

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2012

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

2. Patron: Ebbin

3. Committee: Commerce and Labor

4. Title: Sale of certain appliances

5. Summary: The bill bans the sale or distribution in the Commonwealth, effective July 1, 2011, of any clothes washer, dehumidifier, dishwasher, refrigerator, or room air conditioner that is designed for residential, non-commercial use, which has not been designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each such agency's requirements under the federal Energy Star program. The Board of Agriculture and Consumer Services is authorized to adopt regulations to exempt appliances 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 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		
2011	\$0	0.0	general fund
2012	\$125,000	2.0	general fund
2013	\$125,000	2.0	general fund
2014	\$125,000	2.0	general fund
2015	\$125,000	2.0	general fund

6b. Revenue Impact: See item 8.

7. Budget Amendment Necessary: No. The costs associated with the bill will begin in the next biennium.

8. Fiscal Implications: According to the Department of Agriculture and Consumer Services, the bill will require two additional inspector positions (pay band 4). Personal services costs are estimated at \$100,000 annually, and supplies and program expenses at \$25,000 each year.

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: 1/26/2009 dpbkbs

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cc: Secretary of Agriculture and Consumer Services