

## Department of Planning and Budget 2006 Fiscal Impact Statement

**1. Bill Number** SB39 S1

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

**2. Patron** Reynolds

**3. Committee** Communicated to House

**4. Title** Test security procedures; violations.

**5. Summary/Purpose:**

Authorizes the Board of Education to initiate a review of any alleged violation of its regulations by a local school board or local school board employee responsible for implementing the regulations of the Board, including the distribution or administration of tests. The bill also allows the Board to recover the costs of any investigation conducted because of violations of test security from any person who violates test security procedures.

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

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

**8. Fiscal implications:** Any person who violates the provisions of this bill may be assessed a civil penalty not to exceed \$1,000 for each violation. The number of people that might be found guilty under such provisions is unknown, which makes it impossible to reliably estimate how much additional revenue this bill would generate. In addition, any person whose administrative or teacher license is suspended or revoked pursuant to § [22.1-292.1](#) may be assessed the same civil penalty and the reasonable costs associated with the review or investigation of the violation of test security by the Board of Education. This will have no additional fiscal impact because the cost of the review or investigation will be paid by the guilty party. All civil penalties paid to the Commonwealth pursuant to this section shall be deposited into the Literary Fund. It is assumed that any costs associated with a review or investigation conducted by the Board of Education regarding testing security that does not assign guilt will be absorbed by the Board within current resources.

**9. Specific agency or political subdivisions affected:** Board of Education, local school boards.

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

**11. Other comments:** This bill is the same as HB348 H1.

**Date:** 1/23/06 / SHD

**Document:** G:\FIS\2006 Session\SB39.DOC