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**SENATE BILL NO. 400**

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend the Code of Virginia by adding in Title 51.5 a chapter numbered 14, consisting of sections numbered 51.5-115 through 51.5-118, relating to Economic Development for Virginians with Disabilities Grant Program.*

Patrons—Hanger, Bell, Colgan, Deeds, Devolites Davis, Edwards, Hawkins, Locke, Marsh, Martin, Quayle, Reynolds, Ruff, Saslaw, Ticer and Watkins; Delegates: BaCote, Byron, Carrico, Cox, Fralin, Hamilton, Hurt, Ingram, Jones, S.C., Landes, Marshall, D.W., McEachin, Morgan, Nixon, Nutter, Scott, J.M., Sherwood, Spruill, Ware, O., Wittman and Wright

Referred to Committee on Finance

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

**1. That the Code of Virginia is amended by adding in Title 51.5 a chapter numbered 14, consisting of sections numbered 51.5-115 through 51.5-118, as follows:**

**CHAPTER 14.****ECONOMIC DEVELOPMENT FOR VIRGINIANS WITH DISABILITIES GRANT PROGRAM.**

§ 51.5-115. *Economic Development for Virginians with Disabilities Grant Program established.*

A. *The Secretary of Health and Human Resources shall implement and administer a grant program to provide job creation for people with disabilities and with a workplace disadvantage.*

B. *The Secretary shall adopt procedures to administer the Economic Development for Virginians with Disabilities Grant Program and Fund to carry out the purposes of the Program. The procedures shall include: (i) application procedures; (ii) procedures for adequate public notice of available assistance; (iii) selection criteria that the Secretary shall consider in approving grant applications from qualified organizations; and (iv) provisions and certifications to ensure that state funds are spent and accounted for appropriately.*

§ 51.5-116. *Definitions.*

*As used in this chapter:*

"Nonprofit organization" *means an organization that has qualified for exemption from income taxation under Section 501(c)(3) of the Internal Revenue Code.*

"People with a workplace disadvantage" *means people who have had felony convictions and people who have had alcohol and substance abuse problems. The term does not include people with active alcoholism or current drug addiction.*

"People with disabilities" *means people who have a physical or mental impairment as defined in § 51.5-3.*

"Qualified organization" *means a nonprofit organization that has applied to the Secretary and has been certified pursuant to § 51.5-118.*

"Secretary" *means the Secretary of Health and Human Resources.*

§ 51.5-117. *Economic Development for Virginians with Disabilities Grant Fund established.*

There is hereby created in the state treasury a special nonreverting fund to be known as the Economic Development for Virginians with Disabilities Grant Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys as may be appropriated as well as grants, donations, and bequests from public and private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of assisting qualified organizations with capital costs of constructing retail stores and other employment facilities owned by such organizations. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.

§ 51.5-118. *Certification of nonprofit organization.*

The Secretary shall certify as qualified organizations those nonprofit organizations that

1. *Spend at least 75% of their gross revenues on directly employing or training for employment people with disabilities or people with a workplace disadvantage, and*

2. *Have as their primary source of revenue the sale of donated goods.*

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