwealth Competition Commission, who shall be appointed as provided for in § 9-343; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.1-563.41; to members of the Advisory Commission on the Virginia Schools for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; to members of the Council on Coordinating Prevention, who shall be appointed as provided for in § 9-268; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 37.1-207; or to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9-168.

§ 9-171.1. School Resource Officer Grants Program and Fund.

A. From such funds as may be appropriated for such purpose and from such gifts, donations, grants, bequests, and other funds as may be received on its behalf, there is hereby established the School Resource Officer Grants Program, to be administered by the Criminal Justice Services Board, in consultation with the Board of Education, and a special nonreverting fund within the state treasury known as the School Resource Officer Incentive Grants Fund, hereinafter known as the "Fund." The Fund shall be established on the books of the Comptroller, and any moneys remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

Subject to the authority of the Criminal Justice Services Board to provide for its disbursement, the Fund shall be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement to employ uniformed school resource officers in middle and high schools within the relevant school division. Such school resource officers shall be certified law-enforcement officers and shall be employed to help ensure safety and to prevent truancy and violence in schools.

B. The Criminal Justice Services Board shall establish criteria for making grants from the Fund, including procedures for determining the amount of a grant and the required local match, which shall be calculated on the basis of the composite index of local ability to pay. The Criminal Justice Services

HOUSE SUBSTITUTE

HB1445H1

60 *Board may issue guidelines governing the Program and the employment and duties of the school*
61 *resource officers as it deems necessary and appropriate.*