

Department of Planning and Budget

2015 Fiscal Impact Statement

1. Bill Number: SB1081

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

2. Patron: Vogel

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Intentional tripping of equines prohibited; penalty.

5. Summary: This bill prohibits the intentional roping of or interference with the legs of an equine in order to cause it to trip or fall for any purpose, including as part of a rodeo or other contest or entertainment. The bill makes a violation of the ban a Class 1 misdemeanor, with a second or subsequent violation constituting a Class 6 felony. The bill exempts from the prohibition a person who causes the animal to trip or fall for the purpose of allowing the administration of veterinary care.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Agriculture and Consumer Services.

The bill specifies that a violation of the provisions will result in a Class 1 misdemeanor. Although insufficient data exists to determine the fiscal impact due to this proposal, the proposed legislation could result in 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). Any increase in jail population will increase 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 a significant portion 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 FY2013 Jail Cost Report (November 1, 2014), the estimated total state support for local and regional jails averaged \$30.54 per state inmate, per day in FY 2013.

A subsequent violation of the provisions of this bill will result in a Class 6 felony. The second enactment clause of the proposed legislation addresses this, and the Virginia Criminal Sentencing Commission has assigned a minimum fiscal impact of \$50,000.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services; Department of Corrections; Department of Juvenile Justice; localities; local courts and jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.