

Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** HB 1338

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

2. **Patron:** Keam

3. **Committee:** -

4. **Title:** Smoking; prohibited in multi-unit residential building, civil penalty

5. **Summary:** The substitute bill prohibits smoking in any multi-unit residential building, including a condominium building or apartment building. The bill indicates that it is not to be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property. Any person who violates such prohibition is subject to a civil penalty of not more than \$25, to be paid into the Virginia Health Care Fund. The bill provides that action may be taken by property owners and associations to ensure an individual's compliance with this bill's prohibitions.

6. **Budget Amendment Necessary:** No

7. **Minimal Fiscal Impact**

8. **Fiscal Implications:** This proposal would expand the settings where smoking is prohibited and where violation of this prohibition would potentially be subject to a \$25 civil penalty. All penalties collected as a result of smoking violations are deposited into the Virginia Health Care Fund and must be used as state match for Virginia's Medicaid program. In FY 2019, all existing smoking-related civil penalties generated \$1,107 in revenue for the Health Care Fund. As such, expanding prohibited settings as included in this proposal is not expected to have a significant impact on revenue collections or the Virginia Health Care Fund.

9. **Specific Agency or Political Subdivisions Affected:**

Department of Medical Assistance Services
Department of Taxation

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None