

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number HB2714

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Barlow

3. Committee Agriculture, Chesapeake and Natural Resources

4. Title Shooting enclosure.

5. Summary/Purpose: Increases the penalty for violating the provisions of the shooting enclosure laws from a Class 2 misdemeanor to Class 1 misdemeanor. The bill empowers the State Veterinarian to seize and dispose of animals held in unlicensed shooting enclosures.

6. Fiscal Impact Estimates are: PRELIMINARY; See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: According to the Department of Agriculture and Consumer Services the exact cost to the state cannot be determined; however, Virginia currently is classified as a Pseudorabies-Free and Brucellosis-Free state by the United States Department of Agriculture (USDA). The state veterinarian needs to act immediately when these disease threats occur in Virginia because it puts Virginia and its livestock in a vulnerable position. Loss of this status would result in costly and long-term restrictions on interstate and international movement of livestock from Virginia. The economic impact of these restrictions on Virginia's livestock industry would be substantial. Other states or foreign trading partners could deny entry of Virginia livestock resulting in economic losses to industries and impact Virginia's free trade status domestically and internationally.

Since the proposal increases the penalty from a Class 2 misdemeanor to a Class 1 misdemeanor, anyone convicted is now subject to a sentence of up to 12 months in jail and up to \$2,500 in fines instead of the maximum Class 2 misdemeanor punishment of up to 6 months in jail and up to \$1,000 in fines. Therefore, this proposal could result in an increase in the length of time those persons convicted under these provisions spend in jail.

There is not enough information available to reliably estimate how much in additional jail time could result from this proposal. Any increase in jail time 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 state's 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 2005), the estimated total state support for local jails averaged \$28.35 per inmate, per day in FY 2005.

9. Specific agency or political subdivisions affected: Department of Agriculture and Consumer Services and the Department of Local and regional jails, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: The bill as amended requires the person who has committed the violation pay all reasonable costs incurred to the Department of Agriculture and Consumer Services in the seizure and disposal of any confiscated livestock.

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cc: Secretary of Public Safety
Secretary of Commerce, Resources and Finance