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HOUSE BILL NO. 1541

Offered January 10, 2020

A BILL to amend and reenact §§ 58.1-603.1, 58.1-604.01, 58.1-638, and 58.1-2299.20, as it is currently effective and as it may become effective, of the Code of Virginia and to amend the Code of Virginia by adding in Title 33.2 a chapter numbered 37, consisting of sections numbered 33.2-3700 through 33.2-3713, and by adding a section numbered 58.1-2295.2, relating to creation of the Central Virginia Transportation Authority; funding.

Patron—McQuinn

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-603.1, 58.1-604.01, 58.1-638, and 58.1-2299.20, as it is currently effective and as it may become effective, of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 33.2 a chapter numbered 37, consisting of sections numbered 33.2-3700 through 33.2-3713, and by adding a section numbered 58.1-2295.2 as follows:

CHAPTER 37.

CENTRAL VIRGINIA TRANSPORTATION AUTHORITY.

§ 33.2-3700. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Authority" means the Central Virginia Transportation Authority.

"Fund" means the Central Virginia Transportation Fund.

§ 33.2-3701. Central Virginia Transportation Fund.

A. There is hereby created in the state treasury a special nonreverting fund for Planning District 15 to be known as the Central Virginia Transportation Fund. The Fund shall be established on the books of the Comptroller. All revenues dedicated to the Fund pursuant to § 58.1-638 and Chapter 22.1 (§ 58.1-2291 et seq.) of Title 58.1 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 each fiscal year shall not revert to the general fund but shall remain in the Fund. The moneys deposited in the Fund shall be used solely for (i) new construction projects on new or existing highways and bridges in the localities comprising Planning District 15 as approved by the Authority, (ii) maintaining and expanding transit and mobility services in Planning District 15, and (iii) administrative and operating expenses as specified in subsection B of § 33.2-3706. The Authority shall give priority to those projects that are expected to provide the greatest impact on the greatest number of citizens residing within Planning District 15 and shall ensure that the moneys shall be used for such projects.

B. The amounts dedicated to the Fund shall be deposited monthly by the Comptroller into the Fund and thereafter distributed to the Authority as soon as practicable for use in accordance with this chapter. If the Authority determines that such moneys distributed to it exceed the amount required to meet the current needs and demands to fund transportation projects pursuant to this chapter, the Authority may invest such excess moneys to the same extent and in the same manner as provided in subsection A of § 33.2-1525 for excess funds in the Transportation Trust Fund.

C. The amounts deposited into the Fund and the distribution and expenditure of such amounts shall not be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating localities. Further, such revenues and moneys shall not be included in any computation of, or formula for, a locality's ability to pay for public education, upon which appropriations of state revenues to local governments for public education are determined.

D. Revenues in the Fund shall be allocated as follows:

1. Thirty-five percent shall be retained by the Authority to be used on transportation-related projects benefitting localities located in Planning District 15;

2. Fifteen percent shall be dedicated to transit and mobility services located in Planning District 15; and

3. Fifty percent shall be returned, proportionally, to each locality located in Planning District 15 to be used to improve local mobility, which may include construction, maintenance, or expansion of roads, sidewalks, trails, mobility services, or transit located in the locality.

§ 33.2-3702. Central Virginia Transportation Authority created.

The Central Virginia Transportation Authority is hereby created as a body politic and as a political subdivision of the Commonwealth. The Authority shall embrace each county, city, and town located in

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59 *Planning District 15, which is established pursuant to Chapter 42 (§ 15.2-4200 et seq.) of Title 15.2.*

60 **§ 33.2-3703. Composition of Authority.**

61 *The Authority shall consist of 16 members as follows:*

62 *1. The chief elected officer, or his designee, of the governing body of each of the counties and cities*  
63 *embraced by the Authority;*

64 *2. The chief elected officer, or his designee, of the Town of Ashland;*

65 *3. One member of the House of Delegates who resides in a county or city embraced by the*  
66 *Authority, appointed by the Speaker of the House, and one members of the Senate who resides in a*  
67 *county or city embraced by the Authority, appointed by the Senate Committee on Rules; and*

68 *4. The following five persons serving ex officio as nonvoting members of the Authority: a member of*  
69 *the Commonwealth Transportation Board who resides in a locality embraced by the Authority and is*  
70 *appointed by the Governor; the Director of the Department of Rail and Public Transportation, or his*  
71 *designee; the Commissioner of Highways, or his designee; the Executive Director of the Greater*  
72 *Richmond Transit Company (GRTC); and the Chief Executive Officer of the Richmond Metropolitan*  
73 *Transportation Authority.*

74 *All members of the Authority shall serve terms coincident with their terms of office. Vacancies shall*  
75 *be filled in the same manner as the original appointment. If a member of the Authority who represents a*  
76 *locality as provided in subdivision 1 or 2 is unable to attend a meeting of the Authority, he may*  
77 *designate another current elected official of such governing body to attend such meeting of the*  
78 *Authority. Such designation shall be for the purposes of one meeting and shall be submitted in writing*  
79 *or electronically to the Chairman of the Authority at least 48 hours prior to the affected meeting.*

80 *The Authority shall elect a chairman and vice-chairman from among its voting membership.*

81 *The Auditor of Public Accounts, or his legally authorized representatives, shall annually audit the*  
82 *financial accounts of the Authority, and the cost of such audit shall be borne by the Authority.*

83 **§ 33.2-3704. Staff.**

84 *The Authority may employ a chief executive officer and such staff as it shall determine to be*  
85 *necessary to carry out its duties and responsibilities under this chapter. No such person shall*  
86 *contemporaneously serve as a member of the Authority. The Department of Transportation and the*  
87 *Department of Rail and Public Transportation shall make their employees available to assist the*  
88 *Authority, upon request.*

89 **§ 33.2-3705. Decisions of the Authority.**

90 *A majority of voting members of the Authority shall constitute a quorum. Vacancies shall not be*  
91 *considered in the establishment of a quorum. Votes of the chief elected officers of localities, or their*  
92 *designees, appointed to the Authority shall be weighted, based upon population of the locality, as*  
93 *follows: (i) the chief elected officers, or their designees, from the Counties of Chesterfield and Henrico*  
94 *and the City of Richmond shall each receive four votes; (ii) the chief elected officer, or his designee,*  
95 *from the County of Hanover shall receive three votes; (iii) the chief elected officers, or their designees,*  
96 *from the Counties of Goochland, New Kent, and Powhatan shall each receive two votes; and (iv) the*  
97 *chief elected officers, or their designees, from the Town of Ashland and the County of Charles City shall*  
98 *each receive one vote. The Delegate and Senator appointed to the Authority shall each receive one vote.*  
99 *Decisions of the Authority shall require an affirmative vote of those present and voting whose votes*  
100 *represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a*  
101 *specific facility or service shall fail because of this population criterion if such facility or service is not*  
102 *located or to be located or provided or to be provided within the county or city whose chief elected*  
103 *officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service*  
104 *to fail to meet the population criterion. The population of counties and cities embraced by the Authority*  
105 *shall be the population as determined by the most recently preceding decennial census, except that on*  
106 *July 1 of the fifth year following such census, the population of each county and city shall be adjusted,*  
107 *based on population estimates made by the Weldon Cooper Center for Public Service of the University*  
108 *of Virginia.*

