

## **Department of Planning and Budget**

### **2014 Fiscal Impact Statement**

**1. Bill Number:** HB1094

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Hodges

**3. Committee:** General Laws

**4. Title:** Uniform Statewide Building Code; enforcement on Indian tribal lands.

**5. Summary:** Provides that the Department of General Services shall not be required to function as the building official for enforcement of the Uniform Statewide Building Code on Indian tribal lands if the Indian tribe in possession of the property has retained one or more qualified firms or individuals to perform building official functions.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** No state fiscal impact.

**8. Fiscal Implications:** The Department of General Services (DGS) has not been performing Building Code Official duties because the Pamunkey and Mattaponi Tribes have not allowed the agency onto their property, which the Tribes consider to be sovereign. This poses a risk to the Tribes should there be an accident or death as a result from equipment failure or other building malfunction that could have been prevented had DGS performed a building inspection as required by § 36-98.1, Code of Virginia.

House Bill 1094 exempts DGS as the agency responsible for enforcing the Building Code Official duties and delegates the building inspection authority to the Tribes. The proposed legislation also requires the Tribe to retain a qualified firm or individual to conduct the building inspections and provide DGS with the name of the individual or firm.

**9. Specific Agency or Political Subdivisions Affected:** Department of General Services

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

**11. Other Comments:** Legislation is similar to HB902.

**Date:** 1/17/2014

**Document:** G:\Administration\Department of General Services\2014 GA Session\Introduced\HB1094.doc  
**c:** Secretary of Administration