

## **Department of Planning and Budget**

### **2015 Fiscal Impact Statement**

**1. Bill Number:** SB929

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

**2. Patron:** Edwards

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

**4. Title:** State agencies; notices, use of third-party commercial carrier for service, delivery, transmission.

**5. Summary:** Authorizes state agencies under Titles 2.2 and 54.1 to use a third-party commercial carrier when service, delivery, or transmission of any notice or paper is authorized or required to be accomplished by mail, ordinary mail, registered mail, or certified mail. The bill provides that any applicable requirements in other titles of the Code of Virginia or the Rules of the Supreme Court of Virginia for proof of any service, delivery, or transmission shall remain in effect when a third-party commercial carrier is used.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Fiscal impact is indeterminate. See item 8.

**8. Fiscal Implications:**

The fiscal impact of this bill is indeterminate. The bill allows state agencies in Titles 2.2 and 54.1, Code of Virginia, to choose a third-party commercial carrier instead of using the United States Postal Service for certain notices and other deliveries. The extent to which state agencies are otherwise restricted from utilizing commercial carriers by the Code of Virginia or Rules of the Supreme Court of Virginia or will choose to exercise the option to use commercial carriers is unknown.

There is no anticipated impact of the bill on the Department of General Services' State Mail Services, which provides consolidated mail services to state agencies in the Richmond metropolitan area.

The Department of Health Professions and the Department of Professional and Occupational Regulation are the two affected agencies under Title 54.1, Code of Virginia. Both agencies anticipate minimal operational or fiscal impact because Virginia Supreme Court Rule 2A:2 and the Administrative Process Act would require these agencies to continue to send final opinions and orders by certified mail.

**9. Specific Agency or Political Subdivisions Affected:** All state agencies

**10. Technical Amendment Necessary:** No

**11. Other Comments:** The substitute clarifies that where registered or certified mail is required, proof of service is required by third-party carriers.

**Date:** 2/2/2015

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