

# VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

## CHAPTER 47

*An Act to reauthorize the second enactment of Chapter 5 of the 1994 Acts of Assembly, Special Session I, authorizing a settlement to resolve disputed claims for refunds of taxes paid with respect to retirement or pension benefits received from a federal retirement system for any taxable year beginning on or after January 1, 1985, and ending on or before December 31, 1988; and to provide for a special litigation reserve fund.*

[H 2091]

Approved February 28, 1995

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

**1. § 1. That the provisions of the second enactment of Chapter 5 of the 1994 Acts of Assembly, Special Session I, authorizing a settlement with respect to disputed claims for refunds of taxes paid on retirement or pension benefits received from a retirement system created by the federal government for any officer or employee of the United States, including the United States Civil Service, the United States Armed Forces, or any agency or subdivision thereof for any taxable year beginning on or after January 1, 1985, and ending on or before December 31, 1988, are hereby reauthorized pursuant to subdivision E of § 1 of the second enactment of Chapter 5. All actions taken pursuant to Chapter 5 are ratified and the Tax Commissioner shall proceed with the settlement as authorized by Chapter 5 of the 1994 Acts of Assembly, Special Session I, and as reauthorized by this act as provided by subdivision E of § 1 of the second enactment of Chapter 5 of the 1994 Acts of Assembly, Special Session I. It is the specific intent of the General Assembly that the settlement not become null and void, but that it have full force and effect in all respects.**

§ 2. Subject to appropriation by the General Assembly, a sum equal to the amount by which the appropriation amounts authorized by subsection B of § 1 of the second enactment of Chapter 5 are reduced pursuant to the provisions of subsection E to reflect the claims of taxpayers opting out of the settlement shall be deposited in a special litigation reserve fund until a final resolution of all pending litigation in Virginia courts determined by the Tax Commissioner to involve disputed claims for refunds contemplated by § 2 of the second enactment of Chapter 5. If such litigation is resolved in favor of the Commonwealth, all assets held in the special litigation reserve fund shall be returned to the General Fund.

**2. That an emergency exists and this act is in force from its passage.**