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HOUSE BILL NO. 2269

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education  
on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Greenhalgh)

A BILL to place certain conditions on certain federal pandemic relief funds for public education;  
emergency.

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

1. § 1. Any local school division that, as of March 1, 2023, has available and unspent or unobligated federal ESSER formula funds exceeding 20 percent of its total awarded allocations shall return unspent or unobligated ESSER or GEER state set-aside funds awarded to the local school division by the Virginia Department of Education (the Department) to the Department no later than March 15, 2023, unless precluded by federal law or regulation. The Department shall subsequently expend, including through awarding such funds to local school divisions, any such returned ESSER or GEER state set-aside funds for student instruction and remediation.

§ 2. Each local school division shall obtain the approval of the local school board for its federal ESSER III spending plan, shall update such spending plan at least once every six months, and shall publish such spending plan in an accessible format on a publicly available website.

**2. That an emergency exists and this act is in force from its passage.**

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