

## Department of Planning and Budget 2005 Fiscal Impact Statement

**1. Bill Number** HB2505

<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** Shuler

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

**4. Title** Erection of stationary duck blinds.

**5. Summary/Purpose:**

Gives the owners, their lessees or permittees of land west of Interstate Route 95 that is adjacent to the waters in Stafford, Prince William, and Fairfax, the exclusive privilege of erecting stationary blinds on their shoreline. Under this bill, which amends a 1928 Act of Assembly, they are also given the prior right to erect stationary blinds in the waters in front of their property. However, they forfeit the privilege and the prior right if they do not erect the blind by November 1. The 1928 law applies to land abutting waters in the three counties, as well as King George County, without distinction between locations east or west of I-95. This bill would increase the penalty to a Class 2 misdemeanor from the current fine of between \$10 and \$100 or confinement in jail for no more than a year, or both. The bill also repeals a 1942 Act of Assembly that prohibits hunting from floating blinds in the Counties of Caroline, King George, Essex, Westmoreland, and Richmond, and in several segments of the Rappahannock and Potomac Rivers.

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

**7. Budget amendment necessary:** No.

**8. Fiscal implications:**

The bill establishes a new Class 2 misdemeanor penalty. The punishment for a Class 2 misdemeanor is confinement in jail for not more than six months and a fine of not more than \$1,000, either or both. Revenue generated from such fines is deposited to the Literary Fund. Any revenue impact will depend on the number of convictions.

Any expenditure impact to the court system will be dependent on the number of hearings. Any impact the legislation may have on jail inmate population is unknown. According to the Department of Game and Inland Fisheries, the proposed legislation will not have a fiscal impact on that agency.

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

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 01/17/05/tmw

**Document:** G:\2005 Session\Legislation\Hb2505.Doc

cc: Secretary of Natural Resources