

Department of Planning and Budget 2021 Special Session I Fiscal Impact Statement

1. Bill Number: SB1379 ER

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Boysko

3. Committee: Passed both houses

4. Title: Humane Cosmetics Act; civil penalties.

5. Summary: The proposal creates the Humane Cosmetics Act. The enrolled bill reflects the following changes to the proposal:

- It prohibits a “cosmetics manufacturer” from conducting or contracting for animal testing;
- Changes the effective date of the prohibition to test on animals from July 1, 2021 to January 1, 2022.
- Changes the effective date of the prohibition to sell a cosmetic that is known to be tested on animals from January 1, 2022 to July 1, 2022.
- Prohibits the manufacture or import for profit of any cosmetic that is known to be tested on animals, effective January 1, 2022.
- Expands the definition of “cosmetic” to include deodorant, shampoo, or conditioner.
- Changes the definition of “cosmetic animal testing:”
 - To exclude “exposure” to the cosmetic;
 - To specify that it includes testing of the product “either in its final form or any ingredient thereof;” and
 - To remove “for purposes of evaluating the safety” so that the testing does not need to be limited to evaluating the product for safety.
- Removes authorization for Attorneys for the Commonwealth to investigate alleged violations.
- Removes provisions protecting trade secrets.
- The civil penalty of \$5,000 and an additional \$1,000 for each day the violation continues would be collected by the Office of the Attorney General and the funds deposited to the Literary Fund.

6. Budget Amendment Necessary: Yes, Item 57

7. Fiscal Impact Estimates: Final. See Item 8.

8. Fiscal Implications: The OAG indicates this legislation will expand duties of the Animal Care Unit requiring additional investigation and civil penalty collections. The OAG estimates that the Unit will need an additional Assistant Attorney General II at \$159,988 in General Fund per year.

According to the Office of the Executive Secretary, the bill is not expected to have a fiscal impact on Courts. The Virginia Department of Agriculture and Consumer Services also states that this bill has no impact on them.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General, Courts

10. Technical Amendment Necessary: No

11. Other Comments: The enrolled bill is identical to HB2250H1.