

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** HB1322

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

**2. Patron:** Sherwood

**3. Committee:** Agriculture, Chesapeake and Natural Resources

**4. Title:** Waste kitchen grease; transportation; fees; penalty.

**5. Summary:** This bill requires any person who transports waste kitchen grease to register with the Virginia Department of Agriculture and Consumer Services unless that person qualifies for an individual exemption. Registrants must pay annual fees of \$100 for registration and \$100 per vehicle used to transport waste kitchen grease. Commercial transporters of waste kitchen grease must show proof of personal injury and property damage liability insurance in an amount not less than \$1 million. All registered transporters must conspicuously mark vehicles used for transportation and maintain records showing the source and quantity of kitchen grease obtained and the renderer who processes such grease into usable products. It is unlawful and punishable as a Class 2 misdemeanor for a person who is required to register to fail to do so. The Department may assess a civil penalty of not more than \$5,000 for any violation of a provision of this chapter, including the prohibition that no person shall take possession of more than 55 gallons of waste kitchen grease from an unregistered transporter unless the recipient maintains documentation for 2 years, which shall be made available for inspection by the Department, of the (i) name and address of the person delivering the waste kitchen grease, (ii) date of receipt of the waste kitchen grease, (iii) delivering vehicle's license plate number and state of registration, and (iv) quantity delivered.

**6. Fiscal Impact Estimates:** Indeterminate.

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** Since the number of regulants and number of vehicles used to transport waste kitchen grease is unknown at this point, the fiscal impact of this bill is indeterminate. The revenue generated by this bill would be collected by the Department of Agriculture and Consumer Services but placed into a special nonverting fund known as the Waste Kitchen Grease Fund. Further, this fund and the interest on this fund are not to revert to any general fund.

Any minimal costs associated with this bill could be absorbed the agency.

**9. Specific Agency or Political Subdivisions Affected:** Department of Agriculture and Consumer Services; Virginia Department of Health.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Anyone convicted of a Class 2 misdemeanor is subject to a sentence of up to six months 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 presently 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 2009), the estimated total state support for local jails averaged \$32.66 per inmate, per day in FY 2008.

**Date:** 3/8/2010 dpbbrb

**Document:** <http://dpb.virginia.gov/efis/fistemplate.doc>