

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.19, consisting of*
 3 *a section numbered 59.1-284.40, relating to Nitrile Glove Manufacturing Training Program;*
 4 *established.*

[S 595]

Approved

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

8 **1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.19,**
 9 **consisting of a section numbered 59.1-284.40, as follows:**

10 **CHAPTER 22.19.**11 **NITRILE GLOVE MANUFACTURING TRAINING PROGRAM.**12 **§ 59.1-284.40. Nitrile Glove Manufacturing Training Program.**

13 *A. In order to support the recruiting and training needs of companies with facilities located in the*
 14 *Mount Rogers Planning District that manufacture nitrile gloves for personal protective equipment, or*
 15 *manufacture the inputs used to manufacture such gloves, up to \$4,601,000 shall be made available to*
 16 *the Virginia Economic Development Partnership Authority through the Virginia Talent Accelerator*
 17 *Program to provide services to such companies. Subject to appropriation, funding for such services shall*
 18 *be awarded as follows:*

- 19 *1. \$1,427,000 for the Commonwealth's fiscal year beginning July 1, 2021;*
- 20 *2. \$1,987,000 less the total amount of funds previously awarded pursuant to this subsection for the*
 21 *Commonwealth's fiscal year beginning July 1, 2022;*
- 22 *3. \$2,722,000 less the total amount of funds previously awarded pursuant to this subsection for the*
 23 *Commonwealth's fiscal year beginning July 1, 2023;*
- 24 *4. \$3,574,000 less the total amount of funds previously awarded pursuant to this subsection for the*
 25 *Commonwealth's fiscal year beginning July 1, 2024; and*
- 26 *5. \$4,601,000 less the total amount of funds previously awarded pursuant to this subsection for the*
 27 *Commonwealth's fiscal year beginning July 1, 2025.*

28 *B. Companies shall be eligible for services funded under this section only if they enter into a*
 29 *memorandum of understanding with the Virginia Economic Development Partnership Authority to:*

- 30 *1. Create at least 2,464 new jobs that are for full-time employees and that pay an annual wage of at*
 31 *least \$37,321;*
- 32 *2. Make a capital investment of at least \$714.1 million in the Commonwealth; and*
- 33 *3. Agree to meet the performance targets in subdivisions 1 and 2 on or before January 1, 2027,*
 34 *subject to an extension of no more than two years, as provided in the memorandum of understanding,*
 35 *where such extension may also extend the award dates described in subsection A.*

36 *C. Any company receiving services pursuant to this section shall annually provide evidence*
 37 *satisfactory to the Virginia Economic Development Partnership Authority of (i) the aggregate number of*
 38 *new jobs created and maintained as of the last month of the calendar year as determined in the*
 39 *memorandum of understanding, the payroll paid by the company during the calendar year, and the*
 40 *average annual wage of the new jobs in the calendar year and (ii) the aggregate amount of the capital*
 41 *investment made during the calendar year, including the extent to which such capital investment was or*
 42 *was not subject to the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.). The report and*
 43 *evidence shall be filed with the Virginia Economic Development Partnership Authority in person, by*
 44 *mail, or as otherwise agreed upon in the memorandum of understanding by no later than April 1 each*
 45 *year following the end of the prior calendar year upon which the evidence is based.*

46 *D. Any memorandum of understanding entered into pursuant to this section shall provide that if any*
 47 *annual report and evidence provided pursuant to subsection C indicates that a company failed to meet*
 48 *the targets specified in subsection B, the company may be required to repay the Commonwealth a*
 49 *portion of the costs for services delivered pursuant to this section in an amount that reflects the value of*
 50 *the shortfall in the applicable target.*

51 *E. As a condition of receipt of the services funded under this section, a company receiving services*
 52 *pursuant to this section shall make available to the Virginia Economic Development Partnership*
 53 *Authority for inspection all documents relevant and applicable to determining whether the company has*
 54 *met the requirements for the receipt of the services as set forth in this section and subject to the*
 55 *memorandum of understanding. All such documents appropriately identified by the company shall be*
 56 *considered confidential and proprietary, and shall not be subject to disclosure pursuant to the Virginia*

57 *Freedom of Information Act (§ 2.2-3700 et seq.).*

58 *F. Funding made available pursuant to this section shall be used to provide recruitment and training*
59 *services for employees of companies that meet the eligibility requirements of this section. Services shall*
60 *be coordinated by the Virginia Economic Development Partnership Authority through the Virginia*
61 *Talent Accelerator Program.*