### Resources

The adopted amendments to the 2018-20 budget, Chapter 1283 of the 2020 Acts of Assembly (HB 29), include \$713.3 million in general fund resources above those assumed in Chapter 854 of the 2019 Acts of Assembly (HB 1700). These resources include: (1) a \$147.8 million upward revision to the December general fund revenue forecast; (2) a mid-session upward revenue adjustment of \$287.0 million; (3) a \$19.5 million reduction resulting from tax conformity; (4) increases in general fund transfers totaling \$66.0 million; and, (5) positive net balance adjustments of \$232.0 million. With these adjustments general fund resources and transfers in FY 2020 total \$23.2 billion, when you include the assumed FY 2019 carryforward contained in Chapter 854 of the 2019 Acts of Assembly (HB 1700), this brings total resources to \$23.5 billion.

The net balance available for carry-forward into the next biennium totals \$1,185.3 million. This includes the \$7.6 million unappropriated balance contained in Chapter 854 of the 2019 Acts of Assembly (HB 1700), the change in general fund resources outlined above and net spending reductions contained in the enacted budget which total \$464.4 million.

General Fund Resources Available for Appropriation* (\$ in millions)			
Total Resources Available	<u>Ch. 854</u>	<u>Ch. 1283</u>	Difference
Adjustments to Balance Forward	Ф006.0	\$1,930.6	\$1,930.6
Additions to Balance	\$336.2	(1,362.4)	(1,698.6)
Revenue Forecast	21,556.7	21,972.0	415.3
Transfers	<u>635.8</u>	<u>701.7</u>	<u>66.0</u>
Total GF Resources	\$22,528.7	\$23,241.9	\$713.3
Ch. 854 Carryforward to FY 20		\$229.9	
Total FY 20 Resources		\$23,471.8	
Unappropriated Balance (Ch. 854)			
Ch. 1283 Difference in Available Resources			713.3
Ch. 1283 Net Reduction / (Increase) in Spending			464.4
Ch. 1283 Carry Forward Balance to FY 21			\$1,185.3
* Pre-COVID-19 estimates.			

#### **Changes in Revenue**

FY 2019 general fund revenue collections exceeded the estimate by \$778.8 million (excluding transfers). The gain was driven primarily by better than expected individual nonwithholding payments and lower than expected individual tax refunds. Corporate income tax collections missed the forecast by 7.9 percentage points and sales tax collections fell short of the forecast by 0.3 percentage points. As a result, FY 2020 general fund revenues have to increase only 1.2 percent to meet the budget forecast in Chapter 854 of the 2019 Acts of Assembly (HB 1700), compared to the original assumption of 5 percent growth.

The fall revenue reforecasting process resulted in an estimated GF growth rate of 1.9 percent, an increase of \$147.8 million above the Chapter 854 of the 2019 Acts of Assembly (HB 1700) revenue base. This figure included adjustments made subsequent to the Governor's Advisory Council on Revenue Estimates (GACRE) based on the recommendations of the legislators and business leaders who make up that group.

A midsession reforecast announced on February 14, 2020, added an additional \$292.5 million in anticipated general fund resources for FY 2020, including additional GF revenues of \$287.0 million and additional GF transfers of \$5.5 million. The forecast was revised to account for better than expected revenue collections through January and was completed before the impacts of the COVID-19 pandemic were apparent. The reforecast increased the withholding estimate by \$66.2 million, reflecting "money in the bank" through January, and increased nonwithholding by \$154.0 million due to strong January estimate payments. The reforecast also increased the official estimate for corporate income tax collections by \$67.0 million; increased estimated sales and use tax collections by \$50.0 million; and, increased the estimate for recordation tax receipts by \$31.0 million. The reforecast lowered the estimate for insurance premiums license taxes by \$15.0 million to reflect higher than expected January refunds. The reforecast did not change the overall economic outlook.

In addition, two actions related to tax conformity reduced anticipated general fund revenues by \$19.5 million in FY 2020. First, the revenue forecast was adjusted to reflect the impact of federal legislation that was enacted after the December official forecast was published. These federal changes reduce state GF revenues by \$2.0 million. Second, Chapters 255 and 1 of the 2020 Acts of Assembly (HB 1413/SB 582) decreased expected GF revenues by \$17.5 million by conforming to provisions of federal law relating to disaster relief and the repeal of the unrelated business tax on certain fringe benefits.

Year-to-date revenue collections through March were up 6.6 percent, well ahead of the revised forecast. However, while March collections reflected continued growth in the economy, collections in April, May and June are expected to decline significantly as a result of actions taken to address the public health concerns related to the COVID-19 pandemic. On March 23, 2020, Governor Northam issued Executive Order 53 which placed temporary restrictions on non-essential businesses, and on March 30, 2020, the Governor issued Executive Order 55 instituting

a temporary stay-at-home order across Virginia. These and other actions taken within the Commonwealth and elsewhere are expected to reduce economic activity substantially and result in a GF revenue loss of approximately \$1.0 billion in the fourth quarter of FY 2020.

FY 2020 Estimate of GF Taxes by Source* (\$ in millions)				
	Mid-Session <u>Forecast</u>	Estimated % Growth	% Growth through Mar. 2020	
Net Individual	\$15,438.9	1.4%	5.3%	
Corporate	1,031.5	9.3%	18.3%	
Sales	3,844.5	7.4%	8.4%	
Insurance	394.1	3.2%	(26.3%)	
Wills (Recordation)	468.6	21.3%	40.4%	
All Other	813.9	4.5%	6.9%	
<b>Total GF Revenues</b>	\$21,972.0	3.1%	6.6%	

#### **Changes in Transfers**

Net transfer adjustments in Chapter 1283 of the 2020 Acts of Assembly (HB 29) increase total GF transfers by \$66.0 million. Included is a proposed transfer of \$23.0 million which is the anticipated year-end balance of the Taxpayer Relief Fund. The Fund was established pursuant to Chapters 17 and 18 of the 2019 Acts of Assembly (HB 2529/SB 1372) to capture, and designate for future tax reform, incremental revenues generated by the individual reform provisions of the TCJA. Also included are reimbursement amounts for Hurricane Florence which total \$14.9 million and a \$12.7 million transfer of uncommitted balances in the Virginia Growth and Opportunity Fund (GO Virginia). There is an increase of \$12.3 million in the estimated sales tax transfer for K-12 education; \$6.8 million based on an overall increase in the sales tax forecast included in the Governor's introduced budget; and, a \$5.5 million increase reflected in the midsession reforecast. Offsetting amendments include a reduction in transfers from the Trauma Center Fund of \$6.9 million and a \$0.6 million reduction in court debt collections.

