

Vermont Legislative Joint Fiscal Office

One Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • Fax: (802) 828-2483

FISCAL NOTE

Date: February 17, 2016

Prepared by: Daniel Dickerson

H.297 An Act Relating to the Sale of Ivory or Rhinoceros Horn

Bill Summary:

The proposed bill would prohibit all commercial sales of rhinoceros horn products in Vermont and almost all ivory products, with the exception of ivory products meeting certain federal requirements and made of less than 200 grams of ivory. Sales of ivory and rhino horns for scientific or educational use would still be allowed. The importation of ivory or rhino horns into Vermont would be limited to legally acquired specimens that are either federally authorized or brought in as part of a personal or household move. Any law enforcement officer in Vermont would be authorized to enforce the proposed law and violators would be charged with a misdemeanor and be forced to pay a fine to the State, in addition to any federal penalties. The Secretary of Natural Resources would be authorized rulemaking authority and would be required to provide education information regarding the law on the Agency of Natural Resources (ANR) website. The bill would go into effect on January 1, 2018.

Analysis:

There are two possible avenues of direct cost¹ for the State under the provisions of this bill, enforcement and education. As the bill does not go into effect until mid-FY2018, there is no estimated FY2017 fiscal impact.

1. Enforcement – The bill proposes to extend the responsibility for enforcement to all law enforcement officers in the State. This would serve to dilute the costs of enforcement as they are spread to many jurisdictions. The extent of the ivory/horn sales market in Vermont is unknown but probably small. The Department of Fish & Wildlife (Department) estimates that enforcement may cost up to \$1,200 in staff time and materials per year. Beyond this, costs to the State for enforcement are estimated to be minimal and could be partially offset by fines.
2. Education – The cost to the Department for providing information on this proposed law on its website is estimated to be minimal as well (approx. \$400). The Department also expects to incur training costs for wardens and wildlife staff that are unknown at this time but for which it hopes to receive federal funding. To the extent that federal funding could not be secured, the Department may need to request additional funding in its FY2018 budget request.

¹ There is the potential for indirect costs to the general fund from lost sales tax revenue in FY2018 and future years but because information on the ivory market in Vermont does not exist there is no way of predicting what the potential impact might be. Conversely, any sales tax revenue from ivory sales could experience a minor boost in FY2017 as dealers look to sell off inventory that would be prohibited under the new law.