

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB440S1

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

2. Patron: Boysko

3. Committee: Senate

4. Title: Unlawful hazing; penalty.

5. Summary: The substitute bill provides that no person shall be subject to arrest or prosecution for involuntary manslaughter or violating this section under certain conditions. The substitute bill also provides that the attorney for the Commonwealth may file a petition for mandamus or injunction, supported by an affidavit showing good cause, against the president or other presiding official of any school or institution of higher education receiving appropriations from the state treasury if such president or other presiding official fails to perform his duties to report a known hazing violation. If the court finds that the president or other presiding official willfully or knowingly failed to perform his duties, the court shall impose upon such president or other presiding official in his individual capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$500 nor more than \$2,000, which amount shall be paid into the Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than \$2,000 nor more than \$5,000.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: Any fiscal impact on the institutions of higher education can be absorbed by existing resources. The bill requires the civil penalties, if assessed, to be deposited into the Literary Fund.

9. Specific Agency or Political Subdivisions Affected: Courts; Commonwealth Attorneys; and, Institutions of Higher Education.

10. Technical Amendment Necessary: No

11. Other Comments: None