#### **Changes in Net Balance**

The unrestricted cash balance reported by the State Comptroller represents the cash after accounting for liabilities and setting aside balances for restricted funds. The balance reported by the State Comptroller at the close of FY 2019 was \$2.2 billion and includes revenues in excess of the of the forecast totaling \$778.8 million (including \$455.0 million transferred to the Taxpayer Relief Fund); the \$229.9 million carry-forward balance assumed in Chapter 854 of the 2019 Acts of Assembly (HB 1700); unexpended GF operating appropriations of \$131.8 million; unexpended GF capital appropriations of \$6.2 million; and, other nongeneral fund cash on deposit in the Treasury that is counted as general fund according to the Government Accounting Standards Board (GASB).

Mandatory restrictions against this amount total \$638.8 million. The majority relates to balances in the Revenue Stabilization Fund and Revenue Stabilization Fund Reserve totaling \$289.3 million and \$336.6 million, respectively. It also includes balances in the Lottery Proceeds Fund of \$10.8 million and \$2.2 million of Water Supply Assistance Grant Funds. After adjusting the balance for these liabilities, and for payments awaiting disbursement, the unrestricted general fund cash balance totaled \$2.2 billion, approximately \$1.9 billion more than assumed in Chapter 854 of the 2019 Acts of Assembly (HB 1700).

Adjustments to the unrestricted balances are committed under statutory requirements. Distributions include the reappropriation of \$6.7 million in FY 2019 GF capital and capital planning funds, and \$240.0 million in mandatory and discretionary GF agency balances. Also included is \$87.0 million from the Local Communications Sales and Use Tax and the Virginia Health Care Fund. Under language included in Chapter 854 of the 2019 Acts of Assembly (HB 1700), remaining unencumbered amounts totaling \$197.1 million are set aside for the Revenue Reserve Fund to provide additional liquidity to address potential revenue shortfalls.

Additionally, adjustments include additions to the balance adopted by the General Assembly including reverting various legislative balances; JLARC balances; WWI/WWII Commission balances; and, balances at the Department of Medical Assistance Services. Also included are adjustments necessary to reflect actions take in response to the COVID-19 outbreak. These include a \$55.5 million sum sufficient disaster declaration authorization and a \$2.5 million deficit authorization for the Department of Housing and Community Development.

A summary of balance adjustments and transfer amendments is provided below.

# **Changes to Transfers and Balances Since 2019 Session**

(\$ in millions)

	<u>2018-20</u>
Unrestricted Balance:	
Unrestricted Fund Balance, Comptroller's August Report	\$2,160.5
Amount Anticipated in Ch. 854	(229.9)
Additional Unreserved Balance	\$1,930.6
Balance Adjustments:	
Appropriate 2020 Revenue Stabilization Fund Reserve	\$262.9
Appropriate Voluntary Revenue Reserve Deposit	197.1
Revert 2019 Discretionary Unexpended Balances	86.4
Appropriate Water Quality A from Prior Year Surplus	55.3
Appropriate Water Quality B from Prior Year Surplus	18.5
Various Legislative Balances	4.3
DMAS Admin Balances	3.0
COVID-19 DHCD Deficit Authorization	(2.5)
Natural Disaster Sum Sufficient	(21.3)
Communication Sales and Use Tax	(33.9)
Virginia Health Care Fund	(53.1)
COVID-19 Sum Sufficient Authorization	(55.5)
Amounts Req'd for FY 2020 WQIF Based on FY 18 Surplus	(73.8)
WQIF - Balances and Deposits	(81.5)
Amount Required for Mandatory Reappropriation	(108.2)
Amount Required for Discretionary Reappropriations	(131.8)
Voluntary Revenue Reserve Deposit	(197.1)
Other NGF Assigned or Committed	(273.7)
Taxpayer Relied Fund	(455.0)
Revenue Cash Reserve Fund Balance	(502.6)
Total Balance Amendments	(\$1,362.4)
Transfer Amendments:	
Transfer Balance of Taxpayer Relief Fund	\$23.0
Reimbursement Amounts for Hurricane Florence	14.9
GO Virginia Balances from FY18-19	12.7
Sales Tax Reforecast – K-12 Education	6.8
Sales Tax Mid-Session Revenue Adjustment – K-12 Education	5.5

#### **Changes to Transfers and Balances Since 2019 Session** (\$ in millions) OAG: Consumer Affairs Revolving Fund 5.4 **ABC** Profits 4.7 DGIF - Reverse Transfer to Game Protection Fund 1.7 **VASAP Balances** 0.4 Miscellaneous Other Transfers < 0.1 Reduction in Court Debt Collections (0.6)Increase Sales Tax to Game Protection Fund (1.7)Reduce Transfer to Trauma Center Fund (6.9)

# **Major Spending and Savings in Chapter 1283** (HB 29, as Adopted) (GF \$ in millions)

\$66.0

**Total Transfer Adjustments** 

	FY 2020
Major Spending Adopted	
K-12 Updates (Enrollment, Lottery Proceeds, Sales Tax, ESL)	\$55.4
Coronavirus Response	50.1
Legal Costs and Settlements (Depts. of Corrections and Health)	15.0
Inmate Health Care (Medical Costs and Hepatitis C Treatment)	11.6
Housing Trust Fund	7.0
Children's Services Act	6.6
Presidential Primary Expenses	5.9
Criminal Fund (Indigent Legal Defense)	4.6
Children's Health Insurance Program (FAMIS)	2.2
DBHDS Licensing, Quality Improvement, Assessments	2.1
Other Spending Adjustments	5.8
Total Spending:	\$166.2
Major Savings Adopted	
Revenue Cash Reserve Deposit	\$(222.8)

Major Spending and Savings in Chapter 1283 (HB 29, as Adop	ted)
(GF \$ in millions)	

et Spending Adjustments	\$(464.5
Total Savings:	\$(630.7
Other Savings Adjustments	(15.0
VA Center for Behavioral Rehabilitation (Expansion Delay)	(6.5
Debt Service Savings	(11.5
K-12 Updates (Incentive Programs, Summer School, etc.)	(15.4
Health Care Fund	(44.4
Revenue Stabilization Fund Deposit	(97.5
Medicaid Utilization and Inflation	(217.6
	FY 2020

# Legislative

### • Division of Capitol Police

Provide Funding for Increased Security Costs. Provides \$635,000 GF the second year related to increased security costs during the 2020 General Assembly Session. This amount is added to the Division's base funding and is an ongoing expense in fiscal years 2021 and 2022.

