

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number: HB597

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

2. Patron: Sherwood

3. Committee: Agriculture, Chesapeake, and Natural Resources

4. Title: Dam safety; penalties

5. Summary/Purpose: The bill provides the Virginia Soil and Water Conservation Board and the Department of Conservation with enforcement tools to ensure the safety of Virginia's dams, and it includes due process procedures to protect dam owners. The bill exempts department records on the operation of certain dams from disclosure under the Freedom of Information Act. It makes it illegal once a dam is designated as unsafe for an owner to refuse entry to state employees for the purpose of inspecting the dam or taking corrective action. The department is given the authority to monitor and inspect any alteration or construction of the dam. The bill imposes Class 3 misdemeanor penalties as well as civil penalties for violations of the Dam Safety Act. The moneys collected from the imposition of civil penalties will be deposited in the Flood Prevention and Protection Assistance Fund.

6. Fiscal Impact Estimates are: The bill will have a minimal fiscal impact on the Department of Conservation and Recreation, and any additional costs may be absorbed in the department's existing appropriation. See item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: Anyone convicted of a class 3 misdemeanor is subject to a fine. The potential revenue to the Flood Prevention and Protection Assistance Fund from fines and civil penalties may not be estimated at this time.

9. Specific agency or political subdivisions affected: Department of Conservation and Recreation, Virginia Soil and Water Conservation Board.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 2/1/06 kbs

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cc: Secretary of Natural Resources