109 **§ 33.2-3706. Annual budget and allocation of expenses.**

110 *A. The Authority shall adopt an annual budget and develop a funding plan and shall provide for*  
111 *such adoption in its bylaws. The funding plan shall provide for the expenditure of funds over a*  
112 *four-to-six-year period and shall align with the Statewide Transportation Plan established pursuant to*  
113 *§ 33.2-353, the long-range transportation plan of Planning District 15, or the long-range transportation*  
114 *plans of participating localities as much as possible. The Authority shall solicit public comment on its*  
115 *budget and funding plan by posting a summary of such budget and funding plan on its website and*  
116 *holding a public hearing. Such public hearing shall be advertised on the Authority's website and in a*  
117 *newspaper of general circulation in Planning District 15.*

118 *B. The administrative and operating expenses of the Authority shall be provided in an annual budget*  
119 *adopted by the Authority and to the extent funds for such expenses are not provided from other sources*  
120 *shall be paid from the Fund. Such budget shall be limited solely to the administrative and operating*

121 expenses of the Authority and shall not include any funds for construction or acquisition of  
122 transportation facilities or the performance of any transportation service.

123 C. Members may be reimbursed for all reasonable and necessary expenses provided in §§ 2.2-2813  
124 and 2.2-2825, if approved by the Authority. Funding for the costs of compensation and expenses of the  
125 members shall be provided by the Authority.

126 **§ 33.2-3707. Authority to issue bonds.**

127 The Authority may issue bonds and other evidences of debt as may be authorized by this section or  
128 other law. The provisions of Article 5 (§ 33.2-1920 et seq.) of Chapter 19 shall apply, mutatis mutandis,  
129 to the issuance of such bonds or other debt. The Authority may issue bonds or other debt in such  
130 amounts as it deems appropriate. The bonds may be supported by any funds available.

131 **§ 33.2-3708. Powers of the Authority.**

132 A. The Authority shall have the following powers together with all powers incidental thereto or  
133 necessary for the performance of those hereinafter stated:

134 1. To sue and be sued and to prosecute and defend, at law or in equity, in any court having  
135 jurisdiction of the subject matter and of the parties;

136 2. To adopt and use a corporate seal and to alter the same at its pleasure;

137 3. To procure insurance, participate in insurance plans, and provide self-insurance; however, the  
138 purchase of insurance, participation in an insurance plan, or the creation of a self-insurance plan by  
139 the Authority shall not be deemed a waiver or relinquishment of any sovereign immunity to which the  
140 Authority or its officers, directors, employees, or agents are otherwise entitled;

141 4. To establish bylaws and make all rules and regulations, not inconsistent with the provisions of this  
142 chapter, deemed expedient for the management of the Authority's affairs;

143 5. To apply for and accept money, materials, contributions, grants, or other financial assistance from  
144 the United States and agencies or instrumentalities thereof, the Commonwealth and any political  
145 subdivision, agency, or instrumentality of the Commonwealth, and any legitimate private source;

146 6. To acquire real and personal property or any interest therein by purchase, lease, gift, or  
147 otherwise for purposes consistent with this chapter and to hold, encumber, sell, or otherwise dispose of  
148 such land or interest for purposes consistent with this chapter;

149 7. To acquire by purchase, lease, contract, or otherwise, highways, bridges, or tunnels and to  
150 construct the same by purchase, lease, contract, or otherwise;

151 8. In consultation with the Commonwealth Transportation Board for projects that encompass a state  
152 highway, and with each city or county in which the facility or any part thereof is or is to be located, to  
153 repair, expand, enlarge, construct, reconstruct, or renovate any or all highways, bridges, and tunnels  
154 within Planning District 15 and to acquire any real or personal property needed for any such purpose;

155 9. To enter into agreements or leases with public or private entities for the operation and  
156 maintenance of bridges, transit and rail facilities, and highways;

157 10. To make and execute contracts, deeds, mortgages, leases, and all other instruments and  
158 agreements necessary or convenient for the performance of its duties and the exercise of its powers and  
159 functions under this chapter;

160 11. To the extent funds are made or become available to the Authority to do so, to employ  
161 employees, agents, advisors, and consultants, including without limitation attorneys, financial advisers,  
162 engineers, and other technical advisers and, the provisions of any other law to the contrary  
163 notwithstanding, to determine their duties and compensation; and

164 12. To the extent not inconsistent with the other provisions of this chapter, and without limiting or  
165 restricting the powers otherwise given the Authority, to exercise all of the powers given to  
166 transportation district commissions by § 33.2-1919.

167 B. The Authority shall comply with the provisions governing localities contained in § 15.2-2108.23.

168 **§ 33.2-3709. Additional Powers of the Authority.**

169 Notwithstanding any contrary provision of this title and in accordance with all applicable federal  
170 statutes and requirements, the Authority shall control and operate and may impose and collect tolls in  
171 amounts established by the Authority for the use of any new or improved highway, bridge, or tunnel, to  
172 increase capacity on such facility or to address congestion within Planning District 15, constructed by  
173 the Commission (i) with federal, state, or local funds, (ii) solely with revenues of the Authority, or (iii)  
174 with revenues under the control of the Authority. The amount of any such toll may be varied from  
175 facility to facility, by lane, by congestion levels, by day of the week, by time of day, by type or size of  
176 vehicle, by number of axles, or by any similar combination thereof or any other factor the Authority  
177 may deem proper, and a reduced rate may be established for commuters as defined by the Authority. All  
178 such tolls shall be used for programs and projects that are reasonably related to or benefit the users of  
179 the new or improved highway, bridge, or tunnel, including, but not limited to, for the debt service and  
180 other costs of bonds whose proceeds are used for construction or improvement of such highway, bridge,  
181 or tunnel.

182 Any tolls imposed by the Authority shall be collected by an electronic toll system that, to the extent  
 183 possible, shall not impede the traffic flow of the facility or prohibit a toll facility from retaining means  
 184 of nonautomated toll collection in some lanes of the facility. For all facilities tolled by the Authority,  
 185 there shall be signs erected prior to the point of toll collection that clearly state how the majority of the  
 186 toll revenue is being spent by the Authority to benefit the users of the facility.