### • Division of Legislative Services

- Appropriate Dedicated License Plate Revenue. Includes \$213,428 NGF the second year to appropriate dedicated special revenue to the Chesapeake Bay Restoration Fund generated from sales of the "Friends of the Chesapeake Bay" license plates in FY 2019. The funding is intended to be used to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.

### **Judicial**

#### General District Courts

 Increase Criminal Fund Appropriation. Provides an additional \$2.3 million GF to the Criminal Fund due to increased utilization of the Fund. This brings the total appropriation for the Criminal Fund for the General District Courts to \$17.3 million GF.

#### Juvenile and Domestic Relations Courts

 Increase Criminal Fund Appropriation. Provides an additional \$2.3 million GF to the Criminal Fund due to increased utilization of the Fund. This brings the total appropriation for the Criminal Fund for the Juvenile and Domestic Relations District Courts to \$34.1 million GF.

### **Executive**

#### Attorney General and Department of Law

- Increase Revolving Trust Fund Appropriation. Increases the nongeneral fund appropriation of the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund by \$250,000 the second year to \$1.0 million NGF. Additionally, the authorized carry-forward is increased to \$1.25 million NGF. A companion amendment to Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides \$500,000 NGF each year, increasing the appropriation to \$1.25 million NGF starting in FY 2021.

### **Administration**

#### Department of Human Resource Management

Initiative to Evaluate Pay Equity. Provides \$250,000 GF the second year for DHRM to contract with a third party to conduct a study on state employee pay equity.

#### Department of Elections

- Transfer Appropriation for 2020 Presidential Primary Expenses. Transfers \$147,308 GF to Central Appropriations, which represents the amount allocated for reimbursement to the Department of Elections in Chapter 854 of the 2019 Acts of Assembly (HB 1700) for expenses incurred related to the 2020 presidential primary. The funding will allow the agency to be reimbursed from Central Appropriations, consistent with the reimbursements made for localities for presidential primary expenses. A companion amendment in Central Appropriations reflects this transfer, as well as funding to reimburse localities for 2020 presidential primary costs.
- Appropriate Help America Vote Act Funding. Includes \$10.2 million NGF the second year in Federal Help America Vote Act of 2002 (HAVA) funds and language indicating that the funds shall be used toward the replacement of the Virginia Election and Registration Information System (VERIS) by July 1, 2022. Language further provides that the Department of Elections (ELECT) submit a plan outlining the use of funds to the Federal Elections Assistance Commission, the Department of Planning and Budget, and to the Chairs of the House Appropriations and Senate Finance & Appropriations Committees by May 1, 2020. Release of any general fund and nongeneral fund appropriations to ELECT by the Comptroller for this purpose is predicated on submission of such plan. A companion amendment to Chapter 1283 of the 2020 Acts of Assembly (HB 29) directs ELECT to release a Request for Information (RFI) in FY 2020 for the replacement of VERIS, and to provide an update to the Chairs of the House Appropriations and Senate Finance & Appropriations Committees by October 1, 2020 detailing options and potential costs for replacing VERIS. A companion amendment to Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides \$2.0 million GF the first year, representing the state match for the Federal HAVA funds.
- Direct Request for Information (RFI) for VERIS Replacement. Includes a language amendment directing the Department of Elections (ELECT) to release a Request for Information (RFI) in FY 2020 related to the replacement of the Virginia Election and Registration Information System (VERIS). ELECT shall provide an update to the Chairs of the House Appropriations and Senate Finance & Appropriations Committees by October 1, 2020 on options and potential costs for the replacement of VERIS. A companion amendment to Chapter 1283 of the 2020 Acts of Assembly (HB 29) appropriates \$10.2 million NGF in Federal Help America Vote Act of 2002 (HAVA) funds and language requiring the funds be used for the replacement of VERIS. A companion amendment to Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides \$2.0 million GF, representing the state match for Federal HAVA funds to be used toward the replacement of VERIS by July 1, 2022.

### **Commerce and Trade**

#### Economic Development Incentive Payments

- Virginia Economic Development Incentive Grant Program. Appropriates \$1.0 million NGF from funds previously appropriated from the general fund and deposited into the Virginia Economic Development Incentive Grant Fund. Funding will be used to pay previously authorized incentive grants subject to the terms of a performance agreement.
- Major Headquarters Workforce Grant Fund. Removes language in Part 4 directing that the first \$40.0 million of sales and use taxes remitted by online retailers with a physical presence in Virginia since 2012 be deposited to the Major Headquarters Workforce Grant Fund to support anticipated grant payments to Amazon.

#### Department of Housing and Community Development

- Increase Deposit to the Housing Trust Fund. Provides an additional \$7.0 million GF deposit to the Housing Trust Fund in the second year, increasing the annual appropriation to \$14.0 million GF for FY 2020.
- Transfer Balances from GO Virginia to the General Fund. An action authorized in § 3-1.01 (Interfund Transfers) reverts \$12.7 million in unused FY 2018 and FY 2019 balances for competitive GO Virginia grant projects from the Virginia Growth and Opportunity Fund to the general fund.

#### • Virginia Employment Commission

Unemployment Insurance Flexibility. Gives the Governor authority to override the
provisions of The Virginia Unemployment Compensation Act in response to the
COVID-19 pandemic, including allowing the Governor to waive the work search
requirement for benefit recipients in order to lessen the spread of the virus.

#### • Virginia Tourism Authority

Marketing for the Children's Museum of Virginia's 40th Anniversary. Provides \$100,000 GF the second year to the City of Portsmouth to support a marketing and promotional awareness campaign for the 40th anniversary of the Children's Museum of Virginia. The campaign will be launched during the summer of 2020 and extend through the end of the year to leverage the museum's brand, build brand equity and enhance promotional offerings to a regional and national audience.

