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

PUBLISHED: 3/9/2026 10:26 AM **ORIGINAL**

Bill Number: HB1350ER **Patron:** Kent
Bill Title: Department of Environmental Quality; special orders; Virginia Erosion and Sediment Control Program; civil penalties.

Bill Summary: The bill increases the maximum civil penalty that may be included in an administrative special order issued by the Director of the Department of Environmental Quality from $10,000 to $32,500. The bill also increases from $10,000 to $32,500 the maximum cumulative civil penalties that may be assessed by the Department of Environmental Quality, the State Water Control Board, or a locality for certain violations of the Virginia Erosion and Sediment Control Program, including violations arising from the same operative set of facts or from commencing land-disturbing activities without an approved plan. Additionally, the bill increases the maximum per-violation penalty under the program from $1,000 to $32,500, clarifies that violations of local ordinances may be subject to such penalties, and establishes a separate penalty structure for certain smaller land-disturbing activities.

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

Explanation: This bill involves the Department of Environmental Quality (DEQ); however, no budget action is required. See Fiscal Analysis section, below.

Fiscal Summary: It is anticipated that this bill may have an indeterminate nongeneral fund revenue impact, and that any costs DEQ may incur can be absorbed within existing resources.

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

The bill raises the statutory ceilings on civil penalties that may be imposed for certain violations of the Virginia Erosion and Sediment Control Program. To the extent that enforcement actions reach the prior statutory limits, DEQ, the State Water Control Board, and local program authorities may assess and collect higher total penalties than under current law. Civil penalties assessed under the program are deposited into the Virginia Stormwater Management Fund (Fund 09024).

Other: None.