

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CULPEPER

MICHAEL V. McCLARY, et al,

*Plaintiffs*

v.

Case No. CL18-1373-00

SCOTT H. JENKINS, et al,

*Defendants*

**MEMORANDUM IN SUPPORT OF DEFENDANT JENKINS’  
DEMURRER AND SPECIAL PLEA IN BAR**

Defendant Scott Jenkins (“Sheriff Jenkins”), by counsel, files this memorandum of law in support of his Demurrer and Plea in Bar.

Only Counts I and II of the Complaint allege causes of action against Sheriff Jenkins. Count III alleges a cause of action against the Board of Supervisors of County of Culpeper only. As such, Sheriff Jenkins’ Demurrer and Plea in Bar seek dismissal of Counts I and II of the Complaint.

Sheriff Jenkins filed a demurrer and special plea in bar on the following grounds: 1) Federal law preempts state law in the field of immigration and a State court has no jurisdiction to rule on immigration matters under the guise of a local taxpayer lawsuit because immigration matters are exclusively federal in nature; 2) Plaintiffs lack standing to bring this suit; and 3) Plaintiffs have failed to state a claim upon which relief can be granted as Sheriff Jenkins has authority under State and Federal law to enter into the Agreement.

**FACTS**

This case arises from Sheriff Jenkins entering into a 287(g) Agreement (Agreement) with the Immigration and Customs Enforcement component (ICE) of the United States Department of Homeland Security (DHS), by which Sheriff Jenkins cooperates with the federal government’s efforts

to enforce immigration laws of the United States. On April 24, 2018, Sheriff Jenkins entered into the Agreement with ICE. Complaint ¶ 41. The Agreement grants Sheriff Jenkins and his deputies “*federal* ‘authority to perform certain immigration enforcement functions.’” Complaint ¶ 45 (*emphasis added*).

Plaintiffs contend local taxpayer dollars are being used to fund duties and activities carried out by Sheriff Jenkins under the Agreement, Complaint ¶ 47, and the Agreement is contrary to state law, Complaint ¶¶ 67-73. Plaintiffs allege they have been harmed by Sheriff Jenkins (1) entering into the Agreement with ICE, and (2) use of local taxpayer funds to pay expenses related to the Agreement. Complaint ¶¶ 47-73. Plaintiffs seek declaratory judgment and an injunction, requesting the Court find Sheriff Jenkins’ entry into the Agreement and use of taxpayer funds is unconstitutional, *ultra vires*, and *void ab initio*, and enjoining further conduct by the Sheriff’s office pursuant to the Agreement or payment of local taxpayer funds in furtherance of the Agreement. Complaint ¶¶ 73,-74, 84, 98-100.

#### **Additional Facts in Support of Special Plea in Bar**

Plaintiffs cannot establish any local taxpayer dollars have been or will be expended in support of the Agreement. Sheriff Jenkins’ budget is funded from multiple revenue sources in addition to local taxpayer revenues. In fiscal year 2019, approximately three million dollars (\$3,000,000) were allocated by the Compensation Board and appropriated by the General Assembly from the state budget/tax revenues to Culpeper County for the Sheriff’s budget. (*See* Compensation Board Approved FY19 Budget for Culpeper Sheriff’s Office, a copy of which is attached as **Exhibit A**; 2018 Appropriations Act, Items 66 and 67, 73, and 474, a copy of which is attached as **Exhibit B**). Other sources of funding provided to Sheriff Jenkins include: federal funds to assist with jail officer salary costs associated with incarcerating undocumented criminal aliens, from the State Criminal

Alien Assistance Program (SCAAP), administered by the U.S. Department of Justice (USDOJ)(see SCAAP Award list, a copy of which is attached as Exhibit C); grants from the USDOJ for participation in the Bulletproof Vest Partnership Program (*See* Board of Supervisor minutes attached to the Culpeper County's Demurrer and Plea in Bar which are incorporated herein); funds from the Virginia Department of Transportation, which include federal flow-through funds from the National Highway Traffic Safety Administration (*see id.*); and grants from the Virginia Department of Criminal Justice Services and the Virginia State Police (*see id.*). From time to time, Sheriff Jenkins' office also receives gifts or donations (*see id.*). Sheriff Jenkins also receives revenue from forfeitures pursuant to Va. Code Ann. §§ 19.2-386.1 et seq and 19.2-386.15 et seq. and collects fees from civil process or other various duties per statute. Some of these revenues are received by the Board of Supervisors of Culpeper County and are passed through to Sheriff Jenkins' office. Revenues identified in this paragraph are NOT sourced from local (Culpeper County) tax revenue even though they may pass through Culpeper County.

Sheriff Jenkins also receives supplemental funds from Culpeper County. Generally, local appropriations of funds to a sheriff are not subject to conditions. Indeed, Virginia Code prohibits imposition of any conditions or control by the Board of Supervisors over the operation of Sheriff Jenkins' office. Va. Code Ann. §15.2-1600.

Finally, the Finance Director for Culpeper County provided a declaration under penalty of law that after a diligent search of the records of the Finance Office, no record or entry regarding any appropriation, expense, accounting, or audit submission exists in support of the Agreement or Sheriff Jenkins' assistance to ICE. *See* Affidavit of Valerie Lamb, attached to Plea of the Board of Supervisors of Culpeper County as Exhibit D which must be admitted as evidence pursuant to Virginia Code § 8.01-390 and is hereby adopted by Sheriff Jenkins in support of his Plea.

## ARGUMENT

### I. Standard of Review

A complaint cannot survive a demurrer unless it sets forth a sufficient matter of substance for the court to proceed upon the merits of the cause. Va. Code Ann. § 8.01-275 (2018). A pleading is sufficient if it “clearly informs the opposite party of the true nature of the claim.” Va. Sup. Ct. R. 1:4(d) (2019). Every litigant is entitled to be told by his adversary in plain and explicit language what is his ground of complaint. *Ted Lansing Supply Co. v. Royal Aluminum & Constr. Corp.*, 221 Va. 1139, 1141, 277 S.E.2d 228 (1981).

Thus, a complaint should contain direct or inferential allegations respecting all material elements of some viable legal theory. A plaintiff cannot rely upon mere conclusory allegations without sufficient facts to support his claim. *Pulte Home Corp. v. Parex, Inc.*, 265 Va. 518, 579 S.E.2d 188 (2003) (conclusory allegations as to breach of warranty claim did not set forth the essential facts to make a breach of warranty claim; demurrer sustained). A complaint that does not allege facts to support the legal theory is demurrable. *Klotz v. Fauber*, 213 Va. 1, 189 S.E. 2d 45(1972). A demurrer admits the truth of the facts contained in the pleading to which it is addressed, as well as any facts that may be reasonably and fairly implied and inferred from those allegations. *Yuzefovsky v. St. John's Wood Apartments*, 261 Va. 97, 102, 540 S.E.2d 134, 136 (2001) (citation omitted); *Cox Cable Hampton Roads, Inc. v. City of Norfolk*, 242 Va. 394, 397, 410 S.E.2d 652, 653 (1991). A demurrer does not, however, admit the correctness of the pleader's conclusions of law. *Yuzefovsky*, 261 Va. at 102; *Ward's Equip., Inc. v. New Holland North America, Inc.*, 254 Va. 379, 382, 493 S.E.2d 516, 518 (1997). A demurrer only admits the truth of material facts properly plead which are: 1) facts expressly alleged; 2) facts which are by fair intendment impliedly alleged; and 3) facts

which may be fairly and justly inferred from the facts alleged. *Duggin v. Adams*, 234 Va. 221, 223, 360 S.E.2d 832 (1987) (citations omitted).

A special plea in bar is a discrete form of defensive pleading that does not address the merits of the issue; rather, it alleges a single set of facts, which, if proven, constitutes an absolute defense to the claim. *See Station # 2, L.L.C. v. Lynch*, 280 Va. 166, 175, 695 S.E.2d 537, 542 (2010); *see e.g., Janus v. Sproul*, 250 Va. 90, 91-92, 458 S.E.2d 300, 301 (1995) (upholding trial court's judgment sustaining a Plea in Bar on the grounds of Statute of Frauds). The party asserting the plea bears the burden of proof, which may be proven through the presentation of evidence including *ore tenus* evidence or through facts identified in the pleadings. *See Hawthorne v. VanMarter*, 279 Va. 566, 577, 692 S.E.2d 226, 233 (2010). Generally, the defensive plea in bar shortens the litigation by reducing it to a distinct issue of fact which, if proven, creates a bar to the plaintiff's right of recovery. *Tomlin v. McKenzie*, 251 Va. 478, 480, 468 S.E.2d 882, 884 (1996).

## **II. Federal Law Preempts in the Field of Immigration.**

The Supremacy Clause of the Constitution of the United States establishes that the Constitution and laws of the United States "shall be the supreme Law of the Land." U.S. Const. art. VI, cl. 2. Nearly 200 years ago, the Supreme Court of the United States held the Supremacy Clause prevents state and local officials from taking actions or passing laws to "retard, impede, burden, or in any manner control" the execution of federal law. *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316, 436, 4 L. Ed. 579 (1819). Preemption precludes both (1) states from regulating conduct in a field that Congress, acting within its proper authority, has determined must be regulated by its exclusive governance and (2) state laws which conflict with federal law. *Arizona v. United States*, 567 U.S. 387, 399, 132 S. Ct. 2492, 2501, 183 L. Ed. 2d 351, 369 (2012).

It is well established that control over immigration and naturalization is entrusted exclusively to the federal government, and a state has no power to interfere. *Nyquist v. Mauclet*, 432 U.S. 1, 10, 97 S. Ct. 2120, 2126, 53 L. Ed. 2d 63, 71 (1977) *citing* U.S. Const., Art I, § 8, cl. 4. The federal government has “broad, undoubted power over the subject of immigration and the status of aliens.” *Arizona*, 567 U.S. at 394; *Santos v. Frederick Cty. Bd. of Comm'rs*, 725 F.3d 451, 463 (4th Cir. 2013); *Johnson v. Whitehead*, 647 F.3d 120, 126-27 (4th Cir. 2011). This includes authority to interview, arrest, and detain removable aliens. See 8 U.S.C. § 1226(a) (2018) (Secretary of DHS may issue administrative arrest warrants and may arrest and detain aliens pending removal decision); 8 U.S.C. § 1226(c)(1) (2018) (Secretary “shall take into custody” aliens who have committed certain crimes when “released”); 8 U.S.C. §§ 1231(a)(1)(A), (2) (2018) (Secretary may detain and remove aliens ordered removed); 8 U.S.C. §§ 1357(a)(1), (2) (2018) (authorizing certain warrantless interrogations and arrests). Regulation of immigration is an express power of Congress under the Constitution, and Congress has exercised that power and authority.

In enforcing immigration laws, the federal government works closely with state and local governments. These cooperative efforts are critical to enabling the federal government to identify and remove hundreds of thousands of aliens who violate immigration laws each year. Federal law contemplates and expressly authorizes these cooperative efforts through cooperative agreements: Congress authorized DHS to enter into cooperative agreements with states and local agencies, see 8 U.S.C. § 1357(g) (2018) (also known as 287(g) agreements), under which state and local officers may, “subject to the direction and supervision of the [Secretary],” 8 U.S.C. § 1357(g)(3) (2018), perform the “functions of an immigration officer in relation to the investigation, apprehension, or detention of aliens,” 8 U.S.C. § 1357(g)(1) (2018). Thus, Sheriff Jenkins’ entry into the Agreement to assist enforcement of immigration laws is expressly authorized by federal law.