### **Public Education**

The adopted budget for Direct Aid to Public Education increases the general fund amount by a net of \$39.9 million while decreasing nongeneral funds by \$15.4 million in FY 2020, primarily reflecting increases in projected enrollments and decreases in the Lottery Proceeds Fund.

#### Direct Aid to Public Education

GF Increases

- Adds \$21.1 million GF for updated fall membership and average daily membership based on a projected increase of 3,502 students compared to the projected 1,248,166 Average Daily Membership reflected in Chapter 854 of the 2019 Acts of Assembly (HB 1700) due to the updates for the actual March 31, 2019 ADM and fall membership counts for September 30, 2019.
- Adjusts funding to reflect a decrease of \$15.4 million NGF in the revised forecast estimate of Lottery Proceeds for FY 2020. General fund revenue is increased by a like amount to offset the loss.
  - Proceeds Funds is \$613.5 million in FY 2020. This reflects a revised proceeds forecast of \$586.6 million in FY 2020, a decrease of \$42.2 million from the anticipated (Chapter 854 of the 2019 Acts of Assembly (HB 1700)) FY 2020 transfer of \$628.8 million, offset by the transfer of residual FY 2019 profits of \$26.9 million to FY 2020. The decrease of \$15.4 million in Lottery Proceeds Fund over the Chapter 854 of the 2019 Acts of Assembly (HB 1700) appropriation requires an equal amount of general fund revenue in FY 2020 as noted above.
- Increases funding by a net \$12.6 million GF based on the latest sales tax revenue projection, which increased the estimated sales tax for public education by \$28.6 million, and the corresponding decrease of \$16.0 million in Basic Aid funding to offset the state's share of about 55 percent of the savings.
- Adds \$2.8 million GF for the actual English as Second Language student membership count.
- Adds \$1.2 million GF for updates to Lottery supported programs.
- Provides \$1.2 million GF to the Black History Museum and Cultural Center to support field trips and traveling exhibits, aligned to SOL content related to the African History.

 Provides \$1.0 million GF to the American Civil War Museum to support field trips, aligned to SOL content related to the American Civil War.

#### **GF** Decreases

- Captures \$10.7 million GF from updating Incentive Program accounts, primarily from Special Education Regional Tuition with a decrease of \$7.4 million and VPI Plus with a decrease of \$3.7 million based on participation rates.
- Captures \$2.8 million GF to reflect actual enrollment in Remedial Summer School.
- Captures \$1.3 million GF to reflect actual compensation supplement activities by divisions. This reflects the savings from nine divisions not utilizing the full 5 percent compensation supplement provided in FY 2020.
- Also captures a decrease of \$302,823 GF from Categorical accounts and decrease of \$358,514 based on the actual number of National Board Certified teachers.

#### NGF Decreases

 Reduces funding to the VPSA Technology Grants by \$26,000 as a program receiving the funding plans to disband.

#### • COVID-19 Response Actions

- Adds language waiving local school divisions' required local effort and required local match obligation in FY 2020 due to the state of emergency and school closures resulting from COVID-19.
- Add language authorizing the Department of Education to prorate Supplemental Lottery Per Pupil Allocation payments to divisions in the event of a Lottery Proceeds shortfall.
- Provides authority for the Superintendent of Public Instruction to grant temporary flexibility or issue waivers of certain deadlines or requirements in the Appropriation Act or in § 22.1, *Code of Virginia* that cannot be met due to the state of emergency or school closures resulting from COVID-19. Flexibility or waivers may include, but are not limited to: accreditation; testing and assessments; graduation; licensure, including temporary licensure; school calendars; and, program application and reports due to the Department of Education or Board of Education.

Prior to granting any flexibility or waiver, the Superintendent is required to report and substantiate to the Secretary of Education how COVID-19 impacted each deadline or requirement, the proposed alternative, and the affected fiscal and school years. The Superintendent is also required to report to the Board of Education on any waivers or flexibility extended. The Superintendent's authority applies only to deadlines and requirements in FY 2020 and FY 2021.

# **Higher Education**

#### COVID-19 Policy Actions

- Adds language allowing institutions of higher education flexibility from recovering 100 percent of calculated indirect cost recoveries to educational and general academic activities.
- Increases the percentage, from 3 to 6, of educational and general unexpended balances that institutions are authorized to carry forward as a reserve, to be available during times of revenue challenges.
- Adds language allowing higher education institutions to request an anticipation treasury loan to address cash flow needs resulting from the loss of auxiliary revenues associated with COVID-19 school closures. The Secretary of Finance shall develop any needed guidelines in evaluating requests received from the institutions of higher education.

### **Finance**

#### Department of Accounts Transfer Payments

- Removal of Voluntary Deposit to the Revenue Reserve. Removes \$222.8 million GF the second year for a voluntary deposit to the Revenue Reserve in response to a potential revenue shortfall resulting from the COVID-19 pandemic. This removal results in a balance in the Revenue Reserve of approximately \$511.0 million for the end of FY 2020.
- Removal of Prepayment to Revenue Stabilization Fund Deposit for FY 2022. Removes \$97.5 million GF the second year for prepayment of an anticipated mandatory deposit to the Revenue Stabilization Fund in FY 2022. The prepayment included in FY 2020 in Chapter 854 of the 2019 Acts of Assembly (HB 1700) assumed

that revenue growth in FY 2020 would trigger a mandatory Revenue Stabilization Fund deposit. However, because general fund revenue growth in FY 2019 was so robust, it is now anticipated that revenue growth will not trigger a deposit based on current year growth.

#### • Treasury Board

Recognize Debt Service Savings. Removes \$11.5 million GF and \$1.4 million NGF the second year, which reflects debt service savings on bonds issued by the Virginia Public Building Authority and the Virginia College Building authority compared to previous expectations. This brings total projected GF debt service to \$764.9 million in FY 2020.

