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

PUBLISHED: 1/24/2025 10:10 AM **ORIGINAL**

Bill Number: HB2633H1 **Patron:** Wilt
Bill Title: Misbranded food; manufactured-protein food products.

Bill Summary: Provides that a food is misbranded if it purports to be or is represented as a meat food product or poultry product and such food product (i) bears or contains a manufactured-protein food product, as defined in the bill; (ii) is offered for sale; and (iii) has a label that is part of or placed on the food product package or other container storing such product that identifies the food as a meat food product or poultry product, unless such label bears a conspicuous and prominent qualifying term and is in close proximity to an identifying meat term, as such terms are defined in the bill. The bill exempts a meat food product or poultry product that the Department of Agriculture and Consumer Services determines contains a trace amount of a manufactured-protein food product.

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

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

Fiscal Summary: It is anticipated that any fiscal impact this bill may have on VDACS can be absorbed within existing resources. Any impact to the courts or State Compensation Board is indeterminate.

Fiscal Analysis: This impact statement is preliminary. It is anticipated that VDACS can absorb any costs associated with the implementation of this bill.

The penalty for misbranding food is a Class 1 misdemeanor. 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.

Other: None