

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB1613

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

2. Patron: Edmunds

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Wanton waste; penalty.

5. Summary: This bill changes from a Class 3 misdemeanor to a Class 2 misdemeanor the penalty for violating a regulation prohibiting wanton waste, or the allowing of a killed or crippled game animal or nonmigratory game bird to be wasted without making a reasonable effort to retrieve the animal.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, please see item 8.

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Game and Inland Fisheries. The amount of revenue to be generated from the civil penalty imposed by this bill is unknown, and will be deposited to the state Literary Fund.

The bill establishes a new provision that, if violated, is punishable by a Class 2 misdemeanor. Anyone convicted of a Class 2 misdemeanor is subject to a sentence of up to six 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. It also funds a large portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.