



COMMONWEALTH of VIRGINIA

Office of the Governor

Dr. Jeffery O. Smith
Secretary of Education

August 17, 2026

The Honorable Luke E. Torian, Chair
House Appropriations Committee
422 Fortuna Plaza, Suite 659
Dumfries, Virginia 22025

The Honorable L. Louise Lucas, Chair
Senate Finance and Appropriations
Committee
P. O. Box 700
Portsmouth, Virginia 23705-0700

Dear Delegate Torian and Senator Lucas:

Pursuant to Item 116, Paragraph A. of Chapter 1, this communication is to inform you of activity relating to tax-exempt private activity bond allocations to the Commonwealth of Virginia for qualified public educational facilities pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 of the Internal Revenue Code of 1986, as amended.

The 2001 Tax Act permits private entities partnering with public schools to receive a capital cost subsidy provided by a tax-exempt private activity bond for public school facilities. The bonds must be used to finance a public elementary or secondary school facility to be owned by a private, for-profit corporation pursuant to a public-private partnership agreement with a state or local educational agency. The term "school facility" means a school building, any functionally related and subordinate facility and land with respect to such buildings, and any other depreciable property for use in such facilities.

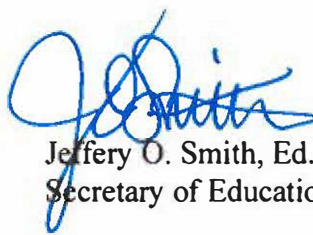
Under the public-private partnership agreement, the corporation must agree to 1) construct, rehabilitate, refurbish, and/or equip a school facility, and 2) transfer the school facility to the educational agency for no additional consideration at the end of the term of the agreement.

The bonds have a volume limit equal to \$10 per state resident in any calendar year. For calendar year 2026, Virginia's portion of the bond limitation amount is \$88.8 million. Because Virginia carried forward the volume limit from two previous years, we have \$264.1 million currently available for issuance.

The Honorable Luke E. Torian
The Honorable L. Louise Lucas
August 17, 2026
Page 2

To date, this office has received no requests for this bond authority. However, you will be advised if I receive a bond request from any of the school divisions. Please let me know if you have questions regarding this communication or the program.

Sincerely,



Jeffery O. Smith, Ed.D.
Secretary of Education

JOS/CPB/eml