

## Department of Planning and Budget 2022 Fiscal Impact Statement

1. **Bill Number:** SB461

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

2. **Patron:** Bell

3. **Committee:** [Finance and Appropriations](#)

4. **Title:** Department of Professional and Occupational Regulation; contractors; boiler and pressure vessel.

5. **Summary:** Creates a voluntary licensure administered by the Department of Professional and Occupational Regulation's Board for Contractors for certain boiler operators.

6. **Budget Amendment Necessary:** No

7. **Fiscal Impact Estimates:** Preliminary. See item 8.

8. **Fiscal Implications:** This bill requires the Department of Professional and Occupational Regulation (DPOR) to establish a certification program for boiler operators, to include drafting regulations, developing and accepting applications, and establishing a fee to cover the expenses. DPOR anticipates that any costs that may be incurred in establishing and administering the new voluntary certification can be absorbed within existing appropriations.

The Department estimates that between 75-150 individuals will apply for the certification. The bill does not specify the application fee amount, but similar certifications have fees in the range of \$100 to \$150. Therefore the bill could generate between \$7,500 and \$22,500. Pursuant to § 54.1-201, the Department would retain the revenue from the fee to offset the costs of administering the program.

Additionally, the bill establishes a Class 1 misdemeanor penalty for representing oneself as a certified boiler operator without obtaining such certification from the Board. The punishment for a Class 1 misdemeanor is confinement in jail for not more than 12 months and a fine of \$2,500, either or both. 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 and would be deposited to the Literary Fund.

**9. Specific Agency or Political Subdivisions Affected:** Department of Occupational and Professional Regulation

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None