Notably, the Immigration and Nationality Act (INA) expressly cloaks Sheriff Jenkins with federal authority for all acts in cooperation with ICE. “An officer or employee of a State or political subdivision of a State acting under color of authority under this subsection, or any agreement entered into under this subsection, shall be considered to be *acting under color of Federal authority* for purposes of determining the liability, and immunity from suit, of the officer or employee in a civil action brought under Federal or State law.” 8 U.S.C. § 1357(g)(8) (2018) (*emphases added*).

A state court has no jurisdiction to rule on immigration matters under the guise of a local “taxpayer” lawsuit, because immigration matters are exclusively federal in nature and pre-empted by federal law. Determination by a state court that a local officer is prohibited from cooperating with the federal government on immigration enforcement would “retard, impede, burden, or control” federal law, in violation of the Supremacy Clause, and undermine the interests of the United States. A state court's purported exercise of jurisdiction to review the validity of agreements regarding federal immigration law infringes upon the federal government's exclusive federal authority over immigration matters. *See Plyler v. Doe*, 457 U.S. 202, 225, 102 S. Ct. 2382, 2399, 72 L. Ed. 2d 786, 804 (1982) (states enjoy no power with respect to the classification of aliens as such powers are committed to the political branches of the federal government; any state action in an area of pre-emption must mirror federal objectives and further a legitimate state interest). Other states have found state courts lack jurisdiction to consider petitions challenging state or local officers' authority to cooperate with federal immigration authority. *See Chavez v. Carmichael*, COA18-317, 2018 N.C. App. LEXIS 1095 (N.C. Ct of App. 2017); *Ricketts v. Palm Beach County Sheriff*, 985 So. 2d 591 (Fla. Dist. Ct. App. 2008); *State v. Chavez-Juarez*, 185 Ohio App. 3d 189, 192, 923 N.E.2d 670, 673 (2009).

An adjudication of Plaintiffs' claims in this case necessarily requires a determination of the validity of the Agreement between Sheriff Jenkins and ICE. Because federal law pre-empts state determinations relating to immigration enforcement, including local cooperation through 287(g) agreements, this Court lacks jurisdiction to decide the matter and Plaintiff's claims should be dismissed.

## **II. Plaintiffs lack standing to bring their claims.**

Plaintiffs lack standing to bring this suit challenging the validity of the Agreement. The complaint does not demonstrate a sufficient nexus between the Agreement and any injury to Plaintiffs and does not allege any specific local taxpayer funded costs associated with the Agreement. Additionally, as a matter of law, Sheriff Jenkins receives significant state funding which CANNOT be the basis for taxpayer standing. The Complaint does not (and cannot) delineate whether the unidentified and speculative expenses were paid from state or local funds.

Individual standing is established "if a party alleges he or she has a 'legal interest' that has been harmed by another's action." *Howell v. McAuliffe*, 292 Va. 320, 330, 788 S.E.2d 706, 712 (2016). In cases seeking declaratory judgment and injunctive relief, standing still requires plaintiffs to have a justiciable interest by demonstrating an actual controversy between the plaintiff and defendant." *Lafferty v. Sch. Board of Fairfax Cnty.*, 293 Va. 354, 360, 798 S.E.2d 164, 169 (2017). Standing cannot be based on speculation of potential injuries. *Id.* at 361. In the instant case, Plaintiffs do not claim any personal or individualized harm or actual controversy as a result of the Agreement. Rather Plaintiffs assert standing only as taxpayers of Culpeper County. See Complaint ¶¶ 14 and 15.

Notably, taxpayer standing in Virginia can only be based on claims regarding use of *local* tax revenues, not use of state revenues. *Lafferty*, 293 Va. at 364. To have "state tax payer" standing, taxpayers must demonstrate a statutory right to relief or allege a direct and personalized harm; they



cannot rely upon state taxpayer status alone. *Id.* at 373. Here, Plaintiffs allege no such right under statutes statutory relief nor any direct and personalized harm. Consequently, they can only proceed based upon *local* taxpayer standing which is available only in limited circumstances.

*Local* taxpayer standing is “premised on the peculiar relationship of the taxpayer to the local government that makes the taxpayer's interest in the application of municipal revenues direct and immediate,” giving local taxpayers the necessary personal stake in the outcome of the controversy. *Goldman v. Landsidle*, 262 Va. 364, 372, 552 S.E.2d 67, 71 (2001). Local taxpayers have standing to sue based on their direct and immediate relationship with the local government and its use of local funds. *Lafferty*, 293 Va. at 361. However, one’s position *as a taxpayer alone* does not give them a right to challenge *every* policy adopted by a local government solely because they do not agree with that action, without something more. *Id.* at 365. Virginia courts will not extend local taxpayer standing where harm to the plaintiff taxpayer is totally speculative, lacking a nexus between the local taxpayer and the government action. *Id.* at 363-365. Additionally, to establish local taxpayer standing, plaintiffs must specifically plead the facts necessary to establish standing, including *the specific costs or expenditures of local taxpayer funds*. *Id.* at 363. Courts will not infer the cost of implementing the policy. *Id.*

Here, as in *Lafferty*, the Complaint does not demonstrate a sufficient nexus between the Agreement and any injury to Plaintiffs and does not allege any specific local taxpayer funded costs expended in support of the Agreement. The Complaint alleges that under the Agreement, Sheriff Jenkins intends to utilize six (6) deputies to carry out and assist ICE in enforcement of federal immigration laws. Complaint ¶ 46. While the Complaint alleges Sheriff Jenkins is responsible for costs associated with implementing the Agreement, the Complaint acknowledges costs related to the Agreement were so minimal they would be covered under the current budget. Complaint ¶ 37. There

are no allegations describing any *actual costs* paid by local taxpayer dollars that have been or will be used to implement the Agreement, leaving the Court to guess or speculate about what those costs *could* be (much less whether they are paid from state or local funds). Under *Lafferty*, these allegations are not sufficient as a matter of law to meet the requirements for local taxpayer standing.

Additionally, the Complaint mischaracterizes, through omission, the source of Sheriff Jenkins' budget as "comprised of funds provided by the Board of Supervisors that are sourced from Culpeper County local tax revenue." Complaint ¶ 38. The Complaint notably omits reference to significant state and federal revenues which fund Sheriff Jenkins' budget, which are further discussed *infra*. In Virginia, sheriffs are state officers whose positions are created by the Virginia Constitution, thereby making them constitutional officers. See Va. Const. Art. VII, § 4. A Virginia sheriff is an independent public official whose authority is derived from the Constitution of Virginia. *Doud v. Commonwealth*, 282 Va. 317, 321, 717 S.E.2d 124 (2011). Although Virginia sheriffs may perform certain functions similar to counties and cities, Virginia sheriffs are not officers or agencies of those local government units. *Id.* Salaries of the sheriff and his deputies are paid by the State Compensation Board. Va. Code Ann. §15.2-1609.7 (2018). In addition to salaries, other operational costs of running a sheriff's office are initially paid by the locality which subsequently are reimbursed those costs by the state compensation board. Va. Code Ann. §15.2-1615.1 (2018). Localities may (but are not required to) supplement the budgets of constitutional officers, such as sheriffs, as they see fit. Va. Code Ann. §15.2-1613 (2018). Under no circumstances will a locality be able to control a constitutional officer or otherwise direct a constitutional officer in the performance of his duties or operation of his office. Va. Code Ann. §15.2-1600 (2018).

Sheriff Jenkins' budget is funded from multiple revenue sources in addition to local taxpayer revenues. In fiscal year 2019, approximately three million dollars (\$3,000,000) were allocated by the

Compensation Board and appropriated by the General Assembly from the state budget/tax revenues to Culpeper County for the Sheriff's budget. Other sources of funding provided to Sheriff Jenkins include: federal funds to assist with jail officer salary costs associated with incarcerating undocumented criminal aliens, from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice (USDOJ); grants from the USDOJ for participation in the Bulletproof Vest Partnership Program; funds from the Virginia Department of Transportation, which include federal flow-through funds from the National Highway Traffic Safety Administration; and grants from the Virginia Department of Criminal Justice Services and the Virginia State Police. From time to time, Sheriff Jenkins' office also receives gifts or donations. Sheriff Jenkins also receives revenue from forfeitures and the collection of various fees, such as civil process fees. The majority of these revenues are received by the Board of Supervisors of Culpeper County and passed through to Sheriff Jenkins' office. Revenues identified in this paragraph are NOT sourced from local (Culpeper County) tax revenue even though they pass through Culpeper County.

Sheriff Jenkins also receives supplemental funds from Culpeper County. Generally, local appropriations of funds to a sheriff are not subject to conditions. Indeed, Virginia Code *prohibits* imposition of any conditions or control by the Board of Supervisors over the operation of Sheriff Jenkins' office. Va. Code Ann. §15.2-1600 (2018).

Not only do Plaintiffs expect the Court to speculate on the amount of spending associated with the Agreement, but Plaintiffs also expect the Court to speculate as to the source of funding to support the Agreement. Such speculation is impermissible. Because the Sheriff's department receives funds from both the state and local government, it is impossible to delineate whether any funds to be used to support the Agreement derive from the state or local taxpayer revenues. Absent clear allegations of *specific costs or expenditures* paid from *local* taxpayer funds, Plaintiffs lack "local

taxpayer standing. As “state taxpayers,” Plaintiffs do not have standing to challenge the actions of the government solely based on being a taxpayer alone, as they do not have a unique, individualized, and particularized harm. Plaintiffs lack standing under any “taxpayer” theory and have not alleged sufficient personal and individualized harm to state individual standing or an actual case or controversy.

### **III. Failure to State a Claim Upon Which Relief Can Be Granted**

Plaintiffs have failed to state a claim upon which relief can be granted as Plaintiffs cannot demonstrate Sheriff Jenkins acted outside of his duty and authority when he participated in a 287(g) Agreement. Virginia sheriffs, Plaintiffs acknowledge, are a creation of the Virginia Constitution. The General Assembly sets forth the duties and responsibilities of a sheriff, and a local governing body has no authority to expand or diminish a sheriff’s authority. Virginia Code § 15.2-1600 (2018). Thus, a sheriff’s duties are defined by the state constitution and applicable statutes.

Under Virginia law, sheriffs expressly are given plenary power to enforce *the law*, without limitation. Virginia Code § 15.2-1609. Sheriffs, as law enforcement officers, are *expressly* authorized to enforce the immigration laws of the United States. Va. Code Ann § 19.2-81.6 (2018). Sheriffs are expressly authorized to enter in to agreements to provide law enforcement services *to any governmental entity* providing law enforcement services in the Commonwealth. Va. Code Ann. § 15.2-1730.1 (2018). As explained above, federal law expressly authorizes 287(g) agreements, such as the Agreement with Sheriff Jenkins. 8 U.S.C. § 1357(g) (2018). Sheriff Jenkins had clear and express authority under both federal and state law to enter into the Agreement to cooperate with federal law enforcement agencies with respect to federal immigration laws. To the extent he actually used any local taxpayer revenues for the participation in the Agreement, such use of revenues was authorized and appropriate.

Plaintiffs' conclusory allegations to the contrary are incorrect and Plaintiffs' claims fail to state a claim upon which relief can be granted.


