

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** HB491

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Bulova

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

**4. Title:** Noxious weeds.

**5. Summary:** Amends the definition of "noxious weeds" to exclude plants that are commercially significant, directs the Board of Agriculture and Consumer Services (the Board) to implement a phase out period when a new plant is listed as a noxious weed, directs the Department of Agriculture and Consumer Services to provide signs to nurseries and retail plant outlets listing invasive plants sold in the Commonwealth, and authorizes the Board to adopt regulations for permits required to move noxious weeds, or a part thereof, into or within the Commonwealth. The bill also directs the Department of Conservation and Recreation to update its invasive species list by January 1, 2024, and every four years thereafter.

**6. Budget Amendment Necessary:** Yes, Item 105 of HB30, as introduced.

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

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2023	160,000	General Fund
2024	160,000	General Fund
2025	160,000	General Fund
2026	160,000	General Fund
2027	160,000	General Fund
2028	160,000	General Fund

**8. Fiscal Implications:** The Virginia Department of Agriculture and Consumer Services (VDACS) anticipates that this bill will result in a \$160,000 annual general fund impact to the agency to develop, print, and annually replace the signage required by the bill. The bill requires VDACS to develop a sign which lists the invasive plants on the Department of Conservation and Recreation's (DCR) Invasive Plant Species List that are sold in the Commonwealth and explain why invasive plants are damaging to the ecosystems of the Commonwealth. VDACS is to provide these signs to every nursery and retail plant outlet in the Commonwealth. The bill also requires VDACS to issue updated signs as the information changes. There are approximately 2,500 businesses that would need to be issued a sign. This would require approximately

\$160,000 for the initial creation, printing, and distribution of these signs. VDACS estimates that signs will need to be replaced on an annual basis at a cost of \$160,000 in order to replace damaged and worn signs and ensure that the information on the signs is current.

Additionally, the provisions of this bill require VDACS to develop regulations requiring landscape designers and contract planting services to inform landowners whenever a planting will include a plant on the Department of Conservation and Recreation's invasive plants list, and authorize VDACS to adopt regulations for permits required to move noxious weeds, or a part thereof, into or within the Commonwealth. It is anticipated that any costs associated with the development and adoption of the regulations provided for in this bill can be absorbed within existing resources.

This bill requires DCR to update its list of invasive plants no later than January 1, 2024, and update the list at least every four years thereafter. At this time, any impact this provision may have on DCR is not known. Also, the bill prohibits any agency in the Commonwealth from the planting, selling, or propagating any plant listed on DCR's invasive plants list unless necessary for scientific or educational purposes. At this time, any fiscal impact that may occur as a result of the prohibition on agencies is unknown.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Agriculture and Consumer Services, Department of Conservation and Recreation, and state agencies.

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

**11. Other Comments:** None