



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 1523

PRINTER'S NO: 2208

PRIME SPONSOR: Kula

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
Expenditure Increase/(Decrease):		
County funds	\$0	See Analysis
Game Fund	\$0	\$0
General Fund	\$0	\$0

OVERVIEW:

House Bill 1523 amends Title 34 (Game) as follows:

- lowers the allowable blood alcohol content (BAC) of adults, relating to hunting or furtaking, from its current .10% to .08%,
- reduces the length of time within a chemical test is to be done to determine BAC from three hours to two hours, and
- authorizes the Game Commission to promulgate other regulations related to consent and administration of a chemical test.

Title 34 provides that a violation related to hunting or furtaking while under the influence of alcohol or a controlled substance shall be a misdemeanor of the third degree, punishable with a fine of \$500 to \$2,500 and/or the possibility of imprisonment up to six months. In addition to any penalty, the violator shall be denied the right to hunt or trap in this Commonwealth, with or without a license, for a period of one year.

This act shall take effect in 60 days.

ANALYSIS:

The adoption of House Bill 1523 should have no adverse fiscal impact on the Game Fund or the General Fund.

However, since House Bill 1523 lowers the BAC level, relating to hunting or furtaking, there is a possibility that additional individuals may be charged, convicted, and sentenced under this act. Additional violators creates the potential for fiscal impact on local funds due to penalty provisions in the bill for the imprisonment of violators for up to six months in a county jail.

The average cost in 2008 for incarceration in a county jail for one person was approximately \$50 per day or \$18,250 per year. The average cost for supervising a county adult offender in 2007 was \$680 per year.

According to the Game Commission, the Commission currently prosecutes approximately 12 violations a year of hunting under the influence.

PREPARED BY: Antoinette L. Marchowsky, Budget Analyst
House Appropriations Committee, (D)

DATE: June 23, 2009

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*