Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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Bill Number: SB1166 **Patron:** Salim
Bill Title: Invasive plant species; retail sales.

Bill Summary: Requires, for the retail sale of certain invasive plant species for outdoor use, a retail establishment to post in a conspicuous manner on the property located in proximity to each invasive plant signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives. The bill requires the Commissioner of Agriculture and Consumer Services to designate the format, size, and content of such signage no later than October 1, 2025, and requires the Commissioner to issue a stop sale order and mark or tag a plant in a conspicuous manner when an invasive plant is for sale at a retail establishment without appropriate signage. In such case, the bill requires the Commissioner to give written notice of a finding made to the owner, tenant, or person in charge of such retail establishment and requires the stop sale order issued to remain in effect until the required signage is posted.

Budget Amendment Necessary: No. **Items Impacted:** N/A

Explanation: This bill involves in the Virginia Department of Agriculture and Consumer Services (VDACS) and other agencies; however, no budget action is required. See Fiscal Analysis section below.

Fiscal Summary: It is anticipated that this bill will have an indeterminate, absorbable impact on state agencies.

Fiscal Analysis: This impact statement is preliminary. It is anticipated that this bill will have an indeterminate fiscal impact on VDACS. In fiscal year 2024, there were 2,295 licensed nursery dealers in Virginia. The agency is not able to determine the number of complaints that may be received or the number of violations that would require a stop sale and tagging of invasive plants and re-inspection to verify compliance. It is anticipated that VDACS can absorb any costs associated with the implementation of this bill.

This bill also gives additional responsibilities to members of the Virginia Invasive Species Working Group, including the Secretary of Natural and Historic Resources and the Department of Conversation and Recreation, among others. It is anticipated that any additional workload for state entities is absorbable within current resources.

Other: This bill is the companion to HB1941.