Debt Service Savings (GF in \$ millions)			
<u>Debt Type</u>	FY 2020 Ch. 845	Caboose Ch. 1283	\$ Change (Amended)
General Obligation Bonds Public Building Authority Bonds	\$64.4 272.7	\$61.5 269.3	\$(2.9) (3.4)
College Building Authority Bonds	433.9	428.6	(5.3)
Total GF Debt Service Savings (projected)			(\$11.5)

### **Health and Human Resources**

#### • Children's Services Act

Mandatory Caseload and Cost Increases. Adds \$6.6 million GF in FY 2020 to reflect the latest forecast of expenditures for the CSA program. Overall, the program continues to grow due to increasing caseload and costs for special education private day placements and a recent increase in treatment foster care spending. Factoring in these adjustment to program spending, expenditures are projected to increase by 7.4 percent in FY 2020. Expenditure growth in FY 2019 was 6.2 percent.

#### Department of Health

- Supplant GF with Agency Indirect Cost Recoveries. Reduces GF appropriation and supplants \$1.8 million the second year with nongeneral funds from agency indirect cost recoveries.
- Remove Temporary Detention Order Tracking Funds. Reduces the appropriation by \$50,000 the second year from the general fund to remove funding provided in 2019 Session for modifying the Emergency Department Care Coordination System to track Temporary Detention Orders. After review, it was determined this system was not the solution to address the issue.
- Modify Abortion Limitations on Expenditures. Includes language in Part 4 of the introduced budget bill for FY 2020 that allows the expenditure of funds, from the state budget, for abortions as permitted by state statute. Beyond federal restrictions, Virginia law allows abortions in the case of gross fetal abnormality.

#### Department of Medical Assistance Services (DMAS)

#### Forecast Changes

- Medicaid Utilization and Inflation. Reduces \$205.8 million GF and \$350.5 million in federal Medicaid matching funds in FY 2020 to reflect a lower forecast of expenditures for the base Medicaid program (excluding Medicaid expansion). Base Medicaid spending is expected to increase by 1 percent in FY 2020, well below the 2.6 percent growth projected in the November 2018 Official Medicaid Forecast. Spending growth in the program is lower due to higher than expected savings from the impact of Medicaid Expansion. More enrollees have shifted from base Medicaid (50 percent state share of costs) to the Medicaid expansion group (10 percent state share of costs), which results in larger state savings than previously projected. In addition, savings from pharmacy rebates are also higher than projected in the previous expenditure forecast.
- Adjust Appropriation for the Virginia Health Care Fund. Reduces the appropriation by \$44.4 million GF in FY 2020 and adds a like amount of nongeneral funds each year to reflect changes in revenues to the Virginia Health Care Fund. Revenues from the Fund are used as a portion of the state's match for the Medicaid program; therefore, higher revenues result in a reduction of the general fund appropriation needed to maintain currently-funded Medicaid services. Conversely, lower revenues require additional general fund support. Revenues in the fund are derived from tobacco taxes, Medicaid recoveries and revenue maximization initiatives, and a portion of the Master Tobacco Settlement Agreement (41.5 percent of tobacco settlement revenues). Changes to the fund include:

- A decrease of \$2.1 million in Tobacco Master Settlement Agreement payments,
- A decrease of \$6.8 million in expected pharmacy rebates,
- An increase of \$0.2 million projected tax collections from cigarettes and other tobacco products, and
- An increase of \$53.1 million to reflect the cash balance carried over from FY 2019.
- Family Access to Medical Insurance Security (FAMIS) Utilization and Inflation. Increases spending by \$2.2 million GF and \$4.6 million NGF from federal matching funds in FY 2020 to reflect the forecast of expenditures for the FAMIS program. The higher forecast is mainly due to increasing caseload. FAMIS enrollment of children increased by 4.9 percent in FY 2019 and through November 1, 2019, average monthly enrollment for FY 2020 is up 3.1 percent for children. The federal match rate for FAMIS is 88 percent for the first quarter of FY 2020 and is at 76.5 percent for the remaining three quarters. The FAMIS program serves pregnant women and children under the age of 19 in families with income between 143 and 205 percent of poverty.
- Medicaid Children's Health Insurance Program (CHIP) Utilization and Inflation. The adopted budget reduces \$1.0 million GF and \$4.2 million NGF in FY 2020 to reflect the forecast of expenditures in the Medicaid CHIP program. Enrollment in the Medicaid CHIP program increased by 6.4 percent in FY 2019 and through November 1, 2018, average monthly enrollment for FY 2020 is up 3.4 percent. The federal match rate for the Medicaid CHIP program is 88 percent for the first quarter of FY 2020 and is at 76.5 percent for the remaining three quarters. The Medicaid CHIP program provides services for Medicaid-eligible low-income children, aged 6 − 18, living in families with incomes between 109 and 143 percent of the federal poverty level.

#### Other Amendments

Capture Excess Administrative Balance. Reduces \$3.0 million GF from the Department of Medical Assistance Services' administrative budget in fiscal year 2020. Based on current spending projections and the agency's prepayment of rent and other July 2019 contractual payments out of fiscal year 2019 year end balances, which would have otherwise reverted to the general fund, this amendment captures the excess appropriation.

Provide Authority to Offset Lost Federal Revenue for Children's Hospital of the King's Daughters. Adds language authorizing the department to make indirect medical education payments to offset the potential loss of Disproportionate Share Hospital (DSH) payments that may be reduced as a result of a federal court case. This language allows other federal funding sources to offset the loss of DSH payments and therefore has no state funding impact.

#### • Department of Behavioral Health and Developmental Services

- Funding for Provider Licensing, Compliance, Quality Improvements and Individual Assessments. Provides \$2.1 million GF and 28 positions in FY 2020 for quality improvement and risk management for individuals with developmental disabilities. Funding will support additional 28 additional staff for licensing, quality assurance, behavioral analysis, human rights, and for the Individual and Family Support Program.
- Fund Increasing Caseload for Part C Early Intervention Services. Adds \$1.2 million GF in FY 2020 to cover the costs of the increasing caseload for the program. The program has been growing on average by 5.4 percent a year over the past six years. The program provides early intervention services to children from birth to 2 years old with a developmental delay or at-risk of a developmental delay. This program is part of the federal Individuals with Disabilities Education Act.
- Capture Excess Funding for New Beds at the Virginia Center for Behavioral Rehabilitation (VCBR). Reduces by \$6.5 million GF and 119 positions in FY 2020 the funding provided for the operating costs of the expansion of VCBR. Due to delays in construction and lower census growth the funding for the additional beds will not be needed until FY 2021. In the 2019 Session, \$7.8 million GF and 147 positons were provided in FY 2020 for the expansion, which at that time was estimated to begin operation in August 2019.
- Reduce Funds to Reflect Downsizing and Closure of Training Centers. Captures reduced general fund spending of \$4.5 million GF in FY 2020 to reflect savings from the quicker downsizing of Central Virginia Training Center than anticipated. Central Virginia Training Center slated to close by June 30, 2020.
- Plan for Temporary Beds at Catawba Hospital. Includes language directing the Department of Behavioral Health and Developmental Services to develop and implement a plan to manage the census at Catawba Hospital and to reduce the number of staffed beds to 110 by no later than June 30, 2021.
- Sale of Southwestern Virginia Training Center. Adds language authorizing the
   Department of General Services to sell property on which the former Southwestern

Virginia Training Center was situated. Language requires the sale price to cover any debt or other financial obligations on the property. It also requires the purchaser to use the property for the provision of health care services for at least five years.