187 **§ 33.2-3710. Authority a responsible public entity under Public-Private Transportation Act of 1995.**

188 The Authority is a responsible public entity as defined in § 33.2-1800 and shall be regulated in  
 189 accordance with the terms of the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) and  
 190 regulations and guidelines adopted pursuant thereto.

191 **§ 33.2-3711. Continuing responsibilities of the Commonwealth Transportation Board and the**  
 192 **Department of Transportation.**

193 Except as otherwise explicitly provided in this chapter, until such time as the Authority and the  
 194 Department of Transportation, or the Authority and the Commonwealth Transportation Board, agree  
 195 otherwise in writing, the Commonwealth Transportation Board shall allocate funding to and the  
 196 Department of Transportation shall perform or cause to be performed all maintenance and operation of  
 197 the bridges and roadways and shall perform such other required services and activities with respect to  
 198 such bridges and roadways as were being performed on July 1, 2020.

199 **§ 33.2-3712. Continued responsibilities for local transit funding.**

200 No locality embraced by the Authority shall reduce its funding for public transit by more than 50  
 201 percent of what it appropriated for public transit as of June 30, 2019.

202 **§ 33.2-3713. Use of revenues by the Authority.**

203 Notwithstanding any other provision of this chapter, all moneys received by the Authority shall be  
 204 used by the Authority solely for the benefit of those counties, cities, and towns that are embraced by the  
 205 Authority, and such moneys shall be used by the Authority in a manner that is consistent with the  
 206 purposes stated in this chapter.

207 **§ 58.1-603.1. (For contingent expiration date, see Acts 2013, c. 766) Additional state sales tax in**  
 208 **certain counties and cities.**

209 A. In addition to the sales tax imposed pursuant to § 58.1-603, there is hereby levied and imposed in  
 210 each county and city located in a Planning District established pursuant to Chapter 42 (§ 15.2-4200 et  
 211 seq.) of Title 15.2 that (i) as of January 1, 2013, has a population of 1.5 million or more as shown by  
 212 the most recent United States Census, has not less than 1.2 million motor vehicles registered therein, and  
 213 has a total transit ridership of not less than 15 million riders per year across all transit systems within  
 214 the Planning District or (ii) as shown by the most recent United States Census meets the population  
 215 criteria set forth in clause (i) and also meets the vehicle registration and ridership criteria set forth in  
 216 clause (i), a retail sales tax at the rate of 0.70 percent. In any case in which the tax is imposed pursuant  
 217 to clause (ii) such tax shall be effective beginning on the July 1 immediately following the calendar year  
 218 in which all of the criteria have been met.

219 B. In addition to the sales tax imposed pursuant to § 58.1-603, there is hereby levied and imposed in  
 220 each county and city located in Planning District 15 established pursuant to Chapter 42 (§ 15.2-4200 et  
 221 seq.) of Title 15.2 a retail sales tax at the rate of 0.70 percent. In no case shall an additional sales tax  
 222 be imposed pursuant to both clause (ii) of subsection A and this subsection.

223 ~~Such~~ C. The tax imposed pursuant to subsections A and B shall not be levied upon food purchased  
 224 for human consumption and essential personal hygiene products, as such terms are defined in  
 225 § 58.1-611.1. Such tax shall be added to the rate of the state sales tax imposed pursuant to § 58.1-603 in  
 226 each such county and city and shall be subject to all the provisions of this chapter and the rules and  
 227 regulations published with respect thereto. No discount under § 58.1-622 shall be allowed for the tax  
 228 imposed under this section. Such tax shall be administered and collected by the Tax Commissioner in  
 229 the same manner and subject to the same penalties as provided for the state sales tax under § 58.1-603.

230 D. The revenue generated and collected pursuant to the tax authorized under this section, less the  
 231 applicable portion of any refunds to taxpayers, shall be deposited by the Comptroller into special funds  
 232 established by law. In the case of Planning District 8, the revenue generated and collected therein shall  
 233 be deposited into the fund established in § 33.2-2509. In the case of Planning District 23, the revenue  
 234 generated and collected therein shall be deposited into the fund established in § 33.2-2600. In the case  
 235 of Planning District 15, the revenue generated and collected therein shall be deposited into the fund  
 236 established in § 33.2-3701. For additional ~~Planning Districts~~ ~~planning districts~~ that may become subject  
 237 to this section, funds shall be established by appropriate legislation.

238 **§ 58.1-604.01. (For contingent expiration date, see Acts 2013, c. 766) Additional state use tax in**  
 239 **certain counties and cities.**

240 A. In addition to the use tax imposed pursuant to § 58.1-604, there is hereby levied and imposed in  
 241 each county and city located in a Planning District established pursuant to Chapter 42 (§ 15.2-4200 et  
 242 seq.) of Title 15.2 that (i) as of January 1, 2013, has a population of 1.5 million or more, as shown by  
 243 the most recent United States Census, has not less than 1.2 million motor vehicles registered therein, and

244 has a total transit ridership of not less than 15 million riders per year across all transit systems within  
 245 the Planning District or (ii) as shown by the most recent United States Census meets the population  
 246 criteria set forth in clause (i) and also meets the vehicle registration and ridership criteria set forth in  
 247 clause (i), a retail use tax at the rate of 0.70 percent. In any case in which the tax is imposed pursuant  
 248 to clause (ii) such tax shall be effective beginning on the July 1 immediately following the calendar year  
 249 in which all of the criteria have been met.

250 *B. In addition to the sales tax imposed pursuant to § 58.1-603, there is hereby levied and imposed in*  
 251 *each county and city located in Planning District 15 established pursuant to Chapter 42 (§ 15.2-4200 et*  
 252 *seq.) of Title 15.2 a retail use tax at the rate of 0.70 percent. In no case shall an additional use tax be*  
 253 *imposed pursuant to both clause (ii) of subsection A and this subsection.*

254 *Such C. The tax imposed pursuant to subsections A and B shall not be levied upon food purchased*  
 255 *for human consumption and essential personal hygiene products, as such terms are defined in*  
 256 *§ 58.1-611.1. Such tax shall be added to the rate of the state use tax imposed pursuant to § 58.1-604 in*  
 257 *such county and city and shall be subject to all the provisions of this chapter and the rules and*  
 258 *regulations published with respect thereto. No discount under § 58.1-622 shall be allowed for the tax*  
 259 *described under this section. Such tax shall be administered and collected by the Tax Commissioner in*  
 260 *the same manner and subject to the same penalties as provided for the state use tax under § 58.1-604.*

