

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB928ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Kent

3. **Committee:** Passed both houses.

4. **Title:** Interference with commercial fishing vessel; penalties.

5. **Summary:** The bill creates a Class 1 misdemeanor penalty for any person who knowingly and intentionally interferes with or impedes the operation or commercial fishing activity of a commercial fishing vessel within the territorial waters of the Commonwealth. Any person convicted of a first offense under the proposed provisions would be ineligible for any fishing licenses or hunting licenses for one year. Additionally, any person convicted of a second or subsequent offense will be ineligible for any such licenses for three years. In addition, any person convicted of a violation of the proposed provisions will be ordered to complete boating safety education.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** Final, see Item 8.

8. **Fiscal Implications:** According to the Department of Wildlife Resources (DWR), the agency would be able to absorb any fiscal impact as a result of lost revenue due to the license ineligibility clause within the provisions of the proposal. Additionally, any costs associated with adding an additional violation to monitor when considering license eligibility, as well as any additional boating safety trainings that may need to be conducted as a result of the bill would not result in any substantial new costs and is anticipated to be absorbed with existing resources.

According to the Marine Resources Commission (MRC), the potential impact of the proposal is indeterminate at this time. The Department of State Police (VSP) does not anticipate any fiscal impact as a result of this proposal.

The proposal creates a new Class 1 misdemeanor for any person who knowingly and intentionally interferes with or impedes the operation or commercial fishing activity of a commercial fishing vessel within the territorial waters of the Commonwealth. 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.

There is not enough information to reliably estimate the impact of the bill on local-responsible (jail) populations. However, any increase in jail population will increase costs to

the state. The Commonwealth currently pays the localities \$5.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each state-responsible prisoner. It also funds a considerable portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2023), the estimated total state support for local jails averaged \$45.76 per inmate, per day in FY 2022.

9. Specific Agency or Political Subdivisions Affected: Department of Wildlife Resources, Marine Resources Commission, state and local law enforcement agencies, Department of Corrections, Commonwealth's Attorneys, Office of the Public Defenders, local and regional jails, Courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.