

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB535

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

2. Patron: Bell, Richard P.

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Limited liability for beekeepers.

5. Summary: The bill provides that a beekeeper shall not be liable for any personal injury or property damage that occurs in connection with his keeping and maintaining of bees, bee equipment, queen breeding equipment, apiaries, and appliances if he registers his hives with the Commissioner of Agriculture and Consumer Services and follows best management practices established in regulations adopted by the Board of Agriculture and Consumer Services. The limitation on liability becomes effective 30 days after the apiary is registered and is valid for a year, with annual renewals available. The immunity does not extend to intentional tortious conduct or acts of omission that constitute gross negligence. The Board is directed to adopt initial regulations to be effective no later than November 1, 2016, at which time the registration procedures would take effect.

6. Budget Amendment Necessary: Yes, Item 93 of HB30.

7. Fiscal Impact Estimates: Preliminary.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	n/a	n/a	n/a
2017	\$171,000	1.00	General Fund
2018	\$91,000	1.00	General Fund
2019	\$91,000	1.00	General Fund
2020	\$91,000	1.00	General Fund
2021	\$91,000	1.00	General Fund
2022	\$91,000	1.00	General Fund

7b. Revenue Impact: None.

8. Fiscal Implications: This bill establishes a registration program whereby a beekeeper shall not be liable for any personal injury or property damage that occurs in connection with his keeping and maintaining of bees, bee equipment, queen breeding equipment, apiaries, and appliances if he registers his hives with the Commissioner of Agriculture and Consumer Services and follows best management practices established in regulations adopted by the Board of Agriculture and Consumer Services. In order to implement the provisions of this bill, the Department of Agriculture and Consumer Services (VDACS) will need one

additional staff at an estimated cost of \$51,000 per year to coordinate record keeping, process annual registrations, and distribute registration information and best management practices. Currently, the State Apiarist is the only position in this area of the agency and the additional work cannot be absorbed. The department estimates that there are between 6,000 and 7,000 beekeepers in the Commonwealth, and that a number of those individuals will have two or more apiary sites. VDACS estimates that at least half, or 3,500 individuals and 5,000 apiary sites, will register for the liability limitation. In addition to the staff member, VDACS also requires a software application for the development of a database for registering beekeepers and apiary locations. Based on other registration systems, a one-time expense of \$120,000 is required for purchase and development of the system, with an annual maintenance and server costs of \$40,000.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.