

## Department of Planning and Budget 2011 Fiscal Impact Statement

**1. Bill Number:** HB2168

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

**2. Patron:** Abbitt

**3. Committee:** General Laws and Technology

**4. Title:** Uniform Statewide Building Code; statute of limitations.

**5. Summary:** Harmonizes the statute of limitations for criminal prosecutions under the Uniform Statewide Building Code at one year. Currently, the Uniform Statewide Building Code provides that such prosecutions shall be commenced within two years while § 19.2-8 provides that such prosecutions must be commenced within one year. The bill also provides that the prosecution shall commence within one year of discovery by the building official and not the owner. For prosecutions relating to the maintenance code, the bill clarifies that any such prosecutions must be commenced within one year of the discovery of the offense by the building official.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates are preliminary.**

**8. Fiscal Implications:** The bill corrects the inconsistency between §§19.2-8 and 36-106, Code of Virginia. 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.

**9. Specific Agency or Political Subdivisions Affected:** Local governments, Department of Housing and Community Development.

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

**11. Other Comments:** SB941 also harmonizes the statute of limitations for criminal prosecutions under the Uniform Statewide Building Code at one year.

**Date:** 1/31/11