

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB 1382

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Stolle

3. Committee: Education and Health

4. Title: **Smoking in restaurants; civil penalties**

5. Summary: Creates a statewide ban on smoking in restaurants, sets out exceptions to this ban, and provides for civil penalties for violation. The bill contains technical amendments.

6. Fiscal Impact Estimates: See item #8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications:

Expenditure Impact

The Virginia Department of Health (VDH) currently inspects restaurants which are licensed by the Board of Health. The legislation would not affect the number of restaurants inspected by the Department and would not have a fiscal impact as it pertains to restaurant inspections.

Revenue Impact

The legislation authorizes law enforcement officers to issue summons of violators of this bill. The number of potential violators of this bill is unknown; therefore, the estimated revenue generated from the collection of civil penalties cannot be determined at this time. Any revenue collected from civil penalties will be deposited into the Virginia Health Care Fund.

The number of offenders of the Act is unknown; therefore, the amount of revenue collected from civil penalties cannot be determined.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Health, Department of Medical Assistance Services, and Virginia localities

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/2/2009 lrj

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cc: Secretary of Health and Human Resources