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SENATE JOINT RESOLUTION NO. 20

Offered January 12, 2022

Prefiled January 11, 2022

Proposing an amendment to Section 7-A of Article X of the Constitution of Virginia, relating to K-12 funding.

Patron—Newman

Referred to Committee on Privileges and Elections

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 7-A of Article X of the Constitution of Virginia as follows:

ARTICLE X

TAXATION

Section 7-A. Lottery Proceeds Fund; distribution of lottery revenues.

(a) The General Assembly shall establish the Lottery Proceeds Fund. The Fund shall consist of the net revenues of any lottery conducted by the Commonwealth. Lottery proceeds shall be appropriated from the Fund to the Commonwealth's counties, cities and towns, and the school divisions thereof, to be expended for the purposes of public education.

(b) (1) *For any fiscal year in which there is a surplus, the budget shall include an appropriation of five percent of such surplus for the operational costs of local school divisions and a corresponding reduction in the amount of operational costs of local school divisions that are funded by the Fund. For any year in which the budget includes such appropriation, there shall be an equivalent increase in the amount of funds in the Fund that are restricted for the sole purpose of funding capital construction and renovation costs of local school divisions. Such restricted amount shall be cumulative and shall include any subsequent increases. If such restricted amount is equal to or greater than the maximum restricted amount, there shall be no required appropriation or increase to the restricted amount. However, the restriction on existing funds shall remain in effect.*

(2) *As used in this subsection:*

"Maximum restricted amount" means the projected amount of funds in the Fund for the fiscal year according to the revenue forecast for the budget.

"Surplus" means the amount, if any, by which actual general fund revenues exceed estimated general fund revenues for the fiscal year, minus any deposits required by this Constitution or by general law.

(c) Any county, city, or town which accepts a distribution from the Fund shall provide its portion of the cost of maintaining an educational program meeting the standards of quality prescribed pursuant to Section 2 of Article VIII of this Constitution without the use of distributions from the Fund.

(d) The General Assembly shall enact such laws as may be necessary to implement the Fund and the provisions of this section.

(e) The General Assembly may appropriate amounts from the Fund for other purposes only by a vote of four-fifths of the members voting in each house, the name of each member voting and how he voted to be recorded in the journal of the house.

INTRODUCED

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