261 *D. The revenue generated and collected pursuant to the tax authorized under this section, less the*  
 262 *applicable portion of any refunds to taxpayers, shall be deposited by the Comptroller into special funds*  
 263 *established by law. In the case of Planning District 8, the revenue generated and collected therein shall*  
 264 *be deposited into the fund established in § 33.2-2509. In the case of Planning District 23, the revenue*  
 265 *generated and collected therein shall be deposited into the fund established in § 33.2-2600. In the case*  
 266 *of Planning District 15, the revenue generated and collected therein shall be deposited into the fund*  
 267 *established in § 33.2-3701. For any additional ~~Planning Districts~~ *planning districts* that may become  
 268 subject to this section, funds shall be established by appropriate legislation.*

269 **§ 58.1-638. Disposition of state sales and use tax revenue.**

270 A. The Comptroller shall designate a specific revenue code number for all the state sales and use tax  
 271 revenue collected under the preceding sections of this chapter.

272 1. The sales and use tax revenue generated by the one-half percent sales and use tax increase enacted  
 273 by the 1986 Special Session of the General Assembly shall be paid, in the manner hereinafter provided  
 274 in this section, to the Transportation Trust Fund as defined in § 33.2-1524. Of the funds paid to the  
 275 Transportation Trust Fund, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port  
 276 Fund as provided in this section; an aggregate of 2.4 percent shall be set aside as the Commonwealth  
 277 Airport Fund as provided in this section; and an aggregate of 14.7 percent shall be set aside as the  
 278 Commonwealth Mass Transit Fund as provided in this section. The Fund's share of such net revenue  
 279 shall be computed as an estimate of the net revenue to be received into the state treasury each month,  
 280 and such estimated payment shall be adjusted for the actual net revenue received in the preceding  
 281 month. All payments shall be made to the Fund on the last day of each month.

282 2. There is hereby created in the Department of the Treasury a special nonreverting fund which shall  
 283 be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Port Fund.

284 a. The Commonwealth Port Fund shall be established on the books of the Comptroller and the funds  
 285 remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in  
 286 the Fund. Interest earned on such funds shall remain in the Fund and be credited to it. Funds may be  
 287 paid to any authority, locality or commission for the purposes hereinafter specified.

288 b. The amounts allocated pursuant to this section shall be allocated by the Commonwealth  
 289 Transportation Board to the Board of Commissioners of the Virginia Port Authority to be used to  
 290 support port capital needs and the preservation of existing capital needs of all ocean, river, or tributary  
 291 ports within the Commonwealth. Expenditures for such capital needs are restricted to those capital  
 292 projects specified in subsection B of § 62.1-132.1.

293 c. Commonwealth Port Fund revenue shall be allocated by the Board of Commissioners to the  
 294 Virginia Port Authority in order to foster and stimulate the flow of maritime commerce through the  
 295 ports of Virginia, including but not limited to the ports of Richmond, Hopewell, and Alexandria.

296 3. There is hereby created in the Department of the Treasury a special nonreverting fund which shall  
 297 be part of the Transportation Trust Fund and which shall be known as the Commonwealth Airport Fund.  
 298 The Commonwealth Airport Fund shall be established on the books of the Comptroller and any funds  
 299 remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in  
 300 the Fund. Interest earned on the funds shall be credited to the Fund. The funds so allocated shall be  
 301 allocated by the Commonwealth Transportation Board to the Virginia Aviation Board. The funds shall  
 302 be allocated by the Virginia Aviation Board to any Virginia airport which is owned by the  
 303 Commonwealth, a governmental subdivision thereof, or a private entity to which the public has access  
 304 for the purposes enumerated in § 5.1-2.16, or is owned or leased by the Metropolitan Washington

305 Airports Authority (MWAA), as follows:

306 Any new funds in excess of \$12.1 million which are available for allocation by the Virginia Aviation  
307 Board from the Commonwealth Transportation Fund, shall be allocated as follows: 60 percent to  
308 MWAA, up to a maximum annual amount of \$2 million, and 40 percent to air carrier airports as  
309 provided in subdivision A 3 a. Except for adjustments due to changes in enplaned passengers, no air  
310 carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision A 3 a  
311 than it received in fiscal year 1994-1995.

312 Of the remaining amount:

313 a. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or leased  
314 by MWAA, based upon the percentage of enplanements for each airport to total enplanements at all air  
315 carrier airports, except airports owned or leased by MWAA. No air carrier airport sponsor, however,  
316 shall receive less than \$50,000 nor more than \$2 million per year from this provision.

317 b. Sixty percent of the funds shall be allocated as follows:

318 (1) For the first six months of each fiscal year, the funds shall be allocated as follows:

319 (a) Forty percent of the funds shall be allocated by the Aviation Board for air carrier and reliever  
320 airports on a discretionary basis, except airports owned or leased by MWAA; and

321 (b) Twenty percent of the funds shall be allocated by the Aviation Board for general aviation airports  
322 on a discretionary basis; and

323 (2) For the second six months of each fiscal year, all remaining funds shall be allocated by the  
324 Aviation Board for all eligible airports on a discretionary basis, except airports owned or leased by  
325 MWAA.

326 3a. There is hereby created in the Department of the Treasury a special nonreverting fund that shall  
327 be a part of the Transportation Trust Fund and that shall be known as the Commonwealth Space Flight  
328 Fund. The Commonwealth Space Flight Fund shall be established on the books of the Comptroller and  
329 the funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall  
330 remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

331 a. The amounts allocated to the Commonwealth Space Flight Fund pursuant to § 33.2-1526 shall be  
332 allocated by the Commonwealth Transportation Board to the Board of Directors of the Virginia  
333 Commercial Space Flight Authority to be used to support the capital needs, maintenance, and operating  
334 costs of any and all facilities owned and operated by the Virginia Commercial Space Flight Authority.

335 b. Commonwealth Space Flight Fund revenue shall be allocated by the Board of Directors to the  
336 Virginia Commercial Space Flight Authority in order to foster and stimulate the growth of the  
337 commercial space flight industry in Virginia.

338 4. There is hereby created in the Department of the Treasury a special nonreverting fund which shall  
339 be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Mass  
340 Transit Fund.

341 a. The Commonwealth Mass Transit Fund shall be established on the books of the Comptroller and  
342 any funds remaining in such Fund at the end of the biennium shall not revert to the general fund but  
343 shall remain in the Fund. Interest earned on such funds shall be credited to the Fund.