- Modify Children's Inpatient Psychiatric Services Workgroup. Adds members to the workgroup created to examine and identify possible alternative treatment services and sites for minors that otherwise would be placed at the Commonwealth Center for Children and Adolescents (CCCA). The language adds the Virginia Association of Community Services Boards, VOICES, Virginia Coalition of Private Provider Associations, and the Virginia Network of Private Providers to the workgroup.
- Capture Savings from Construction Delay at Western State Hospital. Captures savings of \$2.9 million GF in fiscal year 2020 at Western State Hospital for reduced costs due to the delay in the construction of two 28-bed units. The new beds were supposed to be operational in the fall of 2019, but will not be operational until late spring of 2021.
- Provide Nongeneral Funds for Electronic Health Records. Provides \$14.5 million NGF in FY 2020 to fund the remaining costs of implementing electronic health records in state facilities. Funding is provided from existing nongeneral fund balances.

#### Department of Social Services

- Foster Care and Adoption Forecast. Adds \$722,339 GF and \$4.1 million NGF in FY 2020 for forecast changes to the foster care and adoption subsidy programs. Adoption subsidies are projected to increase by \$6.0 million GF and \$6.0 million in federal Title IV-E funds, however the general fund increase is partially offset by a projected decline in state adoption subsidies \$3.4 million GF. Title IV-E foster care expenditures are expected to decrease by \$1.9 million GF and \$1.9 million NGF.
- Capture Savings in TANF Unemployed Parents Program. Provides to reduce \$3.5 million GF in FY 2020 to reflect a lower forecast of costs in the unemployed parents' cash assistance program mainly due to declining caseloads.
- Technical Adjustment to Appropriation for Local Staff Salary Increase. Adds \$8.1 million NGF in FY 2020 to reflect a projected increase in federal appropriation related to the salary increase provided in the 2019 Session for state supported local social services staff.

- Technical Adjustment to Federal Appropriation for the Low Income Heating and Energy Assistance Program (LIHEAP). Increases by \$4.5 million NGF in FY 2020 to reflect a larger federal grant award for the LIHEAP program.
- Create a New Summer Food Pilot Program. Adds \$2.7 million NGF from the Temporary Assistance to Needy Families (TANF) block grant in FY 2020 to create a summer feeding pilot program to provide \$50 on a family's electronic benefit care each month during the summer for meal purchases.
- Adjust TANF Funding to Account for Providing Mandated Benefits. Includes a net reduction in TANF spending of \$9.3 million NGF due to the continued decline in the TANF caseload. The table at the end of the Health and Human Resources section details the changes from Chapter 854 of the 2019 Acts of Assembly (HB 1700).
- Adjust Language to Reflect Appropriation for Healthy Families America. Modifies language to reflect the appropriated nongeneral fund amounts for the Healthy Families America home visiting model.

#### • Virginia Board for People with Disabilities

 Fund Increase in Federal Grant. Provides \$495,000 NGF in FY 2020 for the agency to expend available federal grants funds that will expire within two years. These funds will be used to make one-time grants to community partners.

#### Department for the Blind and Vision Impaired

 Provide Nongeneral Fund Appropriation to Reflect Agency Operations. The adopted budget adds \$453,109 NGF in FY 2020 to reflect anticipated revenues and will reduce the need for administrative appropriation adjustments.

### TANF Block Grant Funding FY 2020 Adopted Budget (Chapter 1283)

	Chapter 854	Chapter 1283
	<u>FY 2020</u>	<u>FY 2020</u>
TANF Resources		
Annual TANF Block Grant Award	\$157,762,831	\$157,762,831
Carry-Forward From Prior Fiscal Year	<u>124,901,366</u>	<u>151,404,869</u>
Total TANF Resources Available	\$282,664,197	\$309,167,700
TANF Expenditures		
VIP/VIEW Core Benefits and Services		
TANF Income Benefits	\$27,456,362	\$21,163,680
Expand TANF Eligibility (Drug Felonies)	0	49,296
VIEW Employment Services	13,612,144	13,612,144
VIEW Child Care Services	2,276,526	2,119,005
TANF Caseload Reserve	2,000,000	2,000,000
Subtotal VIP/VIEW Benefits and Services	\$45,495,032	\$38,944,125
Administration		
TANF State / Local Operations	\$53,568,212	\$53,568,212
NGF Match for Local Staff Salary Increases	0	1,622,707
Subtotal Administration	\$53,568,212	\$55,348,440
TANF Programming		
Community Employment & Training Grants	\$10,500,000	\$10,500,000
Healthy Families/Healthy Start (DSS & VDH)	9,035,501	9,035,501
Community Action Agencies	7,375,000	7,375,000
Local Domestic Violence Prevention Grants	3,846,792	3,846,792
Federation of Virginia Food Banks	3,000,000	3,000,000
Long-Acting Reversible Contraceptives (VDH)	3,000,000	5,245,316
CHIP of Virginia (VDH)	2,400,000	2,400,000
Boys and Girls Clubs	1,500,000	1,500,000
Virginia Early Childhood Foundation	1,250,000	1,250,000
Child Advocacy Centers	1,136,500	1,136,500
Resource Mothers	1,000,000	1,000,000
Northern Virginia Family Services	1,000,000	1,000,000
Early Impact Virginia (Home Visiting)	600,000	600,000
Laurel Center	500,000	500,000
EITC Grants	185,725	185,725
FACETS	100,000	100,000
Visions of Truth STRIVE Program	75,000	75,000
Summer Feeding Program Pilot	0	2,720,349
Subtotal TANF Programming	\$46,504,518	\$51,620,183
Transfers to Other Block Grants		
CCDF for At-Risk Child Care/ Head Start	\$15,357,212	\$15,357,212
SSBG for Children's Services Act/Local Staff	<u>15,645,500</u>	15,645,500
Total TANF Transfers	\$31,182,712	\$31,182,712
Total TANF Expenditures & Transfers	\$176,750,474	\$177,095,460

