

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB1397

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

2. Patron: Marshall, R.G.

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Residential energy efficiency standards; exempts certain homes from federal cap & trade legislation.

5. Summary: Exempts any residential building or manufactured home from being subject to federal legislation related to residential energy efficiency standards. Except as required by the Statewide Uniform Building Code, the owner of such building or home cannot be required to (i) have an energy efficiency analysis conducted on his residence, (ii) have his residence meet federal energy efficiency standards, (iii) participate in a building performance labeling program, (iv) make modifications to the residence in accordance with any retrofit provisions of any federal legislation related to residential energy efficiency standards, and (v) post a label showing the energy efficiency of his home prior to its sale. The bill also prohibits a state agency from assisting any federal agency in the implementation of global warming or climate change legislation. The Office of the Attorney General (OAG) may initiate legal action against the federal government if there is any federal law, regulation, or policy that seeks to apply federal legislation relating to residential energy efficiency standards to Virginia.

6. Budget Amendment Necessary: No.

7. Fiscal impact estimates are indeterminate. See item 8, below.

8. Fiscal Implications: There may be some costs to the Department of Housing and Community Development associated with the adoption of the new regulations and revisions to the Building Code. However, such costs could be funded from existing resources. Any fiscal impact the bill may have for the OAG is dependent upon whether the OAG initiates legal action against the federal government under the provisions of the bill. Under the bill, legal action is permissive, but not required. However, according to the OAG, if legal action is pursued additional resources will be required.

9. Specific Agency or Political Subdivisions Affected: Department of Housing and Community Development and the Office of the Attorney General.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/28/11