

Virginia Budget Bills

February, 2008

VA Budget Bill
House Amendment

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Item [4-2.02 #1h](#)

Revenues

General Fund Revenue

[Language](#)

Language:

Page 506, after line 12, insert:

"n.1. Unless otherwise specifically required by federal or state law and only to the extent thereof, each settlement under subsection A. of § 2.2-514, Code of Virginia, that provides for the payment, conveyance, grant, forfeiture, assignment, or other distribution of moneys or of any property (whether real, tangible, or intangible) to settle the Commonwealth's interest or the interest of any department, agency, institution, division, commission, board, authority, or bureau thereof, shall provide that such moneys or property be deposited or assigned for deposit into the general fund of the state treasury to be appropriated as determined by the General Assembly. The provisions of this paragraph shall only apply to such settlements in favor of the Commonwealth and shall apply to both civil and criminal matters.

2. The provisions of this paragraph shall not apply to any settlement (a) in which the total value of such moneys or property does not exceed \$250,000, (b) in which the entire amount of the settlement is for services provided or for property sold or provided under a contract, or (c) for an act or practice covered by the Virginia Consumer Protection Act (§ 59.1-196 et. seq., Code of Virginia) or the Virginia Antitrust Act (§ 59.1-9.1 et. seq., Code of Virginia)."

Explanation:

(This amendment establishes language providing that except in certain circumstances, such as where prohibited by federal or state law, all settlements providing a distribution of money or property to the Commonwealth shall be deposited or assigned for deposit to the general fund. Other exceptions to this policy include any settlement for \$250,000 or less, any settlement that is for services provided or for property sold under contract, or for any act covered by either the Virginia Consumer Protection Act or the Virginia Antitrust Act.)

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VA Budget Bill
Senate Amendment

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Item **56** #3s

Executive Offices

Attorney General And Department Of Law

Language

Language:

Page 33, following line 37, insert:

"Beginning January 15, 2009, and on or before January 15 of each year thereafter, the Attorney General shall provide to the Chairmen of the Senate Committee on Finance and the House Committee on Appropriations an annual summary financial report of all monies greater than \$100,000 received from settlements, in both civil and criminal matters, in which the Attorney General or any of his assistants provided representation involving the Commonwealth's interest that provide for the payment, conveyance, grant, forfeiture, assignment, or other receipt of monies or of any property, real, tangible or intangible. The report shall include an accounting of any such assets ordered to be paid to or received by the Commonwealth or any department, agency, institution, division, commission, board, authority or bureau thereof, except where any confidentiality agreement is imposed by a court of law or the disclosure of which is otherwise prohibited by court order, court rule or law."

Explanation:

(This amendment requires the Attorney General to provide an annual report on monetary settlements received by the Commonwealth, in which the Office of the Attorney General provided representation.)

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