

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** SB1043

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:** Marsden

**3. Committee:** Agriculture, Conservation and Natural Resources

**4. Title:** Pet shops; procurement of certain dogs, penalty.

**5. Summary:** This bill prohibits a commercial dog breeder from selling a dog without providing to the purchaser a form signed by the breeder stating that the breeder is in full compliance with the requirements for a commercial dog breeder and prohibits a pet shop or dealer from purchasing a dog without obtaining such document. The bill directs the Commissioner of the Virginia Department of Agriculture and Consumer Services (VDACS) to develop and make available such document on the VDACS website. The bill provides that a violation of these prohibitions is a Class 1 misdemeanor.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** It is anticipated that this bill will not have a fiscal impact on the Department of Agriculture and Consumer Services. Development and posting of the document can be completed using current resources.

The bill establishes an additional prohibition to the provisions of the statute which may result in increased violations punishable as a Class 1 Misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. According to the Virginia Criminal Sentencing Commission, not enough information is 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 varies from locality to locality. According to the Compensation Board's most recent Jail Cost Report (November 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017. In addition, persons convicted of misdemeanors are also subject to fines. All revenue from fines must be deposited into the Literary Fund; the amount of revenue that may result from this bill is indeterminate.

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

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.