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SENATE BILL NO. 315

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on February 22, 2022)

(Patron Prior to Substitute—Senator Spruill)

A BILL to amend and reenact § 2.2-231 of the Code of Virginia and to amend the Code of Virginia by adding in Article 11 of Chapter 2 of Title 2.2 a section numbered 2.2-233.1, relating to the Virginia Military Community Infrastructure Grant Program and Fund.

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-231 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 11 of Chapter 2 of Title 2.2 a section numbered 2.2-233.1 as follows:

§ 2.2-231. Powers and duties of the Secretary.

Unless the Governor expressly reserves such power to himself, the Secretary shall:

1. Serve as the Governor's liaison for veterans affairs and provide active outreach to the U.S. Department of Veterans Affairs, the veterans service organizations, and the veterans community in Virginia to support and assist Virginia's veterans in identifying and obtaining the services, assistance, and support to which they are entitled.

2. Work with federal officials to obtain additional federal resources and coordinate veterans policy development and information exchange.

3. Work with and through appropriate members of the Governor's Cabinet to coordinate working relationships between state agencies and take all actions necessary to ensure that available federal and state resources are directed toward assisting veterans and addressing all issues of mutual concern to the Commonwealth and the armed forces of the United States, including quality of life issues unique to Virginia's active duty military personnel and their families, the quality of educational opportunities for military children, the future of federal impact aid, preparedness, public safety and security concerns, transportation needs, alcoholic beverage law enforcement, substance abuse, social service needs, possible expansion and growth of military facilities in the Commonwealth, and intergovernmental support agreements with state and local governments under the provisions of 10 U.S.C. § 2336.

4. Educate the public on veterans and defense issues in coordination with applicable state agencies.

5. Serve as chairman of the Virginia Military Advisory Council to establish a working relationship with Virginia's active duty military bases.

6. Monitor and enhance efforts to provide assistance and support for veterans living in Virginia and members of the Virginia National Guard and Virginia residents in the Armed Forces Reserves not in active federal service in the areas of (i) medical care, (ii) mental health and rehabilitative services, (iii) housing, (iv) homelessness prevention, (v) job creation, and (vi) education.

7. Seek additional federal resources to support veterans services.

8. Monitor efforts to provide services to veterans, those members of the Virginia National Guard, and Virginia residents in the Armed Forces Reserves who qualify for veteran status, and their immediate family members, including the dissemination of relevant materials and the rendering of technical or other advice.

9. Serve as the Governor's liaison and provide active outreach to localities of the Commonwealth and veterans support organizations in the development, implementation, and review of local veterans services programs as part of the state program.

10. Serve as the Governor's defense liaison and provide active outreach to the U.S. Department of Defense and the defense establishment in Virginia to support the military installations and activities in the Commonwealth to continue to enhance Virginia's current military-friendly environment, and foster and promote business, technology, transportation, education, economic development, and other efforts in support of the mission, execution, and transformation of the United States government military and national defense activities located in the Commonwealth.

11. Promote the industrial and economic development of localities included in or adjacent to United States government military and other national defense activities and those of the Commonwealth because the success of such activities depends on cooperation between the localities, the Commonwealth, and the United States military and national defense activities.

12. Provide technical assistance and coordination between the Commonwealth, its political subdivisions, and the United States government military and national defense activities located within the Commonwealth.

13. Employ, as needed, consultants, attorneys, architects, engineers, accountants, financial experts, investment bankers, superintendents, managers, and such other employees and agents as may be

necessary, and to fix their compensation to be payable from funds made available for that purpose.

14. Receive and accept from any federal or private agency, foundation, corporation, association, or person grants, donations of money, real property, or personal property for the benefit of the Commonwealth and receive and accept from the Commonwealth or any state, any municipality, county, or other political subdivision thereof, and from any other source, aid or contributions of money, property, or other things of value, to be held, used, and applied for the purposes for which such grants and contributions may be made.

15. Receive and accept from any source aid, grants, and contributions of money, property, labor, or other things of value to be held, used, and applied to carry out these requirements subject to the conditions upon which the aid, grants, or contributions are made.

16. Make grants to local governments, state and federal agencies, and private entities with any funds of the Secretary available for such purpose.

17. Take any actions necessary or convenient to the exercise of the powers granted or reasonably implied to this Secretary and not otherwise inconsistent with the law of the Commonwealth.

18. Work with veterans services organizations and counterparts in other states to monitor and encourage the timely and accurate processing of veterans benefit requests by the U.S. Department of Veterans Affairs, including requests for services connected to health care, mental health care, and disability payments.

19. In conjunction with subdivision 6, coordinate with federal, state, local, and private partners to assist homeless veterans in obtaining a state-issued identification card, in order to enable these veterans to access the available federal, state, local, and other resources they need to attain financial stability or address other issues that have adversely affected their lives.

20. *Develop a grant application, procedures, and guidelines for and oversee the implementation and administration of the Virginia Military Community Infrastructure Grant Program and Fund.*

§ 2.2-233.1. Virginia Military Community Infrastructure Grant Program and Fund.

A. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Military Community Infrastructure Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used, in the sole discretion of the Governor, to provide an annual grant award to eligible military communities in the Commonwealth and carry out the purposes of the Virginia Military Community Infrastructure Grant Program described in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Secretary.*

B. *The Fund shall be used by the Governor to support military communities in the Commonwealth by awarding grants to aid the planning and design, construction, or completion of infrastructure projects that enhance military readiness, installation resiliency, or quality of life for military communities. Any such project shall be clearly defined, shall include a measurable outcome in support of the task force mission of protecting military installations in the Commonwealth, and shall typically be completed within two years of contracting.*

C. *The Secretary shall develop guidance and criteria to be used in awarding grants under the Program, and an annual grant application, which shall include, at a minimum, requirements for the grantee to:*

- 1. Report expenditures each quarter;*
- 2. Retain all invoices, bills, receipts, canceled checks, proof of payment, and similar documentation to substantiate expenditures of grant funding;*
- 3. Provide a 50 percent cash match from nonstate funds; and*
- 4. Return excess state grant funding within 30 days after the term of the grant expires.*

D. *Prior to the distribution of any funds, any grantee seeking funding pursuant to this section shall submit a grant application to the Secretary for consideration. The Commonwealth shall have the right to make inspections and copies of the books and records of a grantee at any time. A grantee shall undergo an audit for the grant period and provide a copy of the audit report to the Secretary.*

E. *As used in this section:*

"Fund" means the Virginia Military Community Infrastructure Grant Fund created pursuant to this section.

"Infrastructure" means any project that will (i) preserve, protect, and enhance military installations; (ii) support the state's position in research and development related to or arising out of military missions and contracting; and (iii) improve the military-friendly environment for service members, military dependents, military retirees, and businesses that bring military-related and base-related jobs to the Commonwealth.

122 *"Military community" means any locality that can demonstrate that more than five percent of the*
123 *community's economy is derived from military funding.*
124 *"Program" means the Virginia Military Community Infrastructure Grant Program created pursuant*
125 *to this section.*