

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1298ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Deeds

3. Committee: Passed both houses.

4. Title: Filling, refilling, or otherwise delivering of liquefied petroleum gas during qualifying emergency.

5. Summary: Provides that when a qualifying emergency, as defined in the substitute bill, is in effect, a residential customer who can demonstrate that he has less than a 24-hour supply of liquefied petroleum gas will first make a good faith effort to procure delivery of liquefied petroleum gas from the owner of the liquefied petroleum gas container. If the owner is unable to fulfill the customer's good faith request within 24 hours, the customer may have an emergency supplier fill, refill, or otherwise deliver liquefied petroleum gas into the customer's container. The substitute bill requires that such emergency supplier assume all responsibility and liability for injury to persons or property related to the emergency refilling and requires that a written notice is provided to the owner of the liquefied petroleum gas container including: (i) the name and address of the customer; (ii) the date of the filling, refilling, or delivery; and (iii) the amount of liquefied petroleum gas that was placed in the customer's container. Under current law, it is a Class 3 misdemeanor for any person except the owner or other person authorized by the owner to fill or refill a liquefied petroleum gas container with liquefied petroleum gas.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final (see Item 8).

8. Fiscal Implications: Under current law, it is a Class 3 misdemeanor for any individual except the owner or an individual authorized by the owner to fill or refill a liquefied petroleum gas container with liquefied petroleum gas (§ 18.2-496). Under the provisions of the substitute proposal, the Class 3 misdemeanor would not apply during qualified emergencies (as defined by the proposed changes in § 18.2-493) and when such customer demonstrates that they have less than a 24-hour supply of liquefied petroleum gas and makes a good faith effort to procure delivery of liquefied petroleum gas from the owner of the gas container, but the owner or other person authorized by the owner is unable to make a scheduled delivery or fulfill the customer's request within 24 hours (as per the proposed changes in § 18.2-494).

A Class 3 misdemeanor is punishable by a fine of up to \$500. 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 impact of this bill cannot be determined.

According to the Department of Emergency Management (VDEM) and the Virginia Department of Transportation (VDOT), the proposed bill is not expected to have a fiscal impact on agency operations.

9. Specific Agency or Political Subdivisions Affected: Local law enforcement agencies, Courts; Virginia Department of Emergency Management; and the Virginia Department of Transportation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.