

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB302

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Nichols

3. Committee: General Laws

4. Title: **Uniform Statewide Building code; use of diesel fuel or motor oil as release agent prohibited.**

5. Summary: Uniform Statewide Building code; use of diesel fuel or motor oil as release agent prohibited; penalty. Prohibits the use of diesel fuel or motor oil as a release agent for concrete forms during the construction of any building or structure. Under the bill a violation is a Class 1 misdemeanor

6. Fiscal Impact Estimates: Preliminary, see item 8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Makes the use of diesel fuel or motor oil as a release agent for concrete forms during construction of any building or structure a Class 1 misdemeanor. The penalties of a Class 1 misdemeanor include confinement in jail for not more than twelve months and a fine of not more than \$2,500. Therefore, this proposal could result in an increase in the number of persons 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 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 (November 2007), the estimated total state support for local jails averaged \$28.42 per inmate per day in FY 2006.

9. Specific Agency or Political Subdivisions Affected: Compensation Board and local jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/18/2008 tmw

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cc: Secretary of Commerce and Trade
Secretary of Administration