344 b. The amounts allocated pursuant to § 33.2-1526.1 shall be used to support the operating, capital,  
345 and administrative costs of public transportation at a state share determined by the Commonwealth  
346 Transportation Board, and these amounts may be used to support the capital project costs of public  
347 transportation and ridesharing equipment, facilities, and associated costs at a state share determined by  
348 the Commonwealth Transportation Board. Capital costs may include debt service payments on local or  
349 agency transit bonds.

350 c. There is hereby created in the Department of the Treasury a special nonreverting fund known as  
351 the Commonwealth Transit Capital Fund. The Commonwealth Transit Capital Fund shall be part of the  
352 Commonwealth Mass Transit Fund. The Commonwealth Transit Capital Fund subaccount shall be  
353 established on the books of the Comptroller and consist of such moneys as are appropriated to it by the  
354 General Assembly and of all donations, gifts, bequests, grants, endowments, and other moneys given,  
355 bequeathed, granted, or otherwise made available to the Commonwealth Transit Capital Fund. Any funds  
356 remaining in the Commonwealth Transit Capital Fund at the end of the biennium shall not revert to the  
357 general fund, but shall remain in the Commonwealth Transit Capital Fund. Interest earned on funds  
358 within the Commonwealth Transit Capital Fund shall remain in and be credited to the Commonwealth  
359 Transit Capital Fund. Proceeds of the Commonwealth Transit Capital Fund may be paid to any political  
360 subdivision, another public entity created by an act of the General Assembly, or a private entity as  
361 defined in § 33.2-1800 and for purposes as enumerated in subdivision 7 of § 33.2-1701 or expended by  
362 the Department of Rail and Public Transportation for the purposes specified in this subdivision.  
363 Revenues of the Commonwealth Transit Capital Fund shall be used to support capital expenditures  
364 involving the establishment, improvement, or expansion of public transportation services through specific  
365 projects approved by the Commonwealth Transportation Board. The Commonwealth Transit Capital  
366 Fund shall not be allocated without requiring a local match from the recipient.

367 B. The sales and use tax revenue generated by a one percent sales and use tax shall be distributed  
368 among the counties and cities of the Commonwealth in the manner provided in subsections C and D.

369 C. The localities' share of the net revenue distributable under this section among the counties and  
370 cities shall be apportioned by the Comptroller and distributed among them by warrants of the  
371 Comptroller drawn on the Treasurer of Virginia as soon as practicable after the close of each month  
372 during which the net revenue was received into the state treasury. The distribution of the localities' share  
373 of such net revenue shall be computed with respect to the net revenue received into the state treasury  
374 during each month, and such distribution shall be made as soon as practicable after the close of each  
375 such month.

376 D. The net revenue so distributable among the counties and cities shall be apportioned and  
377 distributed upon the basis of the latest yearly estimate of the population of cities and counties ages five  
378 to 19, provided by the Weldon Cooper Center for Public Service of the University of Virginia. Such  
379 population estimate produced by the Weldon Cooper Center for Public Service of the University of  
380 Virginia shall account for persons who are domiciled in orphanages or charitable institutions or who are  
381 dependents living on any federal military or naval reservation or other federal property within the school  
382 division in which the institutions or federal military or naval reservation or other federal property is  
383 located. Such population estimate produced by the Weldon Cooper Center for Public Service of the  
384 University of Virginia shall account for members of the military services who are under 20 years of age  
385 within the school division in which the parents or guardians of such persons legally reside. Such  
386 population estimate produced by the Weldon Cooper Center for Public Service of the University of  
387 Virginia shall account for individuals receiving services in state hospitals, state training centers, or  
388 mental health facilities, persons who are confined in state or federal correctional institutions, or persons  
389 who attend the Virginia School for the Deaf and the Blind within the school division in which the  
390 parents or guardians of such persons legally reside. Such population estimate produced by the Weldon  
391 Cooper Center for Public Service of the University of Virginia shall account for persons who attend  
392 institutions of higher education within the school division in which the student's parents or guardians  
393 legally reside. To such estimate, the Department of Education shall add the population of students with  
394 disabilities, ages two through four and 20 through 21, as provided to the Department of Education by  
395 school divisions. The revenue so apportionable and distributable is hereby appropriated to the several  
396 counties and cities for maintenance, operation, capital outlays, debt and interest payments, or other  
397 expenses incurred in the operation of the public schools, which shall be considered as funds raised from  
398 local resources. In any county, however, wherein is situated any incorporated town constituting a school  
399 division, the county treasurer shall pay into the town treasury for maintenance, operation, capital outlays,  
400 debt and interest payments, or other expenses incurred in the operation of the public schools, the proper  
401 proportionate amount received by him in the ratio that the school population of such town bears to the  
402 school population of the entire county. If the school population of any city or of any town constituting a  
403 school division is increased by the annexation of territory since the last estimate of school population  
404 provided by the Weldon Cooper Center for Public Service, such increase shall, for the purposes of this  
405 section, be added to the school population of such city or town as shown by the last such estimate and a  
406 proper reduction made in the school population of the county or counties from which the annexed  
407 territory was acquired.

408 E. Beginning July 1, 2000, of the remaining sales and use tax revenue, the revenue generated by a  
409 two percent sales and use tax, up to an annual amount of \$13 million, collected from the sales of  
410 hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment,  
411 wildlife-watching equipment, and auxiliary wildlife-watching equipment in Virginia, as estimated by the  
412 most recent U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of  
413 Commerce, Bureau of the Census National Survey of Fishing, Hunting, and Wildlife-Associated  
414 Recreation, shall be paid into the Game Protection Fund established under § 29.1-101 and shall be used,  
415 in part, to defray the cost of law enforcement. Not later than 30 days after the close of each quarter, the  
416 Comptroller shall transfer to the Game Protection Fund the appropriate amount of collections to be  
417 dedicated to such Fund. At any time that the balance in the Capital Improvement Fund, established  
418 under § 29.1-101.01, is equal to or in excess of \$35 million, any portion of sales and use tax revenues  
419 that would have been transferred to the Game Protection Fund, established under § 29.1-101, in excess  
420 of the net operating expenses of the Board, after deduction of other amounts which accrue to the Board  
421 and are set aside for the Game Protection Fund, shall remain in the general fund until such time as the  
422 balance in the Capital Improvement Fund is less than \$35 million.

423 F. 1. Of the net revenue generated from the one-half percent increase in the rate of the state sales  
424 and use tax effective August 1, 2004, pursuant to enactments of the 2004 Special Session I of the  
425 General Assembly, the Comptroller shall transfer from the general fund of the state treasury to the  
426 Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under  
427 § 58.1-638.1 an amount equivalent to one-half of the net revenue generated from such one-half percent

428 increase as provided in this subdivision. The transfers to the Public Education Standards of  
 429 Quality/Local Real Estate Property Tax Relief Fund under this subdivision shall be for one-half of the  
 430 net revenue generated (and collected in the succeeding month) from such one-half percent increase for  
 431 the month of August 2004 and for each month thereafter.

