

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB746

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

2. Patron: Wagner

3. Committee: Courts of Justice

4. Title: Government employees; personal liability for certain inspections.

5. Summary: This bill provides that a government employee who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be personally liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The provisions of this bill do not apply to law-enforcement officers.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate

8. Fiscal Implications: This bill adds language to the Code of Virginia that holds government employees that perform inspections liable for damages arising from any enforcement action taken when said employees exceed their scope of authority. All state and local agencies that perform inspections of private entities may be impacted. Agencies with inspectors have expressed that the fiscal impact is indeterminate but that an impact could result in an increase in turnover and increased difficulty in retaining and recruiting inspectors.

9. Specific Agency or Political Subdivisions Affected: Courts of Justice, Department of Social Services, Department of Health, Department of Labor and Industry, Department of Motor Vehicles, Department of Taxation, Department of Game and Inland Fisheries, Department of Agriculture and Consumer Services, Department of Alcoholic Beverage Control, Department of Housing and Community Development, Department of Mines, Minerals and Energy, Department of Behavioral Health and Developmental Services, Department of Environmental Quality, Motor Vehicle Dealer Board, Community Services Boards, and Localities

10. Technical Amendment Necessary: No.