

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB135

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

2. Patron: Miyares

3. Committee: Labor and Commerce

4. Title: Veterans' benefits.

5. Summary: Provides that a person who advertises, arranges, offers, or enters into a financial transaction to receive veterans' pension or retirement benefits commits an unlawful fraudulent act or practice, in violation of the Virginia Consumer Protection Act, if such act or practice is prohibited or void under certain Federal acts pertaining to veterans benefits (37 U.S.C. § 701 or 38 U.S.C. § 5301(a)). The bill also amends § 59.1-201, permitting Commonwealth's attorneys or attorneys for a locality to obtain necessary investigative data pertaining to such violations from the circuit court in which such person resides. The bill also amends § 59.1-203 (allowing the Attorney General, a Commonwealth's attorney, or an attorney for the locality to bring an action against such person in the appropriate circuit court); § 59.1-205 (permitting circuit courts to provide relief to any involved parties); § 59.1-206 (allowing for the awarding of attorney's fees in such cases); and § 59.1-207 (concerning unintentional violations of this section).

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: This bill would find any person who violates certain Federal acts concerning the fraudulent reception of veterans' pension or retirement benefits (37 U.S.C. § 701 or 38 U.S.C. § 5301(a)) also in violation of the Virginia Consumer Protection Act. The bill also amends several other Code sections concerning the handling of such cases in the relevant circuit court.

According to the Department of Veterans Services (DVS), there is no anticipated fiscal impact on its operations as a result of the provisions of this proposed legislation. The proposed legislation is not expected to have a fiscal impact on the operations of the Office of the Attorney General.

9. Specific Agency or Political Subdivisions Affected: Department of Veterans Services, Office of the Attorney General, and Courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.