432 2. Beginning July 1, 2013, of the remaining sales and use tax revenue, an amount equal to the  
 433 revenue generated by a 0.125 percent sales and use tax shall be distributed to the Public Education  
 434 Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1, and be  
 435 used for the state's share of Standards of Quality basic aid payments.

436 3. For the purposes of the Comptroller making the required transfers under subdivision 1 and 2, the  
 437 Tax Commissioner shall make a written certification to the Comptroller no later than the twenty-fifth of  
 438 each month certifying the sales and use tax revenues generated in the preceding month. Within three  
 439 calendar days of receiving such certification, the Comptroller shall make the required transfers to the  
 440 Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund.

441 G. (Contingent expiration date) Beginning July 1, 2013, of the remaining sales and use tax revenue,  
 442 an amount equal to the following percentages of the revenue generated by a one-half percent sales and  
 443 use tax, such as that paid to the Transportation Trust Fund as provided in subdivision A 1, shall be paid  
 444 to the Highway Maintenance and Operating Fund established pursuant to § 33.2-1530:

- 445 1. For fiscal year 2014, an amount equal to 10 percent;
- 446 2. For fiscal year 2015, an amount equal to 20 percent;
- 447 3. For fiscal year 2016, an amount equal to 30 percent; and
- 448 4. For fiscal year 2017 and thereafter, an amount equal to 35 percent.

449 The Highway Maintenance and Operating Fund's share of the net revenue distributable under this  
 450 subsection shall be computed as an estimate of the net revenue to be received into the state treasury  
 451 each month, and such estimated payment shall be adjusted for the actual net revenue received in the  
 452 preceding month. All payments shall be made to the Fund on the last day of each month.

453 H. (Contingent expiration date) 1. The additional revenue generated by increases in the state sales  
 454 and use tax from Planning District 8 pursuant to §§ 58.1-603.1, 58.1-604.01, 58.1-604.1, and 58.1-614  
 455 shall be deposited by the Comptroller in the fund established under § 33.2-2509.

456 2. The additional revenue generated by increases in the state sales and use tax from Planning District  
 457 23 pursuant to §§ 58.1-603.1, 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited by the  
 458 Comptroller in the fund established under § 33.2-2600.

459 3. *The additional revenue generated by increases in the state sales and use tax from Planning*  
 460 *District 15 pursuant to §§ 58.1-603.1, 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited by the*  
 461 *Comptroller in the fund established under § 33.2-3701.*

462 4. The additional revenue generated by increases in the state sales and use tax in any other Planning  
 463 District pursuant to §§ 58.1-603.1, 58.1-604.01, 58.1-604.1, and 58.1-614 shall be deposited into special  
 464 funds that shall be established by appropriate legislation.

465 4. 5. The net revenues distributable under this subsection shall be computed as an estimate of the net  
 466 revenue to be received by the state treasury each month, and such estimated payment shall be adjusted  
 467 for the actual net revenue received in the preceding month. All payments shall be made to the  
 468 appropriate funds on the last day of each month.

469 I. (For contingent expiration date, see Acts 2018, c. 850) The additional revenue generated by  
 470 increases in the state sales and use tax from the Historic Triangle pursuant to § 58.1-603.2 shall be  
 471 deposited by the Comptroller as follows: (i) 50 percent shall be deposited into the Historic Triangle  
 472 Marketing Fund established pursuant to subsection E of § 58.1-603.2; and (ii) 50 percent shall be  
 473 deposited in the special fund created pursuant to subdivision D 2 of § 58.1-603.2 and distributed to the  
 474 localities in which the revenues were collected. The net revenues distributable under this subsection shall  
 475 be computed as an estimate of the net revenues to be received by the state treasury each month, and  
 476 such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All  
 477 payments shall be made to the appropriate funds on the last day of each month.

478 J. Beginning July 1, 2020, the first \$40 million of sales and use taxes remitted by online retailers  
 479 with a physical nexus established pursuant to subsection D of § 58.1-612 shall be deposited into the  
 480 Major Headquarters Workforce Grant Fund established pursuant to § 59.1-284.31.

481 K. If errors are made in any distribution, or adjustments are otherwise necessary, the errors shall be  
 482 corrected and adjustments made in the distribution for the next quarter or for subsequent quarters.

483 L. The term "net revenue," as used in this section, means the gross revenue received into the general  
 484 fund or the Transportation Trust Fund of the state treasury under the preceding sections of this chapter,  
 485 less refunds to taxpayers.

486 **§ 58.1-2295.2. Levy of tax in certain counties and cities.**

487 A. *In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every*  
 488 *distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in*  
 489 *any county or city located in Planning District 15, as established pursuant to Chapter 42 (§ 15.2-4200)*

490 in which a tax is not imposed pursuant to the provisions of § 58.1-2295 or 58.1-2295.1.

491 B. 1. The tax shall be imposed on each gallon of fuel, other than diesel fuel, sold by a distributor to  
 492 a retail dealer for retail sale in any such county or city described in subsection A at a rate of 2.1  
 493 percent of the statewide average distributor price of a gallon of unleaded regular gasoline as  
 494 determined by the Commissioner pursuant to subdivision C 1. For alternative fuels other than liquid  
 495 alternative fuels, the Commissioner shall determine an equivalent tax rate based on gasoline gallon  
 496 equivalency.

497 2. The tax shall be imposed on each gallon of diesel fuel sold by a distributor to a retail dealer for  
 498 retail sale in any such county or city described in subsection A at a rate of 2.1 percent of the statewide  
 499 average distributor price of a gallon of diesel fuel as determined by the Commissioner pursuant to  
 500 subdivision C 2.

501 C. 1. To determine the statewide average distributor price of a gallon of unleaded regular gasoline,  
 502 the Commissioner shall use the period from June 1 through November 30, inclusive, as the base period  
 503 for such determination for the immediately following period beginning January 1 and ending June 30,  
 504 inclusive. The Commissioner shall use the period from December 1 through May 31, inclusive, as the  
 505 base period for the determination of the rate of tax for the immediately following period beginning July  
 506 1 and ending December 31, inclusive. In no case shall the statewide average distributor price of a  
 507 gallon of unleaded regular gasoline determined for purposes of this section be less than the statewide  
 508 average wholesale price of a gallon of unleaded regular gasoline on February 20, 2013, plus a  
 509 distributor charge calculated by the Commissioner for that date.