### CONCLUSION

WHEREFORE Sheriff Jenkins requests that the Court conduct an evidentiary hearing on his Special Plea in Bar, that the Court sustain his Demurrer and Special Plea in Bar, dismiss the Complaint against him with prejudice, and award him such other and further relief as the nature of the case may require and to equity may seem meet.

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### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was mailed, postage prepaid, on January 22, 2019, to:


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# Compensation Board

Commonwealth of Virginia



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## Constitutional Officers Budgets and Salaries

### ◆ Approved FY19 Budgets

0.0213 1.00

The Constitutional Officer Budgets provided on this site are as approved by the Compensation Board on May 1 for the following fiscal year, effective July 1 through June 30, and do not reflect any amendments, if any, approved by the Compensation Board since May 1. The Compensation Board approved budgets reflect the minimum amount that must be approved by the local government for the Constitutional Officer. Most local governments approve additional funding for Constitutional Officers than is reflected on the Compensation Board approved budgets. Local governments may approve salary supplements, additional positions and other increased expenses for Constitutional Officers; this information is not available from the Compensation Board or on the approved budgets herein. This information is available from the Constitutional Officer or local government.

### FY19 Budget For the Culpeper Sheriff's Office

**JENKINS, Sheriff**

**Positions/Salaries:**

Position Number	Class Code	Budgeted Salary	Current Salary	Estimated Fringe Benefits*
00016	SHERB	95,335	95,335	9,591
00001	C8	33,075	33,075	3,327
00002	L7	33,071	33,071	3,327
00003	C8	33,315	33,315	3,351
00004	C8	34,114	34,114	3,432
00005	CK A	24,106	24,106	2,425
00006	L8	36,805	36,805	3,703
00007	CS7	31,629	31,629	3,182
00008	L9	43,709	43,709	4,397
00009	L10	46,580	46,580	4,686
00010	CS9	38,565	38,565	3,880
00011	SECI	21,278	21,278	2,141
00012	L8	34,778	34,778	3,499
00013	SECII	30,473	30,473	3,066
00014	L9	50,175	50,175	5,048



00015	C8	33,817	33,817	3,402
00017	C8	33,074	33,074	3,327
00018	L8	33,816	33,816	3,402
00019	L8	35,018	35,018	3,523
00020	L10	41,035	41,035	4,128
00021	C8	33,554	33,554	3,376
00022	L9	40,802	40,802	4,105
00023	L8	33,714	33,714	3,392
00024	C7	31,632	31,632	3,182
00025	C8	38,163	38,163	3,839
00026	L12	48,814	48,814	4,911
00027	C9	45,445	45,445	4,572
00028	L8	36,965	36,965	3,719
00029	L8	33,474	33,474	3,367
00030	C9	37,431	37,431	3,766
00031	C8	44,019	44,019	4,428
00032	C7	UNFUNDED		
00033	C7	38,646	38,646	3,888
00034	C8	35,020	35,020	3,523
00035	L12	50,678	50,678	5,098
00036	C9	44,440	44,440	4,471
00037	C8	34,219	34,219	3,442
00038	C8	34,032	34,032	3,424
00039	C8	36,541	36,541	3,676
00040	L8	38,575	38,575	3,881
00041	C8	38,165	38,165	3,839
00042	C8	33,474	33,474	3,367
00043	C7	31,629	31,629	3,182
00044	C7	UNFUNDED		
00045	C8	37,285	37,285	3,751
00046	CK A	25,747	25,747	2,590
00047	CK A	23,259	23,259	2,340
00048	CO SP	31,006	31,006	3,119
00049	COMOP	27,177	27,177	2,734
00050	COMOP	25,996	25,996	2,615
00051	COMOP	26,762	26,762	2,692
00052	COMOP	27,177	27,177	2,734
00053	L8	33,472	33,472	3,367
00054	L9	42,913	42,913	4,317
00055	PTRT	UNFUNDED		
00056	PMED	19,821	19,821	1,994
00057	PMED	20,591	20,591	2,071
00058	PMED	26,548	26,548	2,671
00059	PREC	20,991	20,991	2,112



00060	PCLS	21,046	21,046	2,117
00061	L8	34,057	34,057	3,426
00062	L8	34,218	34,218	3,442
00063	L8	33,817	33,817	3,402
00064	C8	33,816	33,816	3,402
00065	L8	33,816	33,816	3,402
00066	C8	33,071	33,071	3,327
00067	L8	36,148	36,148	3,636
00068	LT2	37,015	37,015	3,724
00069	CS8	34,594	34,594	3,480
00070	L8	33,392	33,392	3,359
00071	L8	33,075	33,075	3,327
00072	L7	32,014	32,014	3,221
00073	L8	33,072	33,072	3,327
00074	L8	35,542	35,542	3,576
00075	L8	33,071	33,071	3,327
00076	L8	33,074	33,074	3,327
00077	CS8	33,315	33,315	3,351
00078	CS8	33,474	33,474	3,367

**Total Positions by Class Code:**

**Class Code            Number of Positions**

PCLS	1
PMED	3
PREC	1
PTRT	1
C7	5
C8	17
C9	3
CK A	3
CO SP	1
COMOP	4
CS7	1
CS8	3
CS9	1
L10	2
L12	2
L7	2
L8	20
L9	4
LT2	1
SECI	1
SECII	1
SHERB	1

**Total Number of Compensation Board Positions: 78**

**Total Salaries Budgeted: 2,623,572    Estimated Fringe Benefits\*: 263,931**

**Total Temporary Employees Salaries Budgeted: 20,462    Temporary Employees Estimated Fringe Benefits\*: 1,565**

**Total Office Expense Budgeted: 0**

**Total Equipment Budgeted: 0**

**Total May 1 Approved Compensation Board Budget\*: 2,644,034 (based upon budgeted amounts; does not include Fringe Benefits)**

**\*Fringe Benefits are not budgeted, but are reimbursed based upon salary paid.**

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Directions  
to our building

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**2018 SPECIAL SESSION I**  
**VIRGINIA ACTS OF ASSEMBLY**

**CHAPTER 2**

An Act for all appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2019, and the thirtieth day of June, 2020.

**Approved June 7, 2018**



# 2018 SPECIAL SESSION I

## VIRGINIA ACTS OF ASSEMBLY - CHAPTER 2

An Act for all appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2019, and the thirtieth day of June, 2020, and an Act to amend and reenact §§ 33.2-1904, 33.2-1907, and 33.2-2502 of the Code of Virginia, and to amend the Code of Virginia by adding sections numbered §§ 32.1-332.01 and 32.1-332.02.

[H 5002]

Approved - June 7, 2018

Be it enacted by the General Assembly of Virginia:

1. §1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2018	\$212,160,796	\$0	\$212,160,796
Additions to Balance	\$22,032,299	(\$500,000)	\$21,532,299
Official Revenue Estimates	\$20,173,667,750	\$20,976,167,750	\$41,149,835,500
Transfer	\$620,975,902	\$631,035,083	\$1,252,010,985
Total General Fund Resources Available for Appropriation	\$21,028,836,747	\$21,606,702,833	\$42,635,539,580

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	Second Year	Total
Balance, June 30, 2018	\$5,314,589,535	\$0	\$5,314,589,535
Official Revenue Estimates	\$31,061,074,096	\$32,309,426,263	\$63,370,500,359
Lottery Proceeds Fund	\$592,533,186	\$598,393,186	\$1,190,926,372
Internal Service Fund	\$2,098,949,919	\$2,208,679,991	\$4,307,629,910
Bond Proceeds	\$1,079,456,936	\$128,566,436	\$1,208,023,372
Total Nongeneral Fund Revenues Available for Appropriation	\$40,146,603,672	\$35,245,065,876	\$75,391,669,548
<b>TOTAL PROJECTED REVENUES</b>	<b>\$61,175,440,419</b>	<b>\$56,851,768,709</b>	<b>\$118,027,209,128</b>

§ 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts respectively establishing them.

§ 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

§ 6. When used in this act the term:

- A. "Current biennium" means the period from the first day of July two thousand eighteen, through the thirtieth day of June two thousand twenty, inclusive.
- B. "Previous biennium" means the period from the first day of July two thousand sixteen, through the thirtieth day of June two thousand eighteen, inclusive.
- C. "Next biennium" means the period from the first day of July two thousand twenty, through the thirtieth day of June two thousand twenty-two, inclusive.
- D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and which is designated in this act by title and a three-digit agency code.
- E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.
- F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations are shown.
- G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the appropriations are shown.
- H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent employment.
- I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation Act if required to carry out the purpose for which the appropriation is made.
- J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for information reference only.
- K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the instructions for preparation of the Executive Budget.

§ 7. The total appropriations from all sources in this act have been allocated as follows:

<b>BIENNIUM 2018-20</b>			
	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Total</b>
OPERATING EXPENSES	\$42,632,882,857	\$73,233,365,916	\$115,866,248,773
LEGISLATIVE			
DEPARTMENT	\$185,087,878	\$7,364,978	\$192,452,856
JUDICIAL DEPARTMENT	\$1,000,762,335	\$67,346,128	\$1,068,108,463
EXECUTIVE DEPARTMENT	\$41,446,564,951	\$71,197,742,713	\$112,664,307,664
INDEPENDENT AGENCIES	\$467,693	\$1,960,912,097	\$1,961,379,790
STATE GRANTS TO			
NONSTATE AGENCIES	\$0	\$0	\$0
CAPITAL OUTLAY			
EXPENSES	\$120,000	\$1,447,327,372	\$1,447,447,372
TOTAL	\$42,633,002,857	\$74,680,693,288	\$117,313,696,145

§ 8. This chapter shall be known and may be cited as the "2018 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020

**PART 1: OPERATING EXPENSES**

**LEGISLATIVE DEPARTMENT**

**§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)**

1.	Enactment of Laws (78200) a sum sufficient, estimated at.....			\$46,981,541	\$46,981,541
	Legislative Sessions (78204).....	\$46,981,541	\$46,981,541		
	Fund Sources: General.....	\$46,981,541	\$46,981,541		

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded \$26,282,859 the first year and \$27,291,062 the second year from the general fund. The Senate is funded \$14,888,527 the first year and \$15,799,993 the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be \$36,321 per year. The salaries of other members of the House of Delegates shall be \$17,640 per year. The salaries of the members of the Senate shall be \$18,000 per year.

2. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, \$16,200 each year, to be paid in equal monthly installments during the year.

3. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. \$101,757 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 474 of this act.

b. \$152,635 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 474 of this act.

c. \$193,125 per calendar year for the compensation of one or more secretaries or legislative assistants for the Senate majority and minority leadership, as determined by the Majority Leader in consultation with the Chairman of the Senate Committee on Rules. Salary increases shall be governed by the provisions of Item 474 of this act.

d.1. \$42,024 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and \$47,277 for the compensation of legislative assistants for each member of the Senate. Salary increases granted shall be governed by the provisions of Item 474 of this act.

2. In addition, \$15,759 per calendar year for each member of the House of Delegates and \$10,506 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the operation of legislative offices within members' districts. Salary increases granted shall be governed by the provisions of Item 474 of this act.

e. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B.5, if such

ITEM 65.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020

**OFFICE OF ADMINISTRATION**

**§ 1-26. SECRETARY OF ADMINISTRATION (180)**

65.	Administrative and Support Services (79900).....			\$1,685,650	\$1,685,650
	General Management and Direction (79901).....	\$894,350	\$894,350		
	Accounting and Budgeting Services (79903).....	\$791,300	\$791,300		
	Fund Sources: General.....	\$1,685,650	\$1,685,650		

Authority: Title 2.2, Chapter 2, Code of Virginia.