### **Natural Resources**

#### • Department of Conservation and Recreation

- First Landing Trail Riding Facilities. Adds and additional \$50,000 GF the second year for developing handicapped accessible mountain bike facilities at First Landing State Park, bringing the total deposit to \$100,000. Language directs the entire second year amount be used by the Department to contract with the City of Virginia Beach in order to develop appropriate ADA-compliant bike facilities that are located outside of the protected natural areas of First Landing State Park.
- James River Park System. Includes a one-time grant of \$100,000 GF the second year to the City of Richmond for ADA-compliant accessibility improvements to the facilities of the James River Park System.

#### Department of Game and Inland Fisheries

- Migratory Shorebird Taking Permit. Provides immediate authorization for the Department to issue an interim permit to the Department of Transportation to relocate the nest and eggs of any state listed threatened bird from the South Island of the Hampton Roads Bridge Tunnel (HRBT) in order to facilitate construction activities related to the HRBT Expansion Project. A companion action in Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides the long-term authority for issuance of the taking permit.
- Redirect Proposed General Fund Transfer. Maintains the current annual transfer of \$15.5 million from the general fund to the Game Protection Fund and retains the proposed increase of \$1.7 million as a general fund resource.

# **Public Safety and Homeland Security**

#### • Department of Alcoholic Beverage Control

Estimated Net Profit Transfers. A language amendment in Part 3 increases the FY 2020 net profit transfer by \$4.7 million over the amount assumed in Chapter 854 of the 2019 Acts of Assembly (HB 1700).

#### • Department of Corrections

- Authority to Discharge or Reassign Certain Prisoners. A language amendment authorizes the DOC Director to discharge from incarceration or reassign to a different level of supervision, any prisoner except those convicted of Class 1 felonies or sexually violent offenses with less than one year remaining on his or her sentence, if the Director determines that such action will assist in maintaining the health, safety, and welfare of any prisoner, and is compatible with the interests of society and public safety.
  - The authority is limited to when a Governor's declared state of emergency, in response to a communicable disease of public health threat, is in effect.
  - The language requires the Director to develop procedures for implementation, which comply with statutory requirements for re-entry and providing notice of a prisoner's discharge, to the extent practicable; however, provides failure to comply with such notification provisions does not affect authority to discharge a prisoner.
  - A companion amendment to Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides identical authority to the Director, with the provisions of the amendment expiring July 1, 2021.
- Hepatitis C Testing and Treatment Costs. Adds \$10.3 million GF for the increased costs of testing and treating inmates held in state correctional institutions for Hepatitis C.
- Medical Costs. Includes an additional \$1.2 million GF in FY 2020 for increased inmate medical costs.
- Contract Costs for Lawrenceville. Includes \$994,000 GF for increased contractual costs for continued vendor operation of Lawrenceville Correctional Center.

#### Part 3

Federal Disaster Reimbursement. A technical language amendment adds the Covid-19 Additional State Funding fund to the paragraph that requires balances of certain funds at the Department of Emergency Management, which were received as federal cost recoveries for disaster expenditures, to be transferred to the general fund at the end of the fiscal year. Usually all disaster sum sufficient expenditures are expended from, and also reimbursed into, the Disaster Recovery Fund, for all events and individual events are tracked separately by project code in the state accounting systems; however, a new fund detail was created for disaster expenditures related to COVID-19.

#### Part 4

 Body-Worn Cameras. A language amendment in Part 4 strikes the prohibition on state law enforcement agencies expending general funds on body-worn cameras.

### **Transportation**

#### Department of Motor Vehicles

- Increase Staffing Level for REAL ID Implementation. Authorizes an increase of 100.00 FTE positions to increase the agency's ability to issue federally compliant driver's licenses. The additional positions are funded by an existing line of credit of \$10.5 million which is anticipated to be repaid by a one-time additional charge of \$10.00 for each federally-compliant credential issued.

#### • Department of Transportation

Align Appropriations with Revenue Forecast. Provides an additional \$883.3 million NGF in the current year to align expenditures with the revised revenue forecast approved by the Commonwealth Transportation Board. The major appropriation changes are additional allocations to highway construction totaling \$759.3 million and increases in funding for highway maintenance of \$104.7 million. From these amounts, an additional \$18.5 million is allocated to the Northern Virginia and Hampton Roads regional transportation entities to reflect increases in dedicated regional tax revenues. The majority of the additional highway construction revenue is comprised of \$441.0 million transferred from the Hampton Roads Transportation Accountability Commission for construction of the Hampton Roads Bridge Tunnel, and \$50.0 million reflects a concession payment for I-66 Outside the Beltway.

<u>Program</u>	<u>Increase (Decrease)</u>
Environmental Monitoring	\$3,000,000
Planning & Research	1,027,292
Highway Construction	759,342,720
Highway Maintenance	104,712,253
Toll Facilities	(5,816,873)
Local Assistance	21,009,628
Debt Service	(3,532,015)
Administrative	<u>3,538,821</u>
Total	\$883,281,826

# **Central Appropriations**

#### Central Appropriations

Provide COVID-19 Funding and Executive Authority for Appropriating Federal Relief Funds and COVID-19 Relief Fund. Provides \$50.0 million GF the second year to respond to the COVID-19 pandemic and any state matching component of COVID-19 related federal grants, as well as language authorizing the Governor to appropriate funds to state agencies, institutions of higher education, and other permissible entities the federal relief funds provided from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and other legislation in response to the COVID-19 pandemic. Language also includes provisions requiring state agency/entity records management and reporting, consistent with federal and state requirements, including a quarterly report on the distribution of such appropriation to the Chairs of the House Appropriations and Senate Finance & Appropriations committees. Language also authorizes the Governor to appropriate within Item 476.10, or any other item(s) in the Appropriation Act, any revenues deposited to the COVID-19 Relief Fund (Relief Fund), which is created pursuant to proposed amendments to Chapters 1217 and 1277 of the 2020 Acts of Assembly (HB 881/SB 971) which prohibited skill games to establish the Relief Fund and dedicate a portion of the revenues generated through the taxation of such skill games through July 1, 2021, to the Relief Fund. Language also specifies that the appropriations made resulting from such revenues shall be used exclusively for the purposes of responding to the COVID-19 pandemic.

