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

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Bill Number: SB383ER **Patron:** French
Bill Title: Board of Agriculture and Consumer Services; invasive plant species installation; written notification to property owners; civil penalty.

Bill Summary: Provides that the Board of Agriculture and Consumer Services may assess a civil penalty in an amount not to exceed $250 per first violation, $500 per second violation, and $1,000 per each subsequent violation to any tradesperson involved with proposing or installing plants who fails to provide written notification to property owners when such plants are on the Department of Conservation and Recreation's list of invasive plant species. Current law provides that any such tradesperson who fails to provide such written notice is guilty of a Class 1 misdemeanor.

Budget Amendment Necessary: No. **Items Impacted:** N/A
Explanation: This bill involves the Virginia Department of Agriculture and Consumer Services (VDACS); however, no budget action is required. See Fiscal Analysis section below.

Fiscal Summary: Any state fiscal impact this bill may have is indeterminate.

Fiscal Analysis: This impact statement is final. VDACS is unable to determine the number of violations that would result in a civil penalty. Therefore, VDACS is not able to determine if additional personnel are needed or how much civil penalty revenue would be generated. Penalty revenue will be deposited into the Plant Pollination Fund, established in Code.

This proposal decreases the penalty for failing to provide written notice to property owners from a Class 1 misdemeanor to a civil penalty. 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. Therefore, this proposal would decrease the number of people sentenced to jail or prison. This decrease would result in indeterminate savings to the state. 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. This bill would result in an indeterminate reduction in Literary Fund revenues.

There is no anticipated impact to the Department of Conservation and Recreation.

Other: None.