Notwithstanding any contrary provision of law, the authority and responsibilities of the Secretary of Technology referenced in § 2.2-203.1, § 2.2-213.3, § 2.2-222.3, § 2.2-436, § 2.2-437, § 2.2-1617, § 2.2-2005, § 2.2-2006, § 2.2-2007, § 2.2-2220, § 2.2-2699.5, § 2.2-2699.7, § 2.2-2817.1, § 2.2-2822, § 2.2-3503, § 2.2-3504, § 2.2-3803, § 30-279, § 59.1-497, and § 59.1-550, Code of Virginia, shall be executed by the Secretary of Administration. Notwithstanding any contrary provision of law, the authority and responsibilities of the Secretary of Technology referenced in § 2.2-225, Code of Virginia, shall be divided between the Secretary of Administration and the Secretary of Commerce and Trade as determined by the Governor.

	Total for Secretary of Administration.....			\$1,685,650	\$1,685,650
	General Fund Positions.....	13.00	13.00		
	Position Level.....	13.00	13.00		
	Fund Sources: General.....	\$1,685,650	\$1,685,650		

**§ 1-27. COMPENSATION BOARD (157)**

66.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700).....			\$472,543,575	\$474,116,781
	Financial Assistance for Regional Jail Operations (30710).....	\$153,565,798	\$155,086,091		
	Financial Assistance for Local Law Enforcement (30712).....	\$95,346,637	\$95,346,637		
	Financial Assistance for Local Court Services (30713).....	\$57,246,941	\$57,246,941		
	Financial Assistance to Sheriffs (30716).....	\$12,611,106	\$12,611,106		
	Financial Assistance for Local Jail Operations (30718).....	\$153,773,093	\$153,826,006		
	Fund Sources: General.....	\$464,543,575	\$466,116,781		
	Dedicated Special Revenue.....	\$8,000,000	\$8,000,000		

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

July 1, 2018

July 1, 2019

December 1, 2019

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
	to June 30, 2019	to November 30, 2019	to June 30, 2020	
<b>Law Enforcement and Jail Responsibility</b>				
Less than 10,000	\$69,439	\$69,439	\$69,439	\$69,439
10,000 to 19,999	\$79,813	\$79,813	\$79,813	\$79,813
20,000 to 39,999	\$87,708	\$87,708	\$87,708	\$87,708
40,000 to 69,999	\$95,335	\$95,335	\$95,335	\$95,335
70,000 to 99,999	\$105,927	\$105,927	\$105,927	\$105,927
100,000 to 174,999	\$117,699	\$117,699	\$117,699	\$117,699
175,000 to 249,999	\$123,892	\$123,892	\$123,892	\$123,892
250,000 and above	\$137,657	\$137,657	\$137,657	\$137,657
<b>Law Enforcement or Jail</b>				
Less than 10,000	\$68,048	\$68,048	\$68,048	\$68,048
10,000 to 19,999	\$78,217	\$78,217	\$78,217	\$78,217
20,000 to 39,999	\$85,952	\$85,952	\$85,952	\$85,952
40,000 to 69,999	\$93,428	\$93,428	\$93,428	\$93,428
70,000 to 99,999	\$103,809	\$103,809	\$103,809	\$103,809
100,000 to 174,999	\$115,343	\$115,343	\$115,343	\$115,343
175,000 to 249,999	\$121,415	\$121,415	\$121,415	\$121,415
250,000 and above	\$135,593	\$135,593	\$135,593	\$135,593
<b>No Law Enforcement or Jail Responsibility</b>				
Less than 10,000	\$63,940	\$63,940	\$63,940	\$63,940
10,000 to 19,999	\$71,044	\$71,044	\$71,044	\$71,044
20,000 to 39,999	\$78,936	\$78,936	\$78,936	\$78,936
40,000 to 69,999	\$87,708	\$87,708	\$87,708	\$87,708
70,000 to 99,999	\$97,454	\$97,454	\$97,454	\$97,454
100,000 to 174,999	\$108,281	\$108,281	\$108,281	\$108,281
175,000 to 249,999	\$113,978	\$113,978	\$113,978	\$113,978
250,000 and above	\$128,021	\$128,021	\$128,021	\$128,021

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. Notwithstanding the provisions of § 53.1-120, or any other section of the Code of Virginia, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered for civil cases, not more than one deputy may be ordered for criminal cases in a district court, and not more than two deputies may be ordered for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 73, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department



ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
	<p>of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.</p>			
	<p>F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.</p>			
	<p>G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.</p>			
	<p>2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.</p>			
	<p>3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.</p>			
	<p>H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 73 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.</p>			
	<p>I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 66 and 67, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.</p>			
	<p>J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.</p>			
	<p>2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in paragraph A of this Item by the percentage shown herein for a twelve-month period effective the following July 1.</p>			
	<p>a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria</p>			

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020

includes that a sheriff has achieved certification in a program agreed upon by the Compensation Board and the Virginia Sheriffs' Institute by Virginia Commonwealth University , or, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association.

3. Other constitutional officers' associations may request the General Assembly to include certification in a program agreed upon by the Compensation Board and the officers' associations by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.

K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$8,000,000 the first year and \$8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

L. Notwithstanding the provisions of §§ 53.1-131 through 53.1-131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.

M. Included in this appropriation is \$1,256,649 the first year and \$1,256,649 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry. All law enforcement agencies receiving general funds pursuant to this item shall provide the data requirements necessary to participate in the SAVIN system.

N. Included in this appropriation is \$1,520,293 in the second year from the general fund to support staffing costs associated with the expansion project at Prince William/Manassas Regional Jail.

67.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			\$61,722,359	\$62,745,837
	Financial Assistance for Local Jail Per Diem (35601).	\$27,409,763	\$27,868,103		
	Financial Assistance for Regional Jail Per Diem (35604).....	\$34,312,596	\$34,877,734		
	Fund Sources: General.....	\$61,722,359	\$62,745,837		

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2019, and June 1, 2020, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this Item, the following definitions shall be applicable:

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.

2. Local responsible inmate--(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.

3. State responsible inmate--any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

ITEM 67.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
<p>C. The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.</p>				
<p>D. Out of this appropriation, an amount not to exceed \$377,010 the first year and \$377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.</p>				
<p>E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:</p>				
<p>1. For local responsible inmates--\$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate day.</p>				
<p>2. For state responsible inmates--\$12 per inmate day.</p>				
<p>F. For the payment specified in paragraph E 1 of this Item for prisoners in alternative punishment or alternative to incarceration programs:</p>				
<p>1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.</p>				
<p>2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.</p>				
<p>G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this Item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of \$18 per day for local responsible inmates and \$12 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.</p>				
<p>2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.</p>				
<p>H.1. The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the</p>				

ITEM 67.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
	<p>amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this Item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.</p>			
	<p>2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.</p>			
	<p>3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H 1.</p>			
	<p>4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.</p>			
	<p>5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H 1 of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.</p>			
	<p>6. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.</p>			
	<p>7. For a local or regional jail which operates bed space specifically built utilizing federal capital or grant funds for the housing of federal inmates and for which Compensation Board funding has never been authorized for staff for such bed space, the Compensation Board shall allow an exemption from the recovery provided in paragraph H.1. for a defined number of federal prisoners upon certification by the sheriff or superintendent that the federal government has paid for the construction of bed space in the facility or provided a grant for a portion of the capital cost. Such certification shall include specific funding amounts paid by the federal government, localities, and/or regional jail authorities, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal prisoners to be exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of funding paid by the federal government and localities and/or regional jail authorities for the construction of bed space to house federal prisoners to the total funding paid by all sources, including the Commonwealth, for all construction costs for the jail facility in its entirety.</p>			
	<p>8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program in place for such inmates by agreement with the jail on or before January 1, 2012 and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility.</p>			
	<p>I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 66 and 67, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.</p>			

**ITEM 67.**

**Item Details(\$)**  
**First Year      Second Year**  
**FY2019          FY2020**

**Appropriations(\$)**  
**First Year      Second Year**  
**FY2019          FY2020**

J.1. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Behavioral Health and Developmental Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees.

2. Whenever a person is admitted to a local or regional correctional facility, the staff of the facility shall screen such person for mental illness using a scientifically validated instrument. The Commissioner of Behavioral Health and Developmental Services shall designate the instrument to be used for the screenings and such instrument shall be capable of being administered by an employee of the local or regional correctional facility, other than a health care provider, provided that such employee is trained in the administration of such instrument.

K. Out of the amounts appropriated in this item, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the purpose of reimbursing the County of Nottoway for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail at the expense of the County. Reimbursements by the Board are to be made quarterly, and shall be equal to demonstrated costs incurred by the County of Nottoway for confinement of these individuals, and shall not exceed the amounts provided in this paragraph for each fiscal year. Reimbursement of demonstrated costs in the first year may include expenses incurred in the prior fiscal year if not previously reimbursed. In subsequent years, demonstrated costs may include expenses incurred in the last month of the prior fiscal year if not previously reimbursed. The County of Nottoway, the Virginia Center for Behavioral Rehabilitation, and Piedmont Regional Jail shall upon request provide the Compensation Board any information and assistance it determines is necessary to calculate amounts to be reimbursed to the County of Nottoway.

68.	Financial Assistance for Local Finance Directors (71700).....			\$5,627,448	\$5,627,448
	Financial Assistance to Local Finance Directors (71701).....	\$680,453	\$680,453		
	Financial Assistance for Operations of Local Finance Directors (71702).....	\$4,946,995	\$4,946,995		
	Fund Sources: General.....	\$5,627,448	\$5,627,448		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2018 to June 30, 2019	July 1, 2019 to November 30, 2019	December 1, 2019 to June 30, 2020
Less than 10,000	\$62,523	\$62,523	\$62,523
10,000-19,999	\$69,473	\$69,473	\$69,473
20,000-39,999	\$77,193	\$77,193	\$77,193
40,000-69,999	\$85,767	\$85,767	\$85,767
70,000-99,999	\$95,298	\$95,298	\$95,298
100,000-174,999	\$105,883	\$105,883	\$105,883
175,000 to 249,999	\$111,459	\$111,459	\$111,459

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
Financial Assistance for State Tax Services by Local Treasurers (77403).....	\$165,636	\$165,636		
Fund Sources: General.....	\$17,503,235	\$17,503,235		
Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.				
A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.				
	July 1, 2018 to June 30, 2019	July 1, 2019 to November 30, 2019	December 1, 2019 to June 30, 2020	
Less than 10,000	\$62,523	\$62,523	\$62,523	
10,000 to 19,999	\$69,473	\$69,473	\$69,473	
20,000-39,999	\$77,193	\$77,193	\$77,193	
40,000-69,999	\$85,767	\$85,767	\$85,767	
70,000-99,999	\$95,298	\$95,298	\$95,298	
100,000-174,999	\$105,883	\$105,883	\$105,883	
175,000-249,999	\$111,459	\$111,459	\$111,459	
250,000 and above	\$126,659	\$126,659	\$126,659	
2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.				
3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.				
B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.				
2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.				
C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.				
2. For each deputy treasurer selected by the treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.				
73.	Administrative and Support Services (79900).....		\$4,291,393	\$4,008,780
	General Management and Direction (79901).....	\$3,101,673	\$3,101,673	

ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
Information Technology Services (79902).....	\$1,130,870	\$842,257		
Training Services (79925).....	\$58,850	\$64,850		
Fund Sources: General.....	\$4,037,041	\$4,008,780		
Federal Trust.....	\$254,352	\$0		

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 66, 68, 69, 70, 71, and 72 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 66, 68, 69, 70, 71, and 72 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 66, 68, 69, 70, 71, and 72 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	FY 2017	FY 2018
Sheriffs	11,407	11,407
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	797	797
Commissioners of the Revenue	851	851
Treasurers	861	861
Directors of Finance	383	383
Commonwealth's Attorneys	1,271	1,271
Clerks of the Circuit Court	1,144	1,144
<b>TOTAL</b>	<b>16,714</b>	<b>16,714</b>

2. The Compensation Board is authorized to provide funding for 597 temporary positions the first year and 597 temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the

ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
	<p>discharge of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.</p>			
	<p>D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.</p>			
	<p>E. Any new positions established in Item 76 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 66 of this act.</p>			
	<p>F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.</p>			
	<p>G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.</p>			
	<p>H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety and Homeland Security certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 388 of this act.</p>			
	<p>I. Subject to appropriations by the General Assembly for this purpose, the Compensation Board may provide funding for executive management, lawful employment practices, and jail management training for constitutional officers, their employees, and regional jail superintendents.</p>			
	<p>J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.</p>			
	<p>K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.</p>			
	<p>2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.</p>			
	<p>3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the</p>			



## ITEM 73.

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Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The State Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 66, 69, 70, 71, and 72 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.

