

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** HB2382

<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:** Lindsey

**3. Committee:** Courts of Justice

**4. Title:** Virginia Residential Landlord and Tenant Act; landlord to inspect vacated dwelling unit.

**5. Summary:** This bill requires a landlord who knows or should have known that a dwelling unit has been vacated to inspect such dwelling unit within two days of its being vacated for the presence of any abandoned animals. If an abandoned animal is discovered, the landlord is required to notify an animal control officer or law enforcement of the presence and condition of the animal but shall not be considered the owner or custodian of the animal. The bill also provides that any person who knowingly fails to comply with the bill's inspection and notification provisions shall be guilty of a Class 1 misdemeanor.

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

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** It is anticipated that this bill will not result in a fiscal impact to the Department of Housing and Community Development. The department has no oversight or administrative obligations regarding the Virginia Residential Landlord and Tenant Act. The department does update and publish on its website the Landlord Tenant Handbook. Any legislative changes made to the Act will be updated, but the department can do so using current resources.

The bill specifies that violations of provisions are punishable as a Class 1 misdemeanor. As such, the proposal could result in an increase in the jail population since Class 1 misdemeanors are subject to a sentence of up to 12 months in jail. There is not enough information 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.

**9. Specific Agency or Political Subdivisions Affected:** Department of Housing and Community Development; state and local courts and jails.

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

**11. Other Comments:** SB959 also addresses abandoned animals in vacated dwellings.