

VIRGINIA ACTS OF ASSEMBLY -- 2022 RECONVENED SESSION

CHAPTER 731

An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.19, consisting of a section numbered 59.1-284.40, relating to Nitrile Glove Manufacturing Training Program; established.

[S 595]

Approved April 27, 2022

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.19, consisting of a section numbered 59.1-284.40, as follows:

CHAPTER 22.19.

NITRILE GLOVE MANUFACTURING TRAINING PROGRAM.

§ 59.1-284.40. Nitrile Glove Manufacturing Training Program.

A. In order to support the recruiting and training needs of companies with facilities located in the Mount Rogers Planning District that manufacture nitrile gloves for personal protective equipment, or manufacture the inputs used to manufacture such gloves, up to \$4,601,000 shall be made available to the Virginia Economic Development Partnership Authority through the Virginia Talent Accelerator Program to provide services to such companies. Subject to appropriation, funding for such services shall be awarded as follows:

- 1. \$1,427,000 for the Commonwealth's fiscal year beginning July 1, 2021;*
- 2. \$1,987,000 less the total amount of funds previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2022;*
- 3. \$2,722,000 less the total amount of funds previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2023;*
- 4. \$3,574,000 less the total amount of funds previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2024; and*
- 5. \$4,601,000 less the total amount of funds previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2025.*

B. Companies shall be eligible for services funded under this section only if they enter into a memorandum of understanding with the Virginia Economic Development Partnership Authority to:

- 1. Create at least 2,464 new jobs that are for full-time employees and that pay an annual wage of at least \$37,321;*
- 2. Make a capital investment of at least \$714.1 million in the Commonwealth; and*
- 3. Agree to meet the performance targets in subdivisions 1 and 2 on or before January 1, 2027, subject to an extension of no more than two years, as provided in the memorandum of understanding, where such extension may also extend the award dates described in subsection A.*

C. Any company receiving services pursuant to this section shall annually provide evidence satisfactory to the Virginia Economic Development Partnership Authority of (i) the aggregate number of new jobs created and maintained as of the last month of the calendar year as determined in the memorandum of understanding, the payroll paid by the company during the calendar year, and the average annual wage of the new jobs in the calendar year and (ii) the aggregate amount of the capital investment made during the calendar year, including the extent to which such capital investment was or was not subject to the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.). The report and evidence shall be filed with the Virginia Economic Development Partnership Authority in person, by mail, or as otherwise agreed upon in the memorandum of understanding by no later than April 1 each year following the end of the prior calendar year upon which the evidence is based.

D. Any memorandum of understanding entered into pursuant to this section shall provide that if any annual report and evidence provided pursuant to subsection C indicates that a company failed to meet the targets specified in subsection B, the company may be required to repay the Commonwealth a portion of the costs for services delivered pursuant to this section in an amount that reflects the value of the shortfall in the applicable target.

E. As a condition of receipt of the services funded under this section, a company receiving services pursuant to this section shall make available to the Virginia Economic Development Partnership Authority for inspection all documents relevant and applicable to determining whether the company has met the requirements for the receipt of the services as set forth in this section and subject to the memorandum of understanding. All such documents appropriately identified by the company shall be considered confidential and proprietary, and shall not be subject to disclosure pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

F. Funding made available pursuant to this section shall be used to provide recruitment and training

services for employees of companies that meet the eligibility requirements of this section. Services shall be coordinated by the Virginia Economic Development Partnership Authority through the Virginia Talent Accelerator Program.