

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-2240.2:1 of the Code of Virginia, relating to Virginia Economic*
3 *Development Partnership Authority; eligible site for site development grant; acreage requirements.*

4 [H 2332]
5 Approved

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

7 **1. That § 2.2-2240.2:1 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 2.2-2240.2:1. Virginia Business Ready Sites Program Fund.**

9 A. As used in this section:

10 "Eligible site" means a site suitable to be marketed for industrial or commercial economic
11 development purposes, as determined by the Authority. For a site development grant, an "eligible site"
12 shall meet, or be determined by the Authority to be expected to meet, each of the following criteria: (i)
13 the site is at least ~~100~~ 50 contiguous acres, or it is a brownfield, as defined in § 10.1-1230; (ii) the site
14 has parcels zoned for industrial or commercial uses; and (iii) the site is publicly owned, or if the site is
15 under private ownership, there is an option agreement or other documentation of a commitment by the
16 private owner to a competitive sales price, to permit access to the site for site assessment, and to market
17 the site for industrial or commercial economic development purposes. ~~If a site is located in Region 1 or~~
18 ~~2, and it meets the criteria in clauses (ii) and (iii), the Authority may determine it to be an "eligible site"~~
19 ~~if the site is at least 50 contiguous acres.~~ For a site characterization grant, an "eligible site" means any
20 site of at least 25 acres that is suitable for potential industrial or commercial development.

21 "Fund" means the Virginia Business Ready Sites Program Fund established under subsection B.

22 "Industrial employment" means total Virginia employment for the most recent calendar year for
23 which data is available, in the manufacturing (NAICS 31-33) or warehousing and storage (NAICS
24 493110) industries, as published by the U.S. Bureau of Labor Statistics' Quarterly Census of
25 Employment and Wages.

26 "Region" means a region designated by the Virginia Growth and Opportunity Board under
27 § 2.2-2484.

28 "Site characterization grant" means a grant to ascertain and designate a site's level of development as
29 outlined in the Virginia Business Ready Sites Program Fund guidelines.

30 "Site development grant" means a grant to further develop a site for marketing to economic
31 development projects as outlined in the Virginia Business Ready Sites Program Fund guidelines.

32 B. There is hereby created in the state treasury a special nonreverting fund to be known as the
33 Virginia Business Ready Sites Program Fund. The Fund shall be established on the books of the
34 Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other
35 sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest earned
36 on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the
37 Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but
38 shall remain in the Fund.

39 C. Moneys in the Fund shall be used to provide site characterization grants and site development
40 grants for eligible sites for the purpose of creating and maintaining a portfolio of project-ready sites to
41 promote economic development in all regions of the Commonwealth. Such grants shall be awarded on a
42 competitive basis in accordance with the procedures of subsection D.

43 D. 1. The Governor shall award grants from the Fund only to political subdivisions of the
44 Commonwealth.

45 2. The Authority shall establish guidelines, procedures, and objective criteria for the award and
46 distribution of grants from the Fund. The preparation of the guidelines shall be exempt from the
47 requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

48 3. To qualify to receive a grant from the Fund, a grant recipient shall enter into a performance
49 agreement with the Authority that contains, at a minimum, provisions for disbursement of the grant, use
50 of the proceeds, reporting, and repayment obligations in the event that the recipient fails to meet the
51 terms of the performance agreement. Any repayment of grant funds required by such performance
52 agreement shall be paid into the state treasury and credited to the Fund.

53 4. Any grant awarded from the Fund shall require matching funds as described in the guidelines
54 established under subdivision 2.

55 E. The Authority shall report annually by November 1 on grant awards and expenditures from the
56 Fund. The report shall include total appropriations made or transferred to the Fund, total grants awarded,

57 total expenditures from the Fund, cash balances, and balances available for future commitments. The
58 Authority shall prepare the report required by this subsection in conjunction with the reports required
59 under § 2.2-2237.1.
60 F. The Auditor of Public Accounts or his authorized representative shall audit the accounts of the
61 Fund in accordance with generally accepted auditing standards as determined necessary by the Auditor
62 of Public Accounts. The cost of such audit services shall be borne by the Fund.