

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

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ORIGINAL

Bill Number: HB1835

Patron: Wiley

Bill Title: Professions and occupations; regulation of geologists; licensure; penalty

Bill Summary: Provides that professional geologists shall be licensed by the Board for Professional Soil Scientists, Wetland Professionals, and Geologists. Under the current law, professional geologists are certified by the Board. The bill also makes any person practicing or offering to practice geology without holding such license from the Board guilty of a Class 1 misdemeanor.

Budget Amendment Necessary: No.

Items Impacted: None.

Explanation: This bill impacts the Department of Professional and Occupational Regulation (DPOR); however, no budget action is required. See Fiscal Analysis section, below.

Fiscal Summary: It is anticipated that any fiscal impact to DPOR can be absorbed within existing resources.

Fiscal Analysis: The bill replaces the current voluntary certification of professional geologists with a mandatory licensure. According to DPOR, there are currently 930 certified geologists in Virginia, all of whom would need to suspend their work until they obtain the new license, which could create a significant short term increase in workload. DPOR estimates that 500 hours of temporary staffing, at a rate of \$20 per hour, will be required to process the applications in a timely manner, resulting in a cost of \$10,000. Application fees from the geologists will generate revenue, however the sum will vary based on the fee amount and number of applicants. The current fee for voluntary certification is \$90. If biennial revenues exceed expenses by more than 20 percent, the Board would need to reduce fees in compliance with the Callahan Act (§ 54.1-113).

The bill creates a Class 1 misdemeanor for anyone who practices geology or represents themselves as a licensed geologist without first obtaining the license. 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 available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities \$5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large 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 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.

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This impact estimate is preliminary and may be updated if new information becomes available.

Other: The bill continues an existing requirement for three geologists to sit on the Board for Professional Soil Scientists, Wetland Professionals, and Geologists, and for two of them to be present to constitute a quorum. Because the bill becomes effective July 1, 2025, the Board will not be able to issue a license prior to that date, but on July 1 will not be able to meet the quorum requirement because no geologists will yet be licensed.