A companion amendment in Chapter 1289 of the 2020 Acts of Assembly (HB 30) provides the same language authorizing the appropriation of federal relief funds and revenues deposited to the COVID-19 Relief Fund.

- Provide Support for Legal Expenses. Provides \$15.0 million GF the second year to support anticipated legal expenses related to the Department of Health and the Department of Corrections.
- Provide Funding for Reimbursement of 2020 Presidential Primary Expenses. Includes \$5.9 million GF the second year for reimbursement to the Department of Elections and localities for 2020 presidential primary expenses. Included in this amount is \$147,308 GF, which is part of a net-zero transfer from the Department of Elections included as a companion amendment.
- Adjust Funding for Personnel Management Information System (PMIS) Internal Service Fund Charges. Removes \$346,941 GF the second year to reflect the general fund savings resulting from the actual usage of PMIS by agency customers being lower than was previously projected.
- Provide Funding for Procurement Disparity Study. Includes \$650,000 GF the second year for a procurement disparity study to assess procurement opportunities for women and minority-owned businesses. The study is related to Executive Order 35 (2019), which directed state agencies and institutions to procure at least 42 percent of discretionary spending from businesses certified as small, women, and minority-owned by the Department of Small Business and Supplier Diversity. The last procurement disparity study was performed in 2011.
- Transfer Funds for Electronic Health Records. Transfers \$3.0 million GF the second year from Central Appropriations to the Department of Corrections for the procurement of electronic health records by the end of FY 2020, and allows for the carry forward and re-appropriation of the funds for such purpose after June 30, 2020.
- Revert Unexpended Legislative Agency Balances. Directs the Joint Rules Committee to authorize the reversion of \$4.3 million GF in legislative agency balances by June 30, 2020. Of the \$4.3 million, \$1.5 million is attributed to the Joint Legislative Audit and Review Commission, \$1.5 million to the World War I and World War II Commemoration Commission, which has expired, and the remaining \$1.3 million is attributed to a variety of legislative agency balances.

# **Capital Outlay**

Adopted Capital Outlay Funding			
<u>Fund Type</u>	2018-20 Ch. 1283 (HB29)	2018-20 <u>Biennium</u>	
General Fund	\$0.1	\$4.8	
VPBA/VCBA Tax-Supported Bonds	53.3	2,146.3	
9(c) Revenue Bonds	0	38.5	
9(d) NGF Revenue Bonds	23.2	247.9	
Nongeneral Fund Cash	4.0	446.1	
Total	\$80.6	\$2883.5	

The adopted capital outlay budget for the FY 2018-20 biennium totals approximately \$2.9 billion from all fund sources with amendments totaling to \$80.6 million from all fund sources.

#### • Projects to be Supported with General Fund Cash

- Roanoke Higher Education Authority
  - Create Oliver Hill Courtyard. Includes an additional \$120,000 in general fund for supplemental design work to complete the Oliver Hill courtyard. The additional general fund support would bring the total general fund appropriated to the project up to \$448,000 over the 2018-20 biennium.

### • Capital Outlay Projects to be Supported with Tax-Supported Debt

- Department of Military Affairs
  - Acquire Land for Readiness Centers. Provides an additional \$3.3 million in tax-supported debt to fund the acquisition of additional property.

### Supplements to Existing Pools

 2016 VCBA Construction Pool. Includes additional tax-supported debt to supplement the existing construction pool. The additional capital would go to three education projects.

- The College of William and Mary: Construct Fine and Performing Arts Facility. Provides an additional \$16.7 million in tax supported debt to cover unanticipated costs overages in the project.
- Virginia Community College: Construct Academic Building, Lord Fairfax Community College. Expands the scope of the project to laboratory space for chemistry, biology and nursing.
- University of Mary Washington: Renovate Seacobeck Hall. Includes a project supplement of \$6.3 million to cover unanticipated project costs.
- **2016 VPBA Capital Construction Pool.** Provides an additional \$12.0 million in tax supported debt, bringing the total pool capitalization to \$25.5 million for the 2018-20 biennium. The funds would go to support the capital project listed below.
  - Department of Juvenile Justice: Construction of New Juvenile Justice Center. Includes the authorization of design and construction of a 60 bed Juvenile Justice Center. Introduces language that requires for the project to be constructed on state owned land, and eliminates requirement to place the justice center in the Isle of Wight.

#### New Project

- GMU School of Conflict Analysis Facilities. Provides additional funding to construct facilities at the GMU School of Conflict Analysis (Point of View) to allow the school to fulfill its mission.
- Capital Outlay Projects to be Supported with Institution Debt
  - University of Virginia
    - Alderman Library Renewal. Includes the authorization of \$13.7 million in additional 9 (d) debt to supplement the nongeneral funds appropriated to the project, bringing total debt issued in FY2020 to \$23.9 million. This is in addition to the \$31.4 million in bond proceeds issued in FY2019, 21st Century bond funds (\$132.5 million) and nongeneral funds (\$20.0 million).

#### Virginia Tech

• Student Wellness Facilities. Provides a supplement of \$9.5 million in 9(d) revenue bond authority for the Improve Student Wellness Facilities project at Virginia Tech in fiscal year 2020. This authorization would bring the 9(d) revenue bond total to \$59.2 million and the project total to \$72.5 million.

#### • Language Changes

- Roanoke Readiness Center. Changes the title and scope of the project from
  "Renovate Roanoke Readiness Center" to "Construct Roanoke Readiness Center
  and Combined Support Maintenance Shop;" the scope of the project is expanded to
  include planning, renovation, demolition and construction.
- Western State Hospital. Changes the scope of the project from replacement to "Expand Western State Hospital" and transfers any remaining funds from the initial project.
- George Mason University: Bull Run Building. Changes the title of the project from "Construct Bull Run Hall HB Addition" to "Construct Life Sciences and Engineering Building/Renovate Bull Run Hall."