

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB955

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Nixon

3. Committee: General Laws

4. Title: **Public Private Education Facilities and Infrastructure Act of 2002;
technology projects; gain sharing.**

5. Summary: The bill authorizes a responsible public entity (RPE) to include a gain-sharing component in any interim or comprehensive agreement for a qualifying project consisting of technology infrastructure, services or applications. "Gain sharing" is defined as a provision of an interim or comprehensive agreement where the RPE and the private entity agree to share a percentage of any savings that are realized and that can be attributed to the efforts of the private entity. The bill also allows an RPE to request the Public-Private Advisory Commission to perform a preliminary review of an unsolicited proposal for a technology-related qualifying project anticipating substantial savings to the responsible public entity and includes a gain-sharing component providing for the private entity to share in a percentage of the savings. In addition, the bill includes technology applications in the definition of "qualifying project."

6. No Fiscal Impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None. The bill defines and clarifies new procedures and codifies some current practices.

9. Specific Agency or Political Subdivisions Affected: Any state agency or Commonwealth business choosing to use the Public Private Education Facilities and Infrastructure Act of 2002.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/24/2008 wfb

Document: G:\BOS Stuff\2008 Session\2008 Legislation\HB955.Doc

cc: Secretary of Technology