

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB145

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

2. Patron: Cosgrove

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Subaqueous beds; unlawful use, replacement of piers.

5. Summary: Exempts maintenance or replacement of a previously authorized pier, provided that it is reconstructed within the footprint of the existing pier, from being considered an unlawful use of subaqueous beds.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The Marine Resources Commission (MRC) anticipates an indeterminate revenue impact as a result of this bill. The MRC states that for projects where the entire pier is removed and reconstructed, the agency typically assesses a \$100 application fee, which is deposited into the Waterways Improvement Fund. Based on the average number instances such fees have been assessed since FY 2017, MRC anticipates a revenue reduction of approximately \$3,900 annually. HB30/SB30, as introduced, includes two actions that provide general fund support to supplant expenses from the Waterways Improvement Fund, for a total of \$278,603 each year.

Violations of the provisions of this bill result in a Class 1 misdemeanor offense. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both.

According to the Virginia Criminal Sentencing Commission, not enough information is available to reliably estimate the increase in jail population as a result of this proposal. However, 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 large 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.

9. Specific Agency or Political Subdivisions Affected: Marine Resources Commission; prisons and jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.