

## Department of Planning and Budget 2013 Fiscal Impact Statement

**1. Bill Number:** HB1857

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

**2. Patron:** Orrock

**3. Committee:** Commerce and Labor

**4. Title:** Propane; prohibits dealers from engaging in discriminatory pricing

**5. Summary:** Prohibits dealers from engaging in discriminatory pricing by selling or offering to sell propane at different prices or rates when the difference is attributable to the ownership status of the storage tank into which the propane is delivered. The measure applies to individuals who purchase propane at retail for consumption in a residential dwelling for heating, cooling, cooking, and other domestic purposes. It does not apply to sales of propane (i) in a container having a capacity that does not exceed 100 gallons, (ii) for use as fuel to propel a motor vehicle, or (iii) in connection with the provision of non-utility gas service. In addition, beginning with contracts entered on or after July 1, 2013, dealers are prohibited from charging a customer for the removal of a storage tank owned by the dealer and located on the customer's property when the customer has discontinued propane delivery service from the dealer and has requested the removal of the tank. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act.

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

**7. Fiscal Impact Estimates:** Indeterminate.

**8. Fiscal Implications:** The provisions of this bill create an additional prohibited practice under the Virginia Consumer Protection Act. The Office of the Attorney General and Department of Law (OAG) is responsible for the enforcement of consumer protection laws in the Commonwealth and as such, the addition of a prohibited practice under the Virginia Consumer Protection Act may increase the workload of the OAG's Consumer Protection section. Because the number and complexity of future violations created by this bill are not known, the fiscal impact is indeterminate.

**9. Specific Agency or Political Subdivisions Affected:** Office of the Attorney General and Department of Law.

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

**11. Other Comments:** N/A

**Date:** 1/23/13