

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB2278

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: Gilbert

3. Committee: General Laws

4. Title: Department of State Police; variable housing allowance.

5. Summary: Provides a housing allowance for full-time, sworn State Police officers, based upon pay grade and geographical location, from funds that are appropriated for such purpose. The rates of the variable allowance shall be based on suggested rates developed and annually updated by the Department of Human Resource Management. The allowance would not be considered taxable income for state income tax purposes.

6. Budget Amendment Necessary: Yes; Item 417.

7. Fiscal Impact Estimates: Preliminary; See Item 8 below.

8. Fiscal Implications: According to the Department of State Police, the proposal will have a cost to the department. Using the costs that were reported by the agency in the 2008 session for HB 846 and SB 682 (similar housing allowance proposals), the potential fiscal impact of this proposal could be as high as \$21 million per year if a system similar to the military is developed and implemented. It should be noted that this is a conservative estimate in that the department has additional full-time sworn officers since that cost was calculated. As it was noted in 2008, if only 25 percent of the 2008 military rate is used, approximately \$5.25 million per year would be required.

There are other methodologies that could be considered. For instance, an inverse housing allowance (the troopers with the lowest wages would receive the largest housing allowance) would provide assistance to those that need it the most. Another strategy could be to simply apply a percent to the officers' wage (addresses both the geographic and pay grade requirements). Or, if the proposal was changed to eliminate the need to take into account pay grade, then a simple flat rate could be applied for State Police law enforcement officers in a particular geographic area (similar to how the state's northern Virginia differential is being provided).

According to the Department of Taxation, a state is prohibited from providing a preferential tax treatment to state employees that is not also available to federal employees. Currently, federal employees are not provided a Virginia income tax subtraction for variable housing allowances. The cost to the general fund to also exempt federal employees that receive a housing allowance from state income taxes is not known at this time.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Department of Human Resource Management, and Department of Taxation.

10. Technical Amendment Necessary: No.

11. Other Comments: Using updated military housing rates and current staffing figures will probably increase the estimated costs of the proposal. Identical to SB 929.

Date: January 23, 2013

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