510 2. To determine the statewide average distributor price of a gallon of diesel fuel, the Commissioner  
 511 shall use the period from June 1 through November 30, inclusive, as the base period for such  
 512 determination for the immediately following period beginning January 1 and ending June 30, inclusive.  
 513 The Commissioner shall use the period from December 1 through May 31, inclusive, as the base period  
 514 for the determination of the rate of tax for the immediately following period beginning July 1 and  
 515 ending December 31, inclusive. In no case shall the statewide average distributor price of a gallon of  
 516 diesel fuel determined for purposes of this section be less than the statewide average wholesale price of  
 517 a gallon of diesel fuel on February 20, 2013, plus a distributor charge calculated by the Commissioner  
 518 for that date.

519 D. The tax levied under this section shall be imposed at the time of sale by the distributor to the  
 520 retail dealer.

521 E. The tax imposed by this section shall be paid by the distributor, but the distributor shall  
 522 separately state the amount of the tax and add such tax to the price or charge. Thereafter, such tax  
 523 shall be debt from the retail dealer to the distributor until paid and shall be recoverable at law in the  
 524 same manner as other debts. No action at law or suit in equity under this chapter shall be maintained  
 525 in the Commonwealth by any distributor who is not registered under § 58.1-2299.2 or is delinquent in  
 526 the payment of taxes imposed under this chapter.

527 F. Nothing in this section shall be construed to exempt the imposition and remittance of tax pursuant  
 528 to this section in a sale to a retail dealer in which the distributor and the retail dealer are the same  
 529 person.

530 **§ 58.1-2299.20. (Contingent expiration dates) Disposition of tax revenues.**

531 A. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 532 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in clause (i) of  
 533 subdivision A 1 of § 58.1-2295, after subtraction of the direct costs of administration by the Department,  
 534 shall be deposited each month as follows:

535 1. One-twelfth of an amount determined by multiplying \$15 million by a fraction, the numerator of  
 536 which shall be such transportation district's share of funding for the commuter rail service jointly  
 537 operated by the two transportation districts and the denominator of which shall be the total funding  
 538 share for such commuter rail service, shall be deposited in the Commuter Rail Operating and Capital  
 539 Fund established pursuant to § 33.2-3500;

540 2. a. Until June 30, 2019, an amount equal to the increase in taxes, interest, and civil penalties paid  
 541 to the Commissioner each month, compared with the same month for fiscal year 2018, minus any  
 542 amounts deposited pursuant to subdivision 1, shall be deposited into the Washington Metropolitan Area  
 543 Transit Capital Fund established pursuant to § 33.2-3401; and

544 b. Beginning on July 1, 2019, an amount equal to one-twelfth of the increase in taxes, interest, and  
 545 civil penalties paid to the Commissioner in fiscal year 2019 compared to fiscal year 2018, minus any  
 546 amounts deposited pursuant to subdivision A 1, shall be deposited in the Washington Metropolitan Area  
 547 Transit Authority Capital Fund established pursuant to § 33.2-3401; and

548 3. All remaining funds shall be deposited in a special fund entitled the "Special Fund Account of the  
 549 Transportation District of \_\_\_\_\_." The amounts deposited in the special fund shall be distributed  
 550 monthly to the applicable transportation district commission of which the county or city is a member to

551 be applied to the operating deficit, capital, and debt service of the mass transit system of such district  
 552 or, in the case of a transportation district subject to the provisions of subsection C of § 33.2-1915, to be  
 553 applied to and expended for any transportation purpose of such district. In the case of a jurisdiction  
 554 which, after July 1, 1989, joins a transportation district which was established on or before January 1,  
 555 1986, and is also subject to subsection C of § 33.2-1915, the funds collected from that jurisdiction shall  
 556 be applied to and expended for any transportation purpose of such jurisdiction.

557 B. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 558 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in clause (ii) of  
 559 subdivision A 1 of § 58.1-2295, after subtraction of the direct costs of administration by the Department,  
 560 shall be deposited each month as follows:

561 1. One-twelfth of an amount determined by multiplying \$15 million by a fraction, the numerator of  
 562 which shall be such transportation district's share of funding for the commuter rail service jointly  
 563 operated by the two transportation districts and the denominator of which shall be the total funding  
 564 share for such commuter rail service, shall be deposited in the Commuter Rail Operating and Capital  
 565 Fund established pursuant to § 33.2-3500; and

566 2. All remaining funds shall be deposited in a special fund entitled the "Special Fund Account of the  
 567 Transportation District of \_\_\_\_\_." The amounts deposited in the special fund shall be distributed  
 568 monthly to the applicable transportation district commission of which the county or city is a member to  
 569 be applied to the operating deficit, capital, and debt service of the mass transit system of such district  
 570 or, in the case of a transportation district subject to the provisions of subsection C of § 33.2-1915, to be  
 571 applied to and expended for any transportation purpose of such district. In the case of a jurisdiction  
 572 which, after July 1, 1989, joins a transportation district that was established on or before January 1,  
 573 1986, and is also subject to subsection C of § 33.2-1915, the funds collected from that jurisdiction shall  
 574 be applied to and expended for any transportation purpose of such jurisdiction.

575 C. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 576 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in subdivision A  
 577 2 of § 58.1-2295, after subtraction of the direct costs of administration by the Department, shall be  
 578 deposited into special funds established by law. In the case of Planning District 23, the revenue  
 579 generated and collected therein shall be deposited into the fund established in § 33.2-2600. For  
 580 additional Planning Districts that may become subject to this section, funds shall be established by  
 581 appropriate legislation.

582 D. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 583 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in § 58.1-2295.1,  
 584 after subtraction of the direct costs of administration by the Department, shall be deposited into the  
 585 Interstate 81 Corridor Improvement Fund established pursuant to Chapter 36 (§ 33.2-3600) of Title 33.2.

586 E. *All taxes, interest, and civil penalties paid to the Commonwealth pursuant to this chapter for the*  
 587 *sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in § 58.1-2295.2,*  
 588 *after subtraction of the direct costs of administration by the Department, shall be deposited into the*  
 589 *fund established pursuant to § 33.2-3701.*

590 F. The direct cost of administration of this section shall be credited to the funds appropriated to the  
 591 Department.