M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

N. The Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 66, 68, 69, 70, 71, and 72 of this act, an amount equal to 100 percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional officers, directors of finance, and regional jails. From sheriffs and regional jails, the Compensation Board shall deduct an additional \$80,000 each year for the costs of conducting training on managing risk in the operation of local and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 66, 68, 69, 70, 71, and 72 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.

2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.

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	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
<p>4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.</p> <p>R. Localities shall not utilize Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012.</p> <p>S. Effective July 1, 2016, the Compensation Board is authorized to withhold reimbursements due to the locality for sheriff's law enforcement expenses if the sheriff fails to certify to the Board that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia. Upon subsequent certification by the sheriff that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia, the Compensation Board shall make reimbursement of withheld funding due to the locality when such subsequent certification is made within the same fiscal year that funds have been withheld.</p> <p>T.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Executive Secretary of the State Compensation Board shall implement the recommendations relating to the State Compensation Board made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.</p> <p>2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$28,261 the first year from the general fund, and \$254,352 the first year from nongeneral funds.</p> <p>U. The Executive Secretary of the Compensation Board shall convene a working group comprised of representatives of the Supreme Court, Department of Criminal Justice Services, Commonwealth's Attorneys, local governments, and other stakeholders deemed appropriate by the Executive Secretary to investigate how body worn cameras have or may continue to impact the workloads experienced by Commonwealth's Attorneys offices. The working group shall examine processes, relevant judicial decisions, practices, and policies used in other states, potential financial and staffing challenges, and other related issues to determine workload impacts, and to develop recommended budgetary and legislative actions for consideration during the 2019 Session of the General Assembly. The Executive Secretary of the Compensation Board shall submit the recommendations of the working group to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2018. All state agencies and local subdivisions shall provide assistance as requested by the working group.</p> <p>W. The Compensation Board shall review the feasibility and benefits of allocating positions that can be shared between offices in multiple localities or multiple offices within one locality for small localities which currently have minimal staffing. The Compensation Board shall provide recommendations based on this review to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2019.</p>				
			<b>\$708,740,083</b>	<b>\$711,054,154</b>
	General Fund Positions.....	20.00		
	Nongeneral Fund Positions.....	1.00		
	Position Level.....	21.00		
	Fund Sources: General.....	\$691,885,019		\$694,453,442
	Trust and Agency.....	\$8,000,712		\$8,000,712
	Dedicated Special Revenue.....	\$8,600,000		\$8,600,000
	Federal Trust.....	\$254,352		\$0

**§ 1-28. DEPARTMENT OF GENERAL SERVICES (194)**

74.	Laboratory Services (72600).....		\$38,828,247	\$38,939,593
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ITEM 473.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
Youth Foundation, shall report to the Chairmen of the House Appropriations and Senate Finance Committees on funding provided to community-based organizations for obesity prevention activities pursuant to § 32.1-355, Code of Virginia.				
C. The amounts deposited by the State Comptroller pursuant to paragraph B.1. of this Item shall be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524, Code of Virginia.				
474.	Compensation and Benefit Adjustments (75700).....		\$44,809,292	\$241,696,304
	Adjustments to Employee Compensation (75701)....	\$14,134,815		
	Adjustments to Employee Benefits (75702).....	\$30,674,477		
	Fund Sources: General.....	\$44,809,292		

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;
5. Employer costs of employee benefit programs when required by salary-based pay adjustments;
6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and
7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2019	Second Year FY2020	First Year FY2019	Second Year FY2020
	requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:			
	1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.			
	2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.			
	3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.			
	F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.			
	G.1. Out of the appropriation for this Item, amounts estimated at \$33,650,659 the first year and \$84,583,369 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.			
	2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.			
	3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.			
	4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.			
	5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.			
	6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.			
	7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug			

## ITEM 474.

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reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference. The department shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on its implementation of this item by October 1, 2018.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

9. In addition to the amounts cited in paragraph G.1 of this item, \$992,222 the first year from the general fund shall be provided for the Department of Human Resource Management for the repayment of costs incurred pursuant to the proposal to establish an optional statewide local employee health insurance program.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2019	FY 2020
Public school teachers	15.68%	15.68%
State employees	13.52%	13.52%
State Police Officers' Retirement System	24.88%	24.88%
Virginia Law Officers' Retirement System	21.61%	21.61%
Judicial Retirement System	34.39%	34.39%

3. Payments to the Virginia Retirement System shall be made no later than the tenth day following the close of each month of the fiscal year.

4. The Director of Department of Planning and Budget shall withhold and transfer to this Item, amounts estimated at \$6,539,646 the first year and \$6,823,946 the second year, from the general fund appropriations of state agencies and institutions of higher education, representing the net savings resulting from the changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I.1. Except as authorized in Paragraph I.2. of this Item, rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution

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	rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.			
	2. Rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia, unless the participating employer notifies VRS that it has opted to base the employer contribution rate on the higher of: a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium, eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium, ninety percent of the results of the June 30, 2015 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2016-18 biennium, and one-hundred percent of the results of the June 30, 2017 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2018-20 biennium.			
	3. Every participating employer that opts not to use the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia, must certify to the board of the Virginia Retirement System by resolution adopted by its local governing body that it: has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of electing or not electing to utilize the employer contribution rates certified by the Virginia Retirement System Board of Trustees, as provided for in paragraph I.1.			
	4. Local public school divisions must receive the concurrence of the local governing body if electing to pay the alternate contribution rate set out in paragraph I.2. Such concurrence must be documented by a resolution of the governing body.			
	5. The board of the Virginia Retirement System shall provide all employers participating in the Virginia Retirement System with a summary of the implications inherent in the use of the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees set out in paragraph I.1, and the alternate employer contribution rates set out in paragraph I.2.			
	J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.			
	K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of seven percent and an amortization period of 30 years.			
	2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:			
		<b>FY 2019</b>		<b>FY 2020</b>
	State employee retiree health insurance credit	1.17%		1.17%
	Public school teacher retiree health insurance credit	1.20%		1.20%

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State employee group life insurance program	1.31%		1.31%	
Employer share of the public school teacher group life insurance program	0.52%		0.52%	
Virginia Sickness and Disability Program	0.62%		0.62%	

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.53 percent of total payroll.

4. The Director of Department of Planning and Budget shall withhold and transfer to this Item amounts estimated at \$676,148 the first year and \$705,521 the second year, from the general fund appropriations of state agencies and institutions of higher education, representing the net savings resulting from changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

L.1. The retiree health insurance credit contribution rates for the following groups of state supported local public employees shall be: 0.38 percent for constitutional officers and employees of constitutional officers, 0.43 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. Out of the general fund appropriation for this Item is included \$317,863 the first year and \$317,863 the second year to support the general fund portion of the net costs resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.

M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or

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	<p>other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p>			
	<p>N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.</p>			
	<p>1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.</p>			
	<p>b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.</p>			
	<p>2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.</p>			
	<p>b. Eligibility shall commence on the date of involuntary separation.</p>			
	<p>3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.</p>			
	<p>b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.</p>			
	<p>c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.</p>			
	<p>d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii)</p>			



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	<p>group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.</p>			
	<p>e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.</p>			
	<p>f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.</p>			
	<p>4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.</p>			
	<p>b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.</p>			
	<p>c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.</p>			
	<p>d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.</p>			
	<p>e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p>			
	<p>f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.</p>			
	<p>O.1. In addition to the contributions required under § 51.1-145 of the Code of Virginia, and notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, all institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall, beginning October 1, 2018, pay contributions to the employer's retirement allowance account in an amount equal to the difference between the total retirement contribution rate required on behalf of State employees and the rate payable by the Commonwealth under § 51.1-126(F)(1) for Optional Retirement Plan for Higher Education employees who became a member on or after July 1, 2010. Such payment shall be made for each employee who began participating in an Optional</p>			

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	Retirement Plan for Higher Education under § 51.1-126(B) on or after January 1, 2014, and who, as of that date, was not directly engaged in the performance of teaching duties, with the exception of employees of entities described in § 51.1-126.1, § 51.1-126.3, and Chapter 24 of Title 23.1.			
	2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.			
	3. The Virginia Retirement System and the universities of higher education shall submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2018 on the approximate unfunded liability that maybe attributable to these positions and the level of additional contributions the system will realize from the surcharge.			
	P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.			
	2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.			
	Q. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$1,107,576 the first year and \$1,107,576 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System.			
	R. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$1,821,951 the first year and \$2,436,844 the second year to state agencies and institutions of higher education to support the general fund portion of costs of workers' compensation premiums provided by the Department of Human Resource Management.			
	S.1. The Governor is hereby authorized to allocate a sum of up to \$13,634,815 the first year and \$160,280,119 the second year from this appropriation to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2019 and 2020 after the enactment by the General Assembly of the 2018 Special Session I Appropriation Act. If the forecast of general fund revenues for fiscal years 2019 and 2020 developed as the basis for the 2019 budget bill is no less than the revenues assumed in the 2018 Appropriation Act then such appropriation shall be used only for employee compensation purposes as stated in paragraphs T., U., V., W., X., Y., Z., and AA. below.			
	2. Furthermore, \$131,500,000 the second year from the general fund allocated to support the state share of a three percent salary adjustment for SOQ funded positions authorized in Item 136 of this act shall be unallotted if the provisions of paragraph S.1. are not met and the actions authorized in paragraphs T., U., V., W., X., Y., Z., and AA. of this item are not effectuated.			
	T.1. The base salary of the following employees shall be increased by two percent on June 10, 2019:			
	a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;			
	b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;			
	c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in			

