

**Department of Planning and Budget
2003 Fiscal Impact Statement**

1. Bill Number HB2641
House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron Weatherholtz

3. Committee Agriculture, Chesapeake, and Natural Resources

4. Title Avian influenza

5. Summary/Purpose: The bill provides that no person may bring or ship to Virginia any type of subject avian species or hatching egg from any state that is subject to a current avian influenza testing proclamation unless the avian species or eggs are first tested, using protocol, and found negative for avian influenza. Violations are a Class 1 misdemeanor. The provisions do not apply to species or eggs passing directly through Virginia, participants in the National Poultry Improvement Plan's Avian Influenza Clean Program, or any boiler going directly to slaughter.

6. Fiscal impact estimates are: Unknown.

7. Budget amendment necessary: No.

8. Fiscal implications: Persons violating the provision of this legislation are subject to being sentenced to jail terms. There is not enough information available to reliably estimate how many additional prisoners in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor held in jail. It also funds most of the jails' operating costs, such as correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board, the total state support for local jails averaged \$31.86 per inmate, per day in FY2001.

9. Specific agency or political subdivisions affected: Department of Agriculture and Consumer Services, judicial system.

10. Technical amendment necessary: No.

11. Other comments: The bill is a companion bill to Senate Bill 1249. The substitute bill refers to "subject avian species," includes hatching eggs, and adds several exemptions to the section.

Date: 2/4/03 kbs

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cc:SecretaryofCommerceandTrade