

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB920

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|------------------------|--|-------------------------------------|------------------------------------|
| 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: Lopez

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Endangered species; sale of items made from certain animals; penalty.

5. Summary: This bill prohibits the sale in Virginia of anytime known to be made with the parts of any of 16 listed endangered, threatened, or extinct animals. The bill provides exceptions for certain documented antiques, musical instruments, knives, firearms, and other items. The bill provides that a violation of the prohibition is punishable as a Class 1 misdemeanor and requires that the violator pay a civil penalty of as much as \$6,500 or an amount equal to four times the fair market value of the item that is the subject of the violation, whichever is greater. Civil penalties will be deposited in the Game Protection Fund.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, see item 8.

8. Fiscal Implications: It is anticipated that this bill will not result in an expenditure impact to the Department of Game and Inland Fisheries. The amount of revenue to be generated from the civil penalty imposed by this bill is unknown, and will be deposited to the Game Protection Fund.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail, a fine of \$2,500, either or both. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, 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 large 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 most recent Jail Cost Report (November 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016. Any revenue collected as a result of a fine is indeterminate and will be deposited to the Literary Fund.

9. Specific Agency or Political Subdivisions Affected: Department of Game and Inland Fisheries

10. Technical Amendment Necessary: No.

11. Other Comments: None.