

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB2186

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: Lewis

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Misbranding of crab meat.

5. Summary: Misbranding of crab meat. Requires that containers of crab meat that are represented as Chesapeake Bay crab meat include at least 51 percent by weight crab meat from crab taken from the Chesapeake Bay and meet Health Department regulatory standards for blending and repacking of crab meat. The penalty for violating the Virginia Department of Agriculture's mislabeling law is a Class 1 misdemeanor.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: There is no material fiscal impact to the Virginia Department of Agriculture. However, a Class 1 misdemeanor will have an indeterminate fiscal impact to the Compensation Board.

8. Fiscal Implications: Although insufficient data exists to determine a specific fiscal impact, this proposal could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500). Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanant 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 FY2009 Jail Cost Report (November 1, 2010), the estimated total state support for local and regional jails averaged \$33.01 per state inmate, per day in FY 2009.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Agriculture and Consumer Services, Compensation Board, Local and Regional Jails

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/17/2011