


GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: JUN 30 2008

SUBJECT: Fiscal Impact Statement: "Smoking Infractions Approval Resolution of 2008"

REFERENCE: DRAFT (Unnumbered)

Conclusion

The proposed legislation would have no impact on the District's FY 2008 budget or the FY 2009 to FY 2012 budget and financial plan. No additional staff or resources would be required to implement the proposed legislation.

Background

The proposed legislation would approve rules proposed by the D.C. Department of Health (DOH) that would amend Section 3632 of Title 16 of the District of Columbia Municipal Regulations (DCMR). The proposed rules would establish civil infractions for smoking violations under D.C. Official Code § 7-1701 *et seq.* by introducing eight provisions for Class 1 infractions and ten provisions for Class 2 infractions.

Financial Plan Impact

The proposed legislation would have no impact on the District's FY 2008 budget or the FY 2009 to FY 2012 budget and financial plan. No additional staff or resources would be required to implement the proposed legislation. The infractions that would be established by the proposed rules would be classified as Class 1 infractions (with fines of \$2,000 for the first offense, rising to

\$16,000 for the fourth and subsequent offenses) or Class 2 infractions (with fines of \$1,000 for the first offense, rising to \$8,000 for the fourth and subsequent offenses). It is not anticipated that significant revenues would be generated from these fines, as the DOH reports high rates of compliance with District of Columbia smoking laws and rules. Potential increases in fines resulting from the proposed rules are therefore estimated to be minimal.