

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB 1725

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

2. Patron: VanValkenburg

3. Committee: Passed Both Houses

4. Title: Virginia Fair Housing Law; use of assistance animal in a dwelling; penalties

5. Summary: Prohibits certain persons from providing fraudulent supporting documentation to evince the existence of a disability or disability-related need for a person requesting a reasonable accommodation with respect to the use of an assistance animal in a dwelling. The bill adds a violation of such prohibition as a prohibited practice under the Virginia Consumer Protection Act.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See item 8, below.

8. Fiscal Implications: The fiscal impact of this bill on the Department of Professional and Occupational Regulation (DPOR) is indeterminate; however, DPOR anticipates that a reduction in grant funding may occur. The Virginia Fair Housing Office within DPOR investigates complaints involving the Virginia Fair Housing Law and receives grant funding from the U.S. Department of Housing and Urban Development (HUD). Virginia's substantial equivalency status and associated federal grant funding is based on conformity between Virginia Fair Housing Law and federal requirements. DPOR anticipates that if Virginia's substantial equivalency status is affected, a reduction of \$200,000 in federal funding from HUD may occur, based on the current grant and the current volume of complaint cases that would be affected. The bill contains an enactment clause rendering any provision unenforceable if it is not substantially equivalent as determined by HUD. The timing and process of HUD review and potential impact on funding is indeterminate.

A violation constitutes a prohibited practice under the provisions of § 59.1-200, Code of Virginia, and shall be subject to the provisions of the Virginia Consumer Protection Act including a civil penalty of not more than \$2,500 per violation. All revenue collected from such fines is deposited into the Literary Fund. However, it is not possible to estimate either the number of convictions that may result or the amount of each fine that may be assessed under this legislation. Therefore, the revenue impact of this bill cannot be determined.

It is anticipated that this bill will not have a fiscal impact on the Office of the Attorney General.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.