

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB1442

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

2. Patron: Morgan

3. Committee: Passed Both Houses

4. Title: Hunting; practice of falconry, penalty.

5. Summary: Updates state laws on the practice of falconry by (i) removing the limit on possession to three raptors, (ii) broadening the penalty that applies to the intentional removal of transmitting collars on dogs to include any transmitting device on raptors, and (iii) extending the rights of those hunting with dogs that permit the retrieval of such dogs from prohibited lands to those hunting with raptors.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: There is no material fiscal impact to the Department of Game and Inland Fisheries.

The bill carries a Class 1 misdemeanor penalty if found guilty of removing a transmitting device from a dog, hawk or owl. Although insufficient data exists to determine an exact fiscal impact, it could nonetheless yield an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500), thereby increasing costs to the State. The Commonwealth presently pays the localities \$4.00 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 FY 2009 Jail Cost Report (November 1, 2010), the estimated total state support for local and regional jails averaged \$33.01 per state inmate, per day in FY 2009.

The bill also stipulates a Class 4 misdemeanor against a person who is found guilty of refusing to identify himself when traveling on prohibited lands to retrieve his dogs, hawk or owl. Class 4 misdemeanor outcomes result in fines up to \$250 that is deposited in the Literary Fund.

9. Specific Agency or Political Subdivisions Affected: Department of Game and Inland Fisheries, Compensation Board

10. Technical Amendment Necessary: None

11. Other Comments: None

Date: 2/22/2011