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the agency head salary levels in § 4-6.01 c;				
d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;				
e. Heads of agencies in the Legislative Department;				
f. Full-time employees in the Legislative Department, other than officials elected by popular vote;				
g. Legislative Assistants as provided for in Item 1 of this act;				
h. Judges and Justices in the Judicial Department;				
i. Heads of agencies in the Judicial Department;				
j. Full-time employees in the Judicial Department;				
k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery and the Virginia Retirement System; and				
l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.				
2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.				
b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.				
3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by four percent on June 10, 2019. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.				
4. Out of the amounts for Supplements to Employee Compensation is included \$68,791,336 the second year from the general fund to support the general fund portion of costs associated with the salary increase provided in this paragraph.				
5. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:				
a. The heads of agencies in the Legislative and Judicial Departments;				
b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;				
c. The Attorney General;				
d. The Director of the Virginia Retirement System;				
e. The Director of the Virginia Lottery;				
f. The Director of the University of Virginia Medical Center;				



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Correctional Officers and Correctional Officer Seniors within the Department of Corrections effective January 10, 2019.				
X. The appropriations in this item includes \$391,791 the first year and \$958,044 the second year from the general fund to support the cost of a \$1,846 salary increase for Correctional Officers and Correctional Officer Seniors within the Department of Juvenile Justice effective January 10, 2019.				
Y. Included in this appropriation is \$145,997 the first year and \$350,394 the second year from the general fund to support the cost of the following salary adjustment for all members of the Virginia Marine Police effective January 10, 2019:				
1.) The starting salary for officers of the Virginia Marine Police shall be set at \$41,814.				
2.) Consistent with current practice, officers of the Virginia Marine police shall receive a five percent salary adjustment after completing one year of service resulting in a salary of \$43,905.				
3.) The salary for all current members of the Virginia Marine Police with more than one year of service shall be the greater of \$43,905 or their current salary adjusted for a 6.5 percent increase.				
Z. The appropriations in this item includes \$5,083,333 the first year and \$12,200,000 the second year from the general fund to support the cost of increasing the salaries for direct service associates, licensed practical nurses, and registered nurses employed in facilities of the Department of Behavioral Health & Developmental Services to within three percent of the market median effective January 10, 2019.				
AA. The appropriations in this item includes \$1,342,764 the first year and \$4,108,859 the second year from the general fund to support the cost of increasing the entry level pay for sworn deputy sheriffs in sheriffs' offices by \$871 effective February 1, 2019.				

475.	Payments for Special or Unanticipated Expenditures (75800).....			\$29,908,315	\$40,531,819
	Miscellaneous Contingency Reserve Account (75801).....	\$1,300,000	\$1,300,000		
	Undistributed Support for Designated State Agency Activities (75806).....	\$28,608,315	\$39,231,819		
	Fund Sources: General.....	\$29,908,315	\$40,531,819		

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed \$5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made

FY 2017 SCAAP		
State	Applicant Name	Final Award Amount
AK	Alaska Department of Corrections	\$92,458.00
AL	County of DeKalb	\$8,425.00
AL	County of Montgomery	\$11,362.00
AR	County of Benton	\$21,874.00
AR	County of Pulaski	\$26,696.00
AR	County of Polk	\$612.00
AR	County of Sebastian	\$10,692.00
AR	County of Washington	\$82,701.00
AR	Arkansas	\$4,106.00
AS	American Samoa	\$6,324.00
AZ	County of Apache	\$1,125.00
AZ	COUNTY OF COCHISE	\$88,298.00
AZ	Gila County Sheriff's Office	\$11,788.00
AZ	County of Graham	\$2,785.00
AZ	Maricopa County Sheriff's Office	\$859,765.00
AZ	Mohave County	\$1,314.00
AZ	County of Navajo	\$10,132.00
AZ	County of Pima	\$254,799.00
AZ	County of Yavapai	\$42,850.00
AZ	Yuma County	\$55,611.00
AZ	State of Arizona	\$6,357,815.00
AZ	Greenlee County	\$4,332.00
CA	Colusa County	\$5,873.00
CA	State of California	\$59,458,720.00
CA	San Benito County	\$42,938.00
CA	Contra Costa County	\$452,508.00
CA	County of Nevada	\$19,493.00
CA	County of Placer	\$68,047.00
CA	County of Sacramento	\$308,011.00
CA	San Joaquin County	\$261,357.00
CA	Alameda County	\$757,089.00
CA	County of Butte	\$25,054.00
CA	County of Tulare	\$608,907.00
CA	County of Stanislaus	\$163,405.00
CA	County of Yuba	\$17,275.00
CA	County of Calaveras	\$4,538.00
CA	El Dorado County	\$35,276.00
CA	County of Fresno	\$353,053.00
CA	County of Humboldt	\$9,638.00
CA	County of Madera	\$144,036.00
CA	Marin County	\$296,387.00
CA	County of Mendocino	\$47,675.00
CA	County of Monterey	\$361,375.00
CA	County of Shasta	\$5,324.00



CA	Siskiyou County	\$1,430.00
CA	Solano County Sheriff's Department	\$232,217.00
CA	County of Sutter	\$46,224.00
CA	County of Tuolumne	\$2,676.00
CA	County of Amador	\$979.00
CA	GLENN COUNTY	\$14,988.00
CA	Kings County	\$97,262.00
CA	County of Plumas	\$491.00
CA	County of Tehama	\$28,705.00
CA	County of Yolo	\$75,633.00
CA	County of Orange	\$2,493,792.00
CA	Imperial County	\$27,667.00
CA	County of Los Angeles	\$2,120,590.00
CA	County of Riverside	\$1,214,599.00
CA	COUNTY OF VENTURA	\$926,737.00
CA	County of San Luis Obispo	\$155,626.00
CA	County of Kern	\$431,978.00
CA	County of San Diego	\$788,373.00
CA	County of San Bernardino	\$240,955.00
CA	Santa Barbara County	\$389,009.00
CO	Garfield County	\$41,750.00
CO	County of Pueblo	\$26,166.00
CO	State of Colorado	\$2,189,593.00
CO	County of Adams	\$162,081.00
CO	County of Boulder	\$140,838.00
CO	ARCHULETA COUNTY	\$32,465.00
CO	El Paso County	\$191,602.00
CO	Douglas County Government	\$53,041.00
CO	Jefferson County	\$58,631.00
CO	La Plata County Sheriff's Office	\$15,287.00
CO	County of Larimer	\$50,435.00
CO	Mesa County	\$15,703.00
CO	County of Montrose	\$9,621.00
CO	County of Morgan	\$22,378.00
CO	County of Weld	\$146,167.00
CO	County of Prowers	\$11,005.00
CO	County of Teller	\$4,785.00
CO	County of Yuma	\$18,942.00
CO	Clear Creek County	\$8,429.00
CO	County of Eagle	\$27,039.00
CO	Elbert County Sheriffs Office	\$3,400.00
CO	County of Lincoln	\$5,098.00
CT	State of Connecticut Department of Correction	\$915,793.00
FL	Hernando County	\$1,827.00
FL	Nassau County	\$1,156.00
FL	Manatee County Sheriff's Office	\$108,951.00

FL	Alachua County	\$40,551.00
FL	County of Brevard	\$51,206.00
FL	BROWARD SHERIFF'S OFFICE	\$62,544.00
FL	Charlotte County Sheriff's Office	\$3,996.00
FL	County of Clay	\$12,581.00
FL	Collier County	\$269,817.00
FL	Miami Dade County	\$1,234,097.00
FL	County of Desoto	\$19,897.00
FL	COUNTY OF GADSDEN	\$3,315.00
FL	County of Hardee	\$19,453.00
FL	Hendry County	\$20,188.00
FL	County of Hillsborough	\$350,477.00
FL	county of indian river	\$23,573.00
FL	Lake County	\$47,813.00
FL	Marion County Board of County Commissioners	\$20,226.00
FL	County of Martin	\$63,618.00
FL	Okaloosa County BCC	\$6,863.00
FL	Osceola County Board of County Commissioners	\$15,733.00
FL	Palm Beach County Sheriff's Office	\$62,398.00
FL	Pinellas County	\$49,475.00
FL	Putnam County	\$4,499.00
FL	St Lucie County	\$134,224.00
FL	County of Sarasota	\$109,067.00
FL	Seminole County Sheriff's Office	\$8,320.00
FL	County of Suwannee	\$9,892.00
FL	State of Florida	\$6,823,144.00
FL	County of Okeechobee	\$2,292.00
FL	COUNTY OF GILCHRIST	\$1,890.00
FL	City of Jacksonville	\$34,224.00
FL	Leon County	\$22,706.00
FL	County of Volusia	\$34,858.00
FL	Lee County	\$84,490.00
GA	County Of Clarke	\$20,999.00
GA	Georgia Criminal Justice Coordinating Council	\$916,219.00
GA	County of Muscogee	\$27,343.00
GA	County of Clayton	\$82,842.00
GA	Cobb County	\$68,250.00
GA	County of Douglas	\$12,861.00
GA	County of Floyd	\$19,651.00
GA	County of Gilmer	\$3,407.00
GA	Gwinnett County	\$253,834.00
GA	County of Houston	\$15,673.00
GA	Henry County Board of Commissioners	\$33,689.00
GA	Walton County	\$4,289.00
GA	County Of Newton	\$3,810.00



GA	County of Whitfield	\$20,360.00
GA	County of Greene	\$5,782.00
GA	County of Chatham	\$45,457.00
GA	Hall County	\$50,258.00
GA	Pickens County	\$392.00
GA	County of Coweta	\$25,990.00
GA	DEKALB COUNTY	\$102,257.00
GU	Government of Guam	\$221,320.00
HI	State of Hawaii	\$395,709.00
IA	County of Scott	\$6,805.00
IA	Crawford County	\$738.00
IA	State of Iowa	\$323,618.00
IA	Johnson County	\$16,387.00
IA	County of Muscatine	\$2,013.00
IA	County of Story	\$6,537.00
IA	County of Mahaska	\$2,939.00
IA	Louisa County Sheriff	\$2,116.00
IA	County of Black Hawk	\$3,541.00
ID	County of Bannock	\$6,289.00
ID	Bingham County	\$4,085.00
ID	Cassia County	\$6,930.00
ID	County of Ada	\$26,805.00
ID	Bonneville County	\$5,441.00
ID	Canyon County	\$10,459.00
ID	Elmore County Sheriff Office	\$7,288.00
ID	County of Gooding	\$8,547.00
ID	Jefferson County	\$585.00
ID	County of Jerome	\$14,763.00
ID	County of Owyhee	\$3,648.00
ID	County Of Twin Falls	\$13,714.00
ID	Idaho Department of Correction	\$245,108.00
ID	County of Blaine	\$13,525.00
ID	County of Power	\$1,770.00
IL	Illinois Department of Corrections	\$6,201,150.00
IL	Winnebago County	\$53,134.00
IL	County of Bureau	\$7,629.00
IL	County of Cook	\$1,462,299.00
IL	DuPage County	\$204,583.00
IL	Dekalb County	\$5,812.00
IL	County of Henry	\$5,035.00
IL	County of Kane	\$184,753.00
IL	County of Kendall	\$25,391.00
IL	County of LaSalle	\$5,191.00
IL	County of Ogle	\$8,315.00
IL	County of Rock Island	\$18,382.00
IL	County of Will	\$194,791.00

