

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

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**PUBLISHED: 2/21/2025 2:33 PM**

**ORIGINAL**

**Bill Number:** SB857ER

**Patron:** French

**Bill Title:** Dam Safety, Flood Prevention and Protection Assistance; Dam Safety Act; powers and duties of the Department of Conservation and Recreation; rights and requirements of dam owners; civil penalty.

**Bill Summary:** Amends various provisions of the Dam Safety Act to streamline the Department of Conservation and Recreation's enforcement powers for impounding structures under the Act and clarifies the Department's powers and duties during an active dam failure. The bill also makes changes to a dam owner's responsibilities under the Act, including adding additional requirements to obtain a general permit for a low hazard impounding structure, making a dam owner responsible for ensuring that his impounding structure that presents an imminent danger has a safety inspection performed as provided in the bill, and allowing a dam owner to identify the dam break inundation zone of his impounding structure by providing the limits of the dam break inundation zone in lieu of filing a map. The bill also changes certain criteria for applicants to receive funds from the Dam Safety, Flood Prevention and Protection Assistance Fund, including the project match requirements for grants or loans. Finally, the bill consolidates provisions related to civil penalties and repeals § 10.1-613.2, Code of Virginia.

**Budget Amendment Necessary:** No.

**Items Impacted:** N/A.

**Explanation:** This bill involves the Department of Conservation and Recreation, the Virginia Resources Authority; however, no budget amendment is required.

**Fiscal Summary:** The bill may result in revenue from civil penalties for deposit to the Dam Safety, Flood Prevention and Protection Assistance Fund, but the amount is indeterminate.

**Fiscal Analysis:** This impact statement is final. The Dam Safety, Flood Prevention and Protection Assistance Fund is administered and managed by the Virginia Resources Authority and the Department of Conservation and Recreation. It is anticipated that any costs associated with implementing this bill can be absorbed within current resources.

The bill alters certain criteria for applicants to receive awards from the Fund. All awards are subject to appropriation.

The bill consolidates the provisions related to civil penalties for violations of the act. All civil penalties are deposited to the Fund.

**Other:** HB2000 is the companion to this bill.