

Department of Planning and Budget

2021 Fiscal Impact Statement

1. Bill Number: HB2250 ER

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

2. Patron: Kory

3. Committee: Passed both houses

4. Title: Humane Cosmetics Act; civil penalties.

5. Summary: The proposal creates the Humane Cosmetics Act. The substitute bill reflects the following changes to the proposal:

- Changes the effective date of the prohibition to test on animals from July 1, 2021 to January 1, 2022.
- Changes the effective date of the prohibition to sell a cosmetic that is known to be tested on animals from January 1, 2022 to July 1, 2022.
- Prohibits the manufacture or import for profit of any cosmetic that is known to be tested on animals, effective January 1, 2022.
- Expands the definition of “cosmetic” to include deodorant, shampoo, or conditioner.
- Changes the definition of “cosmetic animal testing:”
 - To exclude “exposure” to the cosmetic;
 - To specify that it includes testing of the product “either in its final form or any ingredient thereof;” and
 - To remove “for purposes of evaluating the safety” so that the testing does not need to be limited to evaluating the product for safety.
- Removes authorization for Attorneys for the Commonwealth to investigate alleged violations.
- Removes provisions protecting trade secrets.
- Instead of payment to the entity authorizing the civil action, the civil penalty of \$5,000 and an additional \$1,000 for each day the violation continues would be collected by the Office of the Attorney General and the funds deposited to the Literary Fund.

6. Budget Amendment Necessary: Yes, Item 57

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

8. Fiscal Implications: According to the Office of the Attorney General (OAG), the proposed legislation will expand duties of the Animal Care Unit requiring additional investigation and civil penalty collections. The OAG estimates that the Unit will need one additional Assistant Attorney General II at an estimated cost of \$159,988 per year (salary and benefits).

According to the Office of the Executive Secretary, the bill is not expected to have a fiscal impact on Courts. The Virginia Department of Agriculture and Consumer Services also states that this bill has no impact on them.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General, Courts

10. Technical Amendment Necessary: No

11. Other Comments: None