

TYRONE NELSON  
CHAIRMAN

ROBYN DE SOCIO  
EXECUTIVE SECRETARY



CRAIG BURNS  
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EX-OFFICIO MEMBERS

## COMMONWEALTH OF VIRGINIA

### *Compensation Board*

P.O. Box 710  
Richmond, Virginia 23218-0710

March 1, 2021

#### **MEMORANDUM**

**TO:** Compensation Board Members

**FROM:** Robyn M. de Socio, Executive Secretary

**RE:** 2021 Special Session I Conferees Report

Following is the summary of funding and language amendments recommended by the House Appropriations Committee and Senate Finance and Appropriations Committee Budget Conferees to the biennial budget funding proposals in HB1800 impacting Constitutional Officers and the Compensation Board. Also included is a summary of items proposed in the Governor's Budget Bill as introduced that remain unchanged.

#### All Constitutional Officers

- Language and funding have been included in FY22 to support a 5% across-the-board salary increase effective July 1, 2021, for constitutional officers, regional jails and their employees, provided that the governing authority of such employees uses such funds to support salary increases;
- No funding or language is provided for a bonus for Constitutional Officers, Regional Jail Superintendents, Finance Directors and their Compensation Board funded employees or for state employees in FY22;
- No performance based increases are included for constitutional officers and their employees or for state employees in either year of the biennium;
- No additional funding is included to support additional participation in existing career development programs.

#### Sheriffs and Regional Jails

- Additional funding of \$979,399 in FY22 and 29 additional sworn court services positions is provided for allocation based on staffing standards;
- Additional funding of \$2.63 million in FY22 to provide a similar increase to entry level regional jail officers as was previously provided on February 1, 2019 for entry level deputy sheriffs - \$897 for each entry level jail officer with less than one year of service and \$938 for those with more than one year of service in a Compensation Board funded entry level jail officer position – effective July 1, 2021;

- No additional funding or positions are included to address law enforcement or jail overcrowding staffing standards.

#### Jails

- No additional per diem funding is provided and current funding is anticipated to be sufficient based upon revised local- and state-responsible inmate population forecasts;

#### Commonwealth's Attorneys

- Additional funding of \$1,350,989 is provided in FY22 and 19 Assistant Commonwealth's Attorney positions and 10 Support Staff positions is provided, along with budget language authorizing the allocation of funding for approximately 25 percent of the unfunded positions needed based on FY20 staffing standards within Commonwealth's Attorneys' offices;
- Additional funding of \$250,000 is provided in FY22 for the Compensation Board to contract with the National Center for State Courts to assist the Compensation Board, working in collaboration with the Virginia Association of Commonwealth's Attorneys, in an encompassing study of Commonwealth's Attorney workload (to include diversion programs, specialty dockets, etc), in order to revise staffing standards formulas used as the basis for the allocation of positions in Commonwealth's Attorneys' offices;
- Additional funding of \$93,200 is provided in FY22 to convert the Craig County Commonwealth's Attorney's office from part-time to full-time status, including funding to increase the officers' salary to full-time, funding to convert the salary of one part-time administrative position to full-time, and additional office expense funding.

#### Circuit Court Clerks

- Additional funding of \$1,837,167 is included in FY22 to provide a salary increase to Compensation Board funded Circuit Court Clerks' staff positions in Pay Bands 1 and 2 to address pay equity with district court clerk positions. Funding is designated to increase the Compensation Board entry-level salary of Pay Band 1 and 2 employees to match the entry-level salary of a deputy clerk in the district courts (\$30,660). This funding will allow Compensation Board salary levels to be increased for positions with salaries below the new entry-level effective July 1, 2021;
- Additional funding of \$358,571 is provided in FY22 to establish a minimum of three positions in each Circuit Court Clerk's office;
- Additional \$1,000,000 in general fund support for Clerks' operating budgets is provided in FY22 and language is included to reduce the amount of non-general technology trust funds currently used to offset prior budget reductions from \$1.98 million to \$0.98 million in each year.

### Treasurers

- Additional funding of \$752,608 is provided in FY22 to support re-funding of approximately 50% of underfunded positions and 10% of unfunded positions;
- Language is provided that clarifies that an officer (such as a treasurer or sheriff) who distrains or levies upon property (for instance, to satisfy delinquent taxes or a recorded judgment) may utilize an auctioneer or auction firm located outside the officer's jurisdiction to sell the property. This allowance may lead to cost efficiencies for the seller and the owner.

### Finance Directors

- No program specific changes were included under the Compensation Board in the Conferees Report.

### Commissioners of Revenue

- Additional \$950,646 in FY22 is provided to support re-funding of approximately 100% of underfunded positions and 10% of unfunded positions.

### Administration

- Additional funding of \$120,725 is included in FY22 to re-fund an existing FTE position;
- Language is provided directing the Compensation Board to review the plan to be developed by the Department of Criminal Justice Services by July 1, 2021 outlining law enforcement agencies' roles and engagement with the development of the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to House Bill 5043 and Senate Bill 5038 of the 2020 Special Session I of the General Assembly, and to provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021;
- Additional funding of \$651,103 in FY21 and \$836,734 in FY22 is provided to re-factor and move from a mainframe platform the Constitutional Officer Information Network (COIN) budgeting and reimbursement automated system.

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Conference amendments to the budget were approved by the House and Senate on Saturday, February 28, 2021, and will now be referred to the Governor. They are further subject to review or change when reconsidered in conjunction with any recommendations and/or amendments by the Governor at the reconvened "veto" session of the General Assembly on Wednesday, April 7, 2021. Please contact Charlotte Lee or me if you have any questions.

cc: Compensation Board Staff  
The Honorable Grindly Johnson, Secretary of Administration  
The Honorable Darrell Warren, President, Virginia Sheriffs' Association  
The Honorable Colin Stolle, President, Virginia Association of Commonwealth's Attorneys  
The Honorable Carla de la Pava, President, Treasurers' Association of Virginia  
The Honorable Terry Yowell, President, Commissioners of the Revenue Association of Virginia  
The Honorable Llezelle Dugger, President, Virginia Circuit Court Clerks' Association  
Stephen Clear, President, Virginia Association of Regional Jails  
Michelle Gowdy, Executive Director, Virginia Municipal League  
Dean Lynch, Executive Director, Virginia Association of Counties  
John Jones, Executive Director, Virginia Sheriffs' Association  
Amanda Howie, Executive Director, Virginia Association of Commonwealth's Attorneys  
Alan Albert, O'Hagan Meyer  
John "Chip" Dicks, Gentry Locke  
Matthew Moran, Gentry Locke  
Joe Horbal, Commissioners of the Revenue Association of Virginia  
Michael Edwards, Kemper Consulting  
Jane Chambers, Commonwealth's Attorneys' Services Council  
Janet Areson, Virginia Municipal League  
Katie Boyle, Virginia Association of Counties  
Banci Tewolde, Associate Director, Department of Planning and Budget  
Reginald Thompson, Analyst, Department of Planning and Budget