

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB655

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: Surovell

3. Committee: Rules

4. Title: Consideration of bills that create immunity from civil liability for physical injuries or death.

5. Summary: Requires that any bill that creates immunity from civil liability for physical injuries or death caused to a person include an appropriation of \$50,000 to the Department of Medical Assistance Services for the provision of medical assistance services as a condition of consideration by the General Assembly. The bill requires that the \$50,000 appropriation be included in a final enactment clause to such bill that creates immunity and requires the Department of Planning and Budget, in conjunction with other state agencies, to ensure that the fiscal impact statement for such bill states that the bill creates immunity from civil liability for physical injuries or death caused to a person.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate. See Item 8.

8. Fiscal Implications: This legislation does not generate a fiscal impact directly. Should this legislation become law, any introduced bill that creates immunity from civil liability would be required to include an enactment clause appropriating \$50,000 to the Department of Medical Assistance Services. It is unknown how many such bills would be introduced in the future.

The proposed legislation also requires that if a bill creates immunity from civil liability for physical injuries or death caused to a person, the Department of Planning and Budget, or the agency preparing a fiscal impact statement (FIS), must ensure that the FIS prepared for the bill includes a statement of such immunity. Including such a statement on an existing FIS does not create any additional impact; however, this legislation appears to anticipate that a FIS would be prepared for any bill that provides such immunity. Under current practice, a FIS is not currently produced for all legislation. Some bills amend sections of the Virginia Code that are not subject to review. To the extent that this legislation increases the number of bills for which a FIS must be prepared, there potentially could be a fiscal impact due to the increased workload, however, it cannot be determined at this time.

Finally, if the intent of this legislation is that a FIS would be prepared for any bill that provides such immunity, new screening criteria or a process for identifying such bills at the

time they are drafted may have to be developed, which might have an impact on the Division of Legislative Services.

9. Specific Agency or Political Subdivisions Affected: Department of Planning and Budget,
Department of Medical Assistance Services

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 22, 2020

File: SB655