

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** HB2009

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

**2. Patron:**        Ebbin

**3. Committee:** Commerce and Labor

**4. Title:**         Incandescent light bulbs

**5. Summary:** The bill bans the sale or distribution in the Commonwealth, effective July 1, 2010, of any general purpose incandescent light bulb. The Board of Agriculture and Consumer Services is authorized to adopt regulations to exempt types of light bulbs from the ban if it finds that the ban creates a significant hardship on the user or is unreasonable because of the lack of an adequate substitute. A violation of the ban is a Class 1 misdemeanor.

**6. Fiscal Impact Estimates:** Preliminary.

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2009	\$0		
2010	\$0	0.0	general fund
2011	\$124,897	2.0	general fund
2012	\$124,897	2.0	general fund
2013	\$124,897	2.0	general fund
2014	\$124,897	2.0	general fund
2015	\$0	0.0	general fund

**6b. Revenue Impact:** See item 8.

**7. Budget Amendment Necessary:** Yes, Item 97 of House Bill 1600, the budget bill.

**8. Fiscal Implications:** The Department of Agriculture and Consumer Services estimates that establishing and administering a program to regulate and enforce the ban on sale or distribution of incandescent light bulbs will require two positions and related costs.

The United States federal government has enacted a phased-in ban on incandescent light bulbs beginning in 2011 which will be completed in 2014. When the federal ban is implemented, the Commonwealth's program will no longer be needed.

Violators of the provisions of the bill shall be guilty of a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase costs to

the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail. It also funds most 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 2008), the estimated state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

**9. Specific Agency or Political Subdivisions Affected:** Department of Agriculture and Consumer Services.

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

**11. Other Comments:** None.

**Date:** 1/23/2009 dpbkbs

**Document:** G:\09 FIS\DACS\HB2009.doc

cc: Secretary of Agriculture and Forestry