IL	County of Lake	\$62,443.00
IL	Iroquois County	\$189.00
IL	Macon County	\$4,531.00
IL	County of McLean	\$8,148.00
IL	County of Tazewell	\$3,490.00
IL	Champaign County	\$14,505.00
IL	County of Sangamon	\$5,569.00
IL	Peoria County	\$9,127.00
IL	McHenry County Government	\$121,058.00
IN	County of Lake	\$15,559.00
IN	County of Cass	\$5,986.00
IN	Board of Commissioners of Clark County	\$1,083.00
IN	County of Grant	\$4,019.00
IN	Indiana Department of Correction	\$520,123.00
IN	County of Hendricks	\$4,283.00
IN	Marion County Sheriff's Department	\$108,784.00
IN	County of Allen	\$9,949.00
IN	Noble County Sheriff's Department	\$1,837.00
KS	County of Sedgwick	\$41,519.00
KS	State of Kansas	\$528,695.00
KS	Unified Government of Wyandotte County	\$51,140.00
KS	Johnson County Kansas	\$152,952.00
KS	County of Butler	\$3,260.00
KY	Louisville Metro Government	\$60,166.00
KY	Kentucky Department of Corrections	\$98,158.00
KY	Lexington Fayette Urban County Government	\$30,869.00
KY	Boone County	\$15,157.00
LA	Louisiana Department of Public Safety and Corrections	\$73,206.00
MA	Norfolk County	\$7,848.00
MA	Barnstable County Sheriff's Office	\$29,347.00
MA	Massachusetts Department of Correction	\$1,507,241.00
MA	Essex County Sheriff's Department	\$147,114.00
MA	Hampden County	\$105,778.00
MA	County of Plymouth	\$114,692.00
MA	Suffolk County Sheriff's Department	\$202,123.00
MA	Bristol County	\$371,681.00
MD	Anne Arundel County, Maryland	\$96,452.00
MD	Baltimore County, Maryland	\$91,535.00
MD	County of Carroll	\$6,720.00
MD	Charles County Government	\$3,071.00
MD	Frederick County	\$52,596.00
MD	Harford County	\$36,810.00
MD	County of Howard	\$45,409.00

MD	Prince Georges County Government	\$461,074.00
MD	County of Washington	\$35,278.00
MD	State of Maryland	\$2,028,828.00
ME	County of York	\$28,805.00
ME	County of Lincoln	\$4,143.00
ME	State of Maine	\$33,809.00
MI	Allegan County	\$8,639.00
MI	State of Michigan	\$613,323.00
MI	County of Calhoun	\$721.00
MI	County of Kalamazoo	\$3,460.00
MI	County of Eaton	\$4,098.00
MI	County of Oakland	\$21,045.00
MI	County of Kent	\$89,712.00
MI	County of Macomb	\$21,097.00
MI	County of Ottawa	\$27,512.00
MI	County of Saginaw	\$4,442.00
MI	WAYNE COUNTY	\$49,920.00
MI	County of Lenawee	\$2,555.00
MI	Livingston County	\$6,976.00
MI	County of Muskegon	\$2,587.00
MI	County of Newaygo	\$3,160.00
MI	County of Midland	\$2,961.00
MI	County of Ionia	\$1,145.00
MI	County of Genesee	\$4,383.00
MN	State of Minnesota	\$559,176.00
MN	County of Benton	\$3,637.00
MN	County Of Blue Earth	\$7,087.00
MN	Chippewa County	\$9,580.00
MN	County of Chisago	\$533.00
MN	County of Freeborn	\$19,201.00
MN	Kandiyohi County	\$16,429.00
MN	County of McLeod	\$11,530.00
MN	Olmsted County	\$70,302.00
MN	County of Ramsey	\$143,834.00
MN	County of Stearns	\$20,530.00
MN	Washington County	\$12,511.00
MN	Watonwan County	\$3,825.00
MN	County of Scott	\$22,580.00
MN	County of Wright	\$8,866.00
MN	County of Goodhue	\$5,393.00
MO	County of Phelps	\$1,174.00
MO	County of St Charles	\$10,899.00
MO	St. Louis County	\$7,120.00
MO	Jackson County	\$13,604.00
MO	County of Pettis	\$4,490.00
MO	County of Platte	\$3,622.00

MO	Missouri Department of Corrections	\$135,985.00
MP	CNMI	\$54,163.00
MS	State of Mississippi	\$13,826.00
MT	Montana Department of Corrections	\$22,194.00
NC	Wilson County	\$14,617.00
NC	County of Brunswick	\$14,853.00
NC	County of Buncombe	\$30,343.00
NC	County of Cabarrus	\$32,951.00
NC	County of Chatham	\$22,825.00
NC	Craven County Sheriff's Office	\$4,525.00
NC	County of Cumberland	\$53,899.00
NC	Gaston County	\$23,455.00
NC	Duplin County	\$15,740.00
NC	County of Durham	\$115,167.00
NC	Iredell County	\$36,067.00
NC	County of Jackson	\$997.00
NC	Lee County	\$14,326.00
NC	County of Lenoir	\$6,304.00
NC	County of Johnston	\$10,095.00
NC	Mecklenburg County	\$259,954.00
NC	Montgomery County	\$8,438.00
NC	Orange County	\$10,227.00
NC	County of Pitt	\$25,107.00
NC	Transylvania County	\$3,236.00
NC	Wake County	\$155,562.00
NC	Rowan County	\$7,913.00
NC	County of Robeson	\$29,221.00
NC	Moore County	\$14,125.00
NC	Forsyth County	\$91,077.00
NC	County of Guilford	\$82,714.00
NC	Wayne County	\$7,536.00
NC	County of Rockingham	\$7,774.00
NC	County of Randolph	\$26,028.00
NC	Stanly County	\$2,889.00
NC	Watauga County	\$1,021.00
NC	County of Catawba	\$14,013.00
NC	Davidson County	\$6,264.00
NC	State of North Carolina	\$2,016,406.00
NC	Alamance County	\$48,934.00
NC	New Hanover County	\$6,411.00
NC	County of Henderson	\$6,832.00
ND	North Dakota Department of Corrections & Rehabilitation	\$1,746.00
ND	Cass County	\$31,333.00
NE	Buffalo County	\$9,120.00
NE	Dawson County	\$11,755.00

NE	Douglas County	\$178,298.00
NE	Dakota County	\$14,633.00
NE	Lancaster County	\$62,852.00
NE	Lincoln County, Nebraska	\$190.00
NE	County of Platte	\$16,526.00
NE	County of Sarpy	\$38,463.00
NE	Saline County	\$4,492.00
NE	County of Hall	\$22,419.00
NH	County of Merrimack	\$17,597.00
NH	Hillsborough County	\$43,842.00
NH	State of New Hampshire	\$85,380.00
NJ	Cape May County	\$34,239.00
NJ	Cumberland County	\$68,363.00
NJ	County of Gloucester	\$14,281.00
NJ	County Of Monmouth	\$509,538.00
NJ	County of Atlantic	\$124,553.00
NJ	Ocean County	\$253,527.00
NJ	SALEM COUNTY, NJ	\$2,850.00
NJ	Burlington County	\$70,723.00
NJ	State of New Jersey	\$4,172,517.00
NJ	Bergen County	\$446,352.00
NJ	County of Essex	\$2,837,418.00
NJ	Middlesex County	\$224,829.00
NJ	Morris County	\$218,179.00
NJ	County of Passaic	\$156,978.00
NJ	SOMERSET COUNTY	\$137,435.00
NJ	County of Sussex	\$33,102.00
NJ	Union County	\$624,332.00
NJ	COUNTY OF WARREN	\$17,214.00
NJ	County of Hudson	\$1,295,341.00
NJ	Camden County	\$69,943.00
NM	Curry County	\$2,160.00
NM	County of Otero	\$11,528.00
NM	Quay County	\$7,146.00
NM	County of Roosevelt	\$1,380.00
NM	County of Taos	\$888.00
NM	County of Valencia	\$12,328.00
NM	Bernalillo County	\$257,617.00
NM	County of Santa Fe	\$14,703.00
NM	New Mexico State Government	\$404,235.00
NV	Nevada Department of Corrections	\$1,037,016.00
NV	Clark County	\$759,315.00
NV	Elko County	\$10,025.00
NV	County of Humboldt	\$9,368.00
NV	Lyon County Sheriff's Office	\$2,803.00
NV	County of Pershing	\$1,899.00

NV	Washoe County Sheriff's Office	\$155,680.00
NV	City of Las Vegas	\$96,090.00
NV	City of Carson City	\$12,670.00
NV	Nye County Sheriff's Office	\$437.00
NY	County of Steuben	\$2,568.00
NY	County of Franklin	\$31,976.00
NY	Nassau County	\$2,427,961.00
NY	Suffolk County Sheriff's Office	\$1,244,961.00
NY	County of Rockland	\$286,171.00
NY	Westchester County	\$630,272.00
NY	County Of Schenectady	\$30,083.00
NY	County of Columbia	\$2,807.00
NY	County of Dutchess	\$132,102.00
NY	County of Orange	\$84,166.00
NY	County of Rensselaer	\$6,414.00
NY	County of Saratoga	\$11,775.00
NY	County of Ulster	\$44,822.00
NY	State of New York	\$13,905,536.00
NY	County of Broome	\$14,342.00
NY	County of Jefferson	\$10,090.00
NY	County of Oswego	\$5,278.00
NY	St. Lawrence County	\$3,151.00
NY	County of Wayne	\$3,071.00
NY	County of Herkimer	\$12,623.00
NY	County of Oneida	\$15,860.00
NY	County of Onondaga	\$32,023.00
NY	County of Livingston	\$4,112.00
NY	County of Monroe	\$31,001.00
NY	Orleans County Sheriff's Dept.	\$4,382.00
NY	Yates County	\$6,152.00
NY	Chautauqua County Sheriff's Office	\$2,896.00
NY	County of Niagara	\$8,312.00
NY	County of Albany	\$58,147.00
NY	County of Chemung	\$793.00
NY	County of Genesee	\$4,183.00
NY	County of Ontario	\$12,280.00
NY	Putnam County	\$55,614.00
NY	County of Warren	\$1,478.00
OH	Butler County	\$35,444.00
OH	County of Clermont	\$3,327.00
OH	County of Greene	\$26,037.00
OH	Union County	\$3,760.00
OH	State of Ohio	\$695,094.00
OH	Cuyahoga County	\$35,037.00
OH	County of Summit	\$5,166.00
OH	County of Lucas	\$18,648.00

OK	COUNTY OF CUSTER	\$3,404.00
OK	County of Carter	\$3,283.00
OK	County of Cleveland	\$7,637.00
OK	Texas County	\$25,574.00
OK	Oklahoma County	\$69,008.00
OK	State of Oklahoma	\$819,902.00
OK	County of Comanche	\$5,173.00
OK	Tulsa County	\$129,078.00
OR	Yamhill County Sheriff's Office	\$10,430.00
OR	Oregon Department of Corrections	\$2,318,973.00
OR	County of Jackson	\$30,686.00
OR	County of Umatilla	\$10,674.00
OR	Coos County	\$2,397.00
OR	County of Douglas	\$4,912.00
OR	county of jefferson	\$1,497.00
OR	County of Malheur	\$4,430.00
OR	Lane County	\$80,781.00
OR	County of Washington	\$71,414.00
OR	County of Linn	\$7,017.00
OR	County of Baker	\$1,223.00
OR	County of Union	\$955.00
OR	County of Polk	\$15,250.00
PA	County of Lycoming	\$3,973.00
PA	County of Lehigh	\$70,505.00
PA	County of Adams	\$28,038.00
PA	County of Lebanon	\$11,272.00
PA	County of Dauphin	\$51,772.00
PA	County of Bucks	\$116,876.00
PA	County of Berks	\$29,373.00
PA	County of Lancaster	\$31,937.00
PA	County of Cumberland	\$12,575.00
PA	Montgomery County	\$68,182.00
PA	County of Blair	\$4,325.00
PA	County of Centre	\$10,995.00
PA	COUNTY OF LUZERNE	\$148,478.00
PA	County of Monroe	\$15,422.00
PA	Northampton County	\$27,746.00
PA	COUNTY OF PIKE	\$5,886.00
PA	COUNTY OF FAYETTE	\$5,734.00
PA	County of Erie	\$30,665.00
PA	County of Indiana	\$4,905.00
PA	County of Westmoreland	\$10,134.00
PA	County of Crawford	\$839.00
PA	Lackawanna County	\$26,120.00
PA	County of Chester ,West Chester Pa	\$79,143.00
PA	Pennsylvania Department of Corrections	\$2,330,200.00

