

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2209

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: Tran

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Pavement sealants containing a high polycyclic aromatic hydrocarbon; prohibition; civil penalty.

5. Summary: Permits a locality to prohibit the sale and distribution of any pavement sealant that contains polycyclic aromatic hydrocarbon concentrations greater than one percent by weight on or after July 1, 2023, except that a retailer may continue to sell any existing inventory that remains in stock on that date. The bill allows a local governing body to prohibit the use of such sealants beginning July 1, 2024, and subject any person who violates either prohibition to a civil penalty of \$250, to be paid into the Virginia Environmental Emergency Response Fund.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: It is anticipated that any fiscal impact on the Department of Environmental Quality as a result of this bill can be absorbed within existing resources. The Department of Transportation anticipates no fiscal impact as a result of this bill. In adopting an ordinance pursuant to the bill, localities may provide that any violation is subject to a civil penalty of \$250, to be paid into the state treasury and deposited into the Virginia Environmental Emergency Response Fund.

9. Specific Agency or Political Subdivisions Affected: Departments of Environmental Quality and Transportation; localities

10. Technical Amendment Necessary: No.

11. Other Comments: None.