

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: HB2380

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

2. Patron: Simon

3. Committee: Courts of Justice

4. Title: Virginia Conflict of Interest and Ethics Advisory Council; investigative authority.

5. Summary: The bill authorizes the Virginia Conflict of Interest and Ethics Advisory Council to investigate alleged violations of the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act (the Acts). The Council may initiate an investigation upon its own motion or in response to a citizen complaint. Before beginning an investigation in response to a citizen complaint, the Council is required to conduct a preliminary inquiry to determine whether the facts stated in the complaint, when taken as true, are sufficient to show a violation of the Acts warrants an investigation. The bill details (i) the authority of the Council to issue subpoenas and the rights of the subject of an investigation; (ii) prerequisites for a finding of a violation of the Acts, including the conduct of a public hearing; and (iii) the requirements for referral of a violation of the Acts to appropriate authorities.

6. Budget Amendment Necessary: Yes, see Items 7.

7. Fiscal Impact Estimates:

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2017			
2018	\$250,000	2	General
2019	\$250,000	2	General
2020	\$250,000	2	General
2021	\$250,000	2	General
2022	\$250,000	2	General
2023	\$250,000	2	General

8. Fiscal Implications: The bill presents a fiscal impact to the Division of Legislative Services (DLS), which provides administrative, legal, and staffing support to the Virginia Conflict of Interest and Ethics Advisory Council (the Council). To implement the investigative powers granted to the Council under the bill, DLS states that the agency will need two additional positions, plus general expenses, estimated as an ongoing need of \$250,000 each fiscal year

The additional staff, an investigative chief and an investigative special assistant, would be needed to complete the required investigations. The additional costs will be incurred to cover the Council's reasonable and necessary expenses for traveling to and presiding over the hearings.

9. Specific Agency or Political Subdivisions Affected: The Virginia Conflict of Interest and Ethics Advisory Council; the Division of Legislative Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.