592 **§ 58.1-2299.20. (For contingent effective date, see Acts 2019, cc. 837 and 846) Disposition of tax**  
 593 **revenues.**

594 A. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 595 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in clause (i) of  
 596 subdivision A 1 of § 58.1-2295, after subtraction of the direct costs of administration by the Department,  
 597 shall be deposited each month as follows:

598 1. One-twelfth of an amount determined by multiplying \$15 million by a fraction, the numerator of  
 599 which shall be such transportation district's share of funding for the commuter rail service jointly  
 600 operated by the two transportation districts and the denominator of which shall be the total funding  
 601 share for such commuter rail service, shall be deposited in the Commuter Rail Operating and Capital  
 602 Fund established pursuant to § 33.2-3500;

603 2. a. Until June 30, 2019, an amount equal to the increase in taxes, interest, and civil penalties paid  
 604 to the Commissioner each month, compared with the same month for fiscal year 2018, minus any  
 605 amounts deposited pursuant to subdivision 1, shall be deposited into the Washington Metropolitan Area  
 606 Transit Capital Fund established pursuant to § 33.2-3401; and

607 b. Beginning on July 1, 2019, an amount equal to one-twelfth of the increase in taxes, interest, and  
 608 civil penalties paid to the Commissioner in fiscal year 2019 compared to fiscal year 2018, minus any  
 609 amounts deposited pursuant to subdivision A 1, shall be deposited in the Washington Metropolitan Area  
 610 Transit Authority Capital Fund established pursuant to § 33.2-3401; and

611 3. All remaining funds shall be deposited in a special fund entitled the "Special Fund Account of the  
 612 Transportation District of \_\_\_\_\_." The amounts deposited in the special fund shall be distributed

613 monthly to the applicable transportation district commission of which the county or city is a member to  
 614 be applied to the operating deficit, capital, and debt service of the mass transit system of such district  
 615 or, in the case of a transportation district subject to the provisions of subsection C of § 33.2-1915, to be  
 616 applied to and expended for any transportation purpose of such district. In the case of a jurisdiction  
 617 which, after July 1, 1989, joins a transportation district which was established on or before January 1,  
 618 1986, and is also subject to subsection C of § 33.2-1915, the funds collected from that jurisdiction shall  
 619 be applied to and expended for any transportation purpose of such jurisdiction.

620 B. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 621 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in clause (ii) of  
 622 subdivision A 1 of § 58.1-2295, after subtraction of the direct costs of administration by the Department,  
 623 shall be deposited each month as follows:

624 1. One-twelfth of an amount determined by multiplying \$15 million by a fraction, the numerator of  
 625 which shall be such transportation district's share of funding for the commuter rail service jointly  
 626 operated by the two transportation districts and the denominator of which shall be the total funding  
 627 share for such commuter rail service, shall be deposited in the Commuter Rail Operating and Capital  
 628 Fund established pursuant to § 33.2-3500; and

629 2. All remaining funds shall be deposited in a special fund entitled the "Special Fund Account of the  
 630 Transportation District of \_\_\_\_\_." The amounts deposited in the special fund shall be distributed  
 631 monthly to the applicable transportation district commission of which the county or city is a member to  
 632 be applied to the operating deficit, capital, and debt service of the mass transit system of such district  
 633 or, in the case of a transportation district subject to the provisions of subsection C of § 33.2-1915, to be  
 634 applied to and expended for any transportation purpose of such district. In the case of a jurisdiction  
 635 which, after July 1, 1989, joins a transportation district that was established on or before January 1,  
 636 1986, and is also subject to subsection C of § 33.2-1915, the funds collected from that jurisdiction shall  
 637 be applied to and expended for any transportation purpose of such jurisdiction.

638 C. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 639 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in subdivision A  
 640 2 of § 58.1-2295, after subtraction of the direct costs of administration by the Department, shall be  
 641 deposited into special funds established by law. In the case of Planning District 23, the revenue  
 642 generated and collected therein shall be deposited into the fund established in § 33.2-2600. For  
 643 additional Planning Districts that may become subject to this section, funds shall be established by  
 644 appropriate legislation.

645 D. *All taxes, interest, and civil penalties paid to the Commonwealth pursuant to this chapter for the*  
 646 *sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in § 58.1-2295.2,*  
 647 *after subtraction of the direct costs of administration by the Department, shall be deposited into the*  
 648 *fund established pursuant to § 33.2-3701.*

649 E. The direct cost of administration of this section shall be credited to the funds appropriated to the  
 650 Department.

651 **§ 58.1-2299.20. (For contingent effective date, see Acts 2013, c. 766) Disposition of tax revenues.**

652 A. Except as provided in subsection B, all taxes, interest, and civil penalties paid to the  
 653 Commissioner pursuant to this chapter, after subtraction of the direct costs of administration by the  
 654 Department, shall be deposited in a special fund entitled the "Special Fund Account of the  
 655 Transportation District of \_\_\_\_\_." The amounts deposited in the special fund shall be distributed  
 656 monthly to the applicable transportation district commission of which the county or city is a member to  
 657 be applied to the operating deficit, capital, and debt service of the mass transit system of such district  
 658 or, in the case of a transportation district subject to the provisions of subsection C of § 33.2-1915, to be  
 659 applied to and expended for any transportation purpose of such district. In the case of a jurisdiction  
 660 which, after July 1, 1989, joins a transportation district which was established on or before January 1,  
 661 1986, and is also subject to subsection C of § 33.2-1915, the funds collected from that jurisdiction shall  
 662 be applied to and expended for any transportation purpose of such jurisdiction. The direct costs of  
 663 administration shall be credited to the funds appropriated to the Department.

664 B. All taxes, interest, and civil penalties paid to the Commissioner pursuant to this chapter for the  
 665 sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in § 58.1-2295.1,  
 666 after subtraction of the direct costs of administration by the Department, shall be deposited into the  
 667 Interstate 81 Corridor Improvement Fund established pursuant to Chapter 36 (§ 33.2-3600) of Title 33.2.

668 C. *All taxes, interest, and civil penalties paid to the Commonwealth pursuant to this chapter for the*  
 669 *sale of fuels at wholesale to retail dealers for retail sale in any county or city set forth in § 58.1-2295.2,*  
 670 *after subtraction of the direct costs of administration by the Department, shall be deposited into the*  
 671 *fund established pursuant to § 33.2-3701.*

672 **2. That the provisions of this act that generate additional revenues for transportation shall expire**  
 673 **on December 31 of any year in which the General Assembly, a locality located in Planning District**

674 15, or the Central Virginia Transportation Authority, as created by this act, appropriates or  
675 transfers any of such additional revenue for any non-transportation-related purpose.  
676 3. That the provisions of this act may result in a net increase in periods of imprisonment or  
677 commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the  
678 necessary appropriation cannot be determined for periods of imprisonment in state adult  
679 correctional facilities; therefore, Chapter 854 of the Acts of Assembly of 2019 requires the Virginia  
680 Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to  
681 § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation is \$0 for  
682 periods of commitment to the custody of the Department of Juvenile Justice.