

## Department of Planning and Budget 2001 Fiscal Impact Statement

**1. Bill Number** SB1339

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Hawkins

**3. Committee** Agriculture, Conservation and Natural Resources

**4. Title** Deer fences

**5. Summary/Purpose:** This bill would prohibit a landowner from erecting a fence that prevents or impedes deer from leaving the enclosed area. The bill also makes it unlawful to hunt deer in such enclosed areas. The penalty for violating either of these provisions is a Class 1 misdemeanor and the court may (i) suspend the violator's hunting privileges for a period of three to five years, (ii) order the owner of the property to compensate the Department of Game and Inland Fisheries for the replacement costs of the killed deer, and (ii) order the owner to modify the fence in a way that will allow the deer to leave the enclosed area. The bill also includes a delayed effective date of November 1, 2001.

**6. Fiscal Impact Estimates:** See Item 8

**7. Budget amendment necessary:** No

**8. Fiscal implications:** There is not enough information available to reliably estimate how many convictions and sentences resulting in time to be served in jail could result from the bill. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8 a day for each misdemeanant held in a jail, and the state also provides support for local jail operations. This support averaged \$30.54 per inmate each day in FY 1999. Any fines for violation of the provisions will be deposited to the Literary Fund. The Department of Game and Inland Fisheries will incur minimal costs associated with court time for each violation.

**9. Specific agency or political subdivisions affected:** Department of Game and Inland Fisheries

**10. Technical amendment necessary:** No

**11. Other comments:** The fine for a Class 1 misdemeanor is confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.

**Date:** 1/16/01 / djy

**Document:** djy F:\DJY\00-02BGT\01Session\Legislation\sb1339.doc

cc: Secretary of Natural Resources  
Secretary of Public Safety