

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB2029

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

2. Patron Amundson

3. Committee Passed Both Houses

4. Title Nonindigenous aquatic nuisance species; penalty.

5. Summary/Purpose:

Imposes Class 1 misdemeanor penalty on anyone who knowingly introduces a snakehead fish into the Commonwealth. Under the current law any person who imports, possesses, transports, sells, purchases or introduces into the Commonwealth any nonindigenous aquatic nuisance species is subject to a civil penalty of not more than \$25,000, which is paid into the Game Protection Fund, as well as the costs incurred by the state and local government for the investigation, control, and eradication of the species. The bill includes an exemption from this civil penalty for a person who catches a snakehead fish if the individual has lawfully taken the fish, killed it, and reported his actions to the Department of Game and Inland Fisheries.

6. Fiscal Impact Estimates are: Final. See item 8, below.

7. Budget amendment necessary: No.

8. Fiscal implications:

Section 29.1-577 of the Code provides for a civil penalty of up to \$25,000. Any revenue generated from this civil penalty is deposited into the Game Protection Fund. This provision was added to the Code by the 2003 General Assembly. According to the Department of Game and Inland Fisheries, to date, no one has been subject to this penalty.

The proposed legislation creates a new Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates 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 misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails operating costs, e.g. correctional officers. The states share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (FY 2003), the estimated total state support for local jails averaged \$27.42 per inmate, per day in FY 2003.

9. Specific agency or political subdivisions affected: Department of Game and Inland Fisheries, local jails, court system.

10. Technical amendment necessary: No.

11. Other comments: None

Date: 03/08/05/tmw

Document: G:\2005 Session\Legislation\Hb2029ER.Doc

cc: Secretary of Natural Resources
Secretary of Public Safety