Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 2/19/2026 2:37 PM **ORIGINAL**

Bill Number: SB121 S1 **Patron:** Carroll Foy
Bill Title: Minimum wage; farm laborers or farm employees; temporary foreign workers.

Bill Summary: Eliminates the exemptions from Virginia's minimum wage requirements for persons employed as farm laborers or farm employees. This bill has a delayed enactment date of January 1, 2027.

Budget Amendment Necessary: No. See Fiscal Analysis **Items Impacted:** N/A
Explanation: The impact of this bill on the Department of Labor and Industry (DOLI) is indeterminate.

Fiscal Summary: It is anticipated that this bill may result in an indeterminate general fund expenditure impact to the Department of Labor and Industry (DOLI) and an indeterminate nongeneral fund revenue impact to the Literary Fund. See analysis below for details.

Fiscal Analysis: This fiscal impact estimate is preliminary, with an anticipated indeterminate fiscal impact. DOLI anticipates that this bill will result in an increase in workload due to an increase in the number of inquiries the agency receives and an increase in the number of claims the agency is required to investigate. The fiscal impact statement will be updated as additional information is received.

The bill removes individuals employed as farm laborers and farm employees from a list of employees exempt from Virginia's minimum wage laws. DOLI is responsible for investigating and enforcing minimum wage violations. By adding additional covered employees, DOLI may experience an increase in workload.

The agency estimates that additional inquiries related to this bill may be approximately 5,000 per year; however, the exact number cannot be determined. DOLI states that each administrative specialist can process approximately 5,500 work activities a year, so an additional employee may be needed depending on the actual number of inquiries and complaints. The total cost of salary, fringe benefits, and overhead for each administrative specialist is $120,743.

The agency estimates that the additional claims will be approximately 333 per year; however, the exact number cannot be determined. DOLI states that each compliance officer can investigate approximately 150 claims a year, so two additional employees may be needed depending on the actual number of complaints. The total cost of salary, fringe benefits, and overhead for each compliance officer is $126,184.

Employers who violate this bill are subject to fines of not less than $10 and no more than $200. Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund.

Other: This bill is similar to HB20.