

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB61

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|------------------------|--|-------------------------------------|------------------------------------|
| 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: McGuire

3. Committee: Commerce and Energy

4. Title: Overtime pay requirements; volunteers.

5. Summary: Permits individuals who work as both employees and on a volunteer basis for a public body, church, or nonprofit organization to earn overtime wages for hours worked as an employee only and continues to exclude hours worked on a volunteer basis from overtime wage requirements.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary, Indeterminate – See Item 8

8. Fiscal Implications: It is anticipated that the Department of Labor and Industry will be able to absorb any increased workload that may occur as a result of this bill within resources.

Violations of the bill would be enforced under the existing subsection J of § 40.1-29, Code of Virginia, which include the potential for misdemeanor or felony charges. Any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2021), the estimated total state support for local jails averaged \$37.58 per inmate, per day in FY 2020. The amount of any penalty revenue that may be collected is indeterminate (not to exceed \$1,000 per violation) and would be deposited to the general fund.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry

10. Technical Amendment Necessary: No

11. Other Comments: This bill is the companion to SB 331, as introduced.