

Department of Planning and Budget

2016 Fiscal Impact Statement

1. Bill Number: HB1329

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Fariss

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Trespass by hunters using dogs; penalty.

5. Summary: This bill punishes as a Class 3 misdemeanor the intentional release by a person of hunting dogs on the lands of another to hunt without the consent of the landowner. The bill punishes a second or subsequent offense committed within three years as a Class 1 misdemeanor and provides for the revocation of the person's hunting license for a period of one year upon conviction.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: It is anticipated that this bill will not have a fiscal impact on the Department of Game and Inland Fisheries.

A violation of the provisions of this bill results in a punishment of a Class 3 misdemeanor. A Class 3 misdemeanor is punishable with a fine of not more than \$500 which is deposited to the Literary Fund. Revenue from this penalty cannot be determined.

For a subsequent offense, a conviction of a Class 1 misdemeanor is established. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. According to the Virginia Criminal Sentencing Commission, not enough information is available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, 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 the majority of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. According to the Compensation Board's most recent Jail Cost Report (November 2015), the estimated total state support for local jails averaged \$32.24 per inmate, per day in FY 2014.

9. Specific Agency or Political Subdivisions Affected: Department of Game and Inland Fisheries; local courts and jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.