PR	Puerto Rico Department of Corrections and Rehabilitation	\$235,128.00
RI	State of Rhode Island	\$874,842.00
SC	County of Aiken	\$4,796.00
SC	County Council of Beaufort	\$68,089.00
SC	County of Dorchester	\$13,780.00
SC	Colleton County	\$1,367.00
SC	Greenwood County	\$3,740.00
SC	County of Horry	\$61,315.00
SC	County of Laurens	\$2,105.00
SC	Richland County Government	\$17,390.00
SC	Spartanburg County Sheriff's Office	\$22,606.00
SC	County of York	\$18,972.00
SC	Charleston County	\$161,055.00
SC	SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (INC)	\$458,000.00
SC	County of Greenville	\$102,281.00
SD	State of South Dakota	\$65,265.00
SD	Pennington County	\$3,368.00
SD	Minnehaha County	\$27,771.00
TN	Lincoln County	\$639.00
TN	Dickson County Sheriff's Office	\$13,114.00
TN	County Of Hamblen	\$6,372.00
TN	Hamilton County	\$13,205.00
TN	County of Montgomery	\$31,548.00
TN	Shelby County Sheriff's Office	\$141,725.00
TN	County of Sumner	\$3,930.00
TN	Williamson County Sheriff's Department	\$7,530.00
TN	Tennessee Department of Correction	\$312,249.00
TN	Knox County Government	\$4,893.00
TX	County of Hemphill	\$18,059.00
TX	County of San Jacinto	\$2,743.00
TX	Webb County	\$121,512.00
TX	County of Live Oak	\$4,797.00
TX	County of Brewster	\$1,315.00
TX	Chambers County Texas	\$13,811.00
TX	Travis County	\$209,517.00
TX	County of Matagorda	\$9,014.00
TX	Jefferson County	\$5,316.00
TX	County of Bell	\$59,529.00
TX	Brazoria County	\$30,201.00
TX	Cameron County Sheriffs Dept	\$232,137.00
TX	Burnet County	\$3,400.00
TX	Milam County	\$3,061.00
TX	County of Montgomery	\$185,427.00
TX	County of Nueces	\$39,966.00



TX	Maverick County	\$6,316.00
TX	County of Jackson	\$9,073.00
TX	El Paso County	\$299,183.00
TX	Freestone County	\$1,308.00
TX	County of Pecos	\$2,504.00
TX	County of Gillespie	\$6,824.00
TX	Galveston County	\$63,755.00
TX	County of Gonzales	\$20,034.00
TX	County of Limestone	\$9,158.00
TX	County of Waller	\$14,236.00
TX	County of Hill	\$12,134.00
TX	County of Fort Bend	\$318,265.00
TX	County of Bastrop	\$20,385.00
TX	County of Williamson	\$108,781.00
TX	Texas Department of Criminal Justice	\$12,801,138.00
TX	County of Walker	\$9,572.00
TX	County of Kerr	\$5,365.00
TX	County of Fayette	\$4,829.00
TX	Liberty County, Texas	\$5,908.00
TX	County of Polk	\$6,818.00
TX	Caldwell County	\$4,572.00
TX	County of Comal	\$27,499.00
TX	County of Orange	\$4,012.00
TX	County of Starr	\$50,188.00
TX	County of Lee	\$6,906.00
TX	County of Bexar	\$84,792.00
TX	Hays County, Texas	\$46,240.00
TX	COUNTY OF HUDSPETH	\$793.00
TX	Victoria County	\$8,824.00
TX	McLennan County	\$40,751.00
TX	County of Zapata	\$5,298.00
TX	County of Brazos	\$65,136.00
TX	Harris County	\$1,612,296.00
TX	County of Taylor	\$11,029.00
TX	County of Angelina	\$6,450.00
TX	County of Andrews	\$8,843.00
TX	Bowie County	\$3,840.00
TX	County of Bailey	\$5,972.00
TX	County of Brown	\$4,506.00
TX	County of Castro	\$4,981.00
TX	County of Cherokee	\$1,841.00
TX	County of Collin	\$199,205.00
TX	Cooke County	\$13,195.00
TX	County of Crane	\$1,184.00
TX	County of Dallam	\$17,739.00
TX	County of Dallas	\$458,419.00

TX	County of Deaf Smith	\$10,589.00
TX	County of Denton	\$241,623.00
TX	County of Ector	\$23,097.00
TX	County of Grayson	\$23,374.00
TX	Gregg, County of	\$40,915.00
TX	County of Harrison	\$9,500.00
TX	HOCKLEY COUNTY	\$4,137.00
TX	Hood County	\$7,965.00
TX	County Of Hunt	\$12,437.00
TX	County of Hutchinson	\$4,599.00
TX	County of Johnson	\$47,909.00
TX	Kaufman County	\$35,722.00
TX	County of Lamar	\$4,501.00
TX	COUNTY OF LUBBOCK	\$42,918.00
TX	COUNTY OF LYNN	\$1,361.00
TX	Midland County	\$19,783.00
TX	County of Moore	\$21,413.00
TX	Nacogdoches County	\$13,166.00
TX	County of Ochiltree	\$4,189.00
TX	County of Palo Pinto	\$1,523.00
TX	County of Parker	\$4,611.00
TX	Potter County	\$38,505.00
TX	County of Randall	\$11,178.00
TX	County of Rockwall	\$50,158.00
TX	County of Smith	\$84,971.00
TX	County of Tarrant	\$339,159.00
TX	Titus County Jail	\$2,255.00
TX	Tom Green County	\$15,232.00
TX	County of Upshur	\$5,368.00
TX	County of Wheeler	\$5,944.00
TX	WISE COUNTY	\$7,162.00
TX	County of Wood	\$2,652.00
TX	County Of Kleberg	\$4,727.00
TX	County of Ellis	\$25,519.00
TX	County of Navarro	\$22,389.00
TX	Rusk County	\$7,544.00
TX	County of Medina	\$2,952.00
TX	Henderson County	\$8,516.00
UT	County of Weber	\$22,213.00
UT	County of Washington	\$37,845.00
UT	State of Utah	\$415,281.00
UT	Box Elder County Sheriff	\$2,867.00
UT	Salt Lake County	\$317,238.00
VA	County of Pittsylvania	\$7,910.00
VA	COUNTY OF CLARKE	\$1,668.00
VA	City of Chesapeake	\$3,080.00
VA	City of Virginia Beach	\$59,094.00

VA	County of Fairfax	\$1,018,346.00
VA	Loudoun County	\$268,802.00
VA	County of Albemarle	\$28,819.00
VA	City of Alexandria	\$110,485.00
VA	Arlington County	\$81,280.00
VA	County of Brunswick	\$3,089.00
VA	County of Hanover, Virginia	\$5,320.00
VA	City of Charlottesville	\$14,086.00
VA	Chesterfield County	\$103,115.00
VA	County of Culpeper	\$2,381.00
VA	City Of Danville	\$4,982.00
VA	COUNTY OF DINWIDDIE VIRGINIA	\$3,163.00
VA	COUNTY OF FAUQUIER	\$12,435.00
VA	COUNTY OF FREDERICK	\$25,345.00
VA	Grayson County Administration	\$4,581.00
VA	Billy Joe Roberts	\$17,479.00
VA	Henrico County	\$11,941.00
VA	County of Henry	\$11,132.00
VA	James City County	\$7,174.00
VA	City Of Manassas	\$90,871.00
VA	City of Norfolk	\$25,214.00
VA	County of Prince William	\$272,456.00
VA	City of Richmond	\$40,222.00
VA	City of Roanoke	\$8,351.00
VA	Rockingham County	\$12,973.00
VA	Williamsburg City	\$4,313.00
VA	CITY OF WINCHESTER	\$18,554.00
VA	York County	\$5,255.00
VA	Commonwealth of Virginia	\$1,247,560.00
VA	City of Newport News	\$12,774.00
VA	County of Nelson	\$1,491.00
VI	Virgin Islands	\$93,554.00
WA	County of Klickitat	\$3,653.00
WA	State of Washington	\$944,941.00
WA	City of Federal Way	\$3,607.00
WA	County of Franklin	\$43,809.00
WA	City of Auburn	\$467.00
WA	Cowlitz County	\$9,745.00
WA	City of Wenatchee	\$3,832.00
WA	County of Chelan	\$35,211.00
WA	County of Grant	\$16,846.00
WA	County of Benton	\$42,808.00
WA	Kitsap County	\$3,697.00
WA	Lewis County	\$3,062.00
WA	County of Okanogan	\$18,123.00
WA	Skagit County	\$23,569.00

WA	Snohomish County	\$73,673.00
WA	County of Thurston	\$60,521.00
WA	County of Whitman	\$902.00
WA	County of Yakima	\$101,847.00
WA	Kittitas County	\$9,993.00
WA	Adams County	\$6,118.00
WA	County of Walla Walla	\$8,435.00
WA	County of Pierce	\$204,503.00
WI	County of Fond du Lac	\$14,078.00
WI	County of Taylor	\$3,488.00
WI	Barron County, Wisconsin	\$1,831.00
WI	County of Brown	\$38,812.00
WI	Calumet County	\$12,012.00
WI	County of Dane	\$116,797.00
WI	County of Door	\$7,092.00
WI	County of Columbia	\$5,493.00
WI	Eau Claire County	\$6,590.00
WI	Green County	\$1,957.00
WI	County of Kenosha	\$34,284.00
WI	La Crosse County Sheriff's Department	\$10,997.00
WI	County of Lafayette	\$3,773.00
WI	Marathon County Government	\$17,573.00
WI	County of Outagamie	\$13,161.00
WI	Ozaukee County	\$5,975.00
WI	Monroe County Sheriff's Department	\$7,964.00
WI	Portage County	\$11,071.00
WI	County of Rock	\$34,319.00
WI	County of Trempealeau	\$4,311.00
WI	County of Sauk	\$18,200.00
WI	Vilas County	\$2,610.00
WI	County of Walworth	\$32,624.00
WI	Shawano County	\$1,072.00
WI	County of Waukesha	\$21,373.00
WI	Winnebago County	\$9,981.00
WI	County of Wood	\$1,058.00
WI	County of Waushara	\$1,838.00
WI	County of Rusk	\$3,049.00
WI	Kewaunee County	\$2,916.00
WI	Dunn County	\$1,364.00
WI	County of Manitowoc	\$10,728.00
WI	State of Wisconsin	\$1,291,070.00
WI	County of Jefferson	\$11,008.00
WI	County of Grant	\$528.00
WI	County of Racine	\$20,788.00
WI	Washington County	\$15,958.00
WI	County of Sheboygan	\$26,760.00

WY	State of Wyoming	\$150,299.00
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