

Department of Planning and Budget

2002 Fiscal Impact Statement

1. **Bill Number** HB558

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. **Patron** Jones, S.C.

3. **Committee** Passed both Houses

4. **Title** Political advertisements; disclosure requirements.

5. **Summary/Purpose:**

Requires that print, television, and radio advertisements supporting or opposing the nomination or election of clearly identified candidates contain specific information regarding the sponsor of the advertisement. This bill is patterned after the North Carolina "Stand By Your Ad Act."

6. **Fiscal Impact Estimates are:** Unknown

7. **Budget amendment necessary:** No

8. **Fiscal implications:** Persons will fully violating the provisions of this legislation are subject to being sentenced to jail terms. There is not enough information available to reliably estimate how many additional prisoners in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor in the local jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board, the total state support for local jails averaged \$30.94 per inmate, per day in FY 2000.

The bill as passed contains no formal enforcement provisions. However, because the bill is located in Title 24.2 Elections of the Code of Virginia, the State Board of Elections (SBE) would likely be involved in enforcement actions. It is unclear from the provisions of the bill exactly what role the SBE would play. For example, would the Board's role be limited to receiving complaints, receiving and investigating complaints and recommending action, or pro-actively monitoring political advertisements for evidence of improprieties. No final fiscal impact can be estimated until these questions are addressed.

9. **Specific agency or political subdivisions affected:** State Board of Elections, Local Boards of Election and registrars, Office of the Attorney General and local Commonwealth's Attorneys.

10. **Technical amendment necessary:** No

11. **Other comments:** None

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cc:SecretaryofAdministration