

**Department of Planning and Budget  
2002 Fiscal Impact Statement**

**1. Bill Number** SB221

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron** Stolle

**3. Committee** Passed both houses

**4. Title** Telecommunications devices

**5. Summary/Purpose:**

Currently, it is unlawful to obtain oil, electric, gas, water, telephone, telegraph, or cable television service by the use of false information or false application for service. It is also unlawful to obtain telecommunications service by the use of an unlawful telecommunication device. A violation of the statute is a Class 6 felony if the value of the service obtained is \$200 or more; otherwise, the violation is a Class 1 misdemeanor. The proposed legislation would add telecommunications service to the list of services protected from false applications.

Current law also makes possession or sale of an unlawful telecommunication device a Class 6 felony. The proposed bill would establish that the number of telecommunications devices being used unlawfully would delineate separate offenses.

The proposed legislation would expand the definition of "telecommunication device," "telecommunications service provider," and "unlawful telecommunication device."

**6. Fiscal Impact:** Final. See Item No. 8.

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

The proposed legislation could result in more persons being incarcerated in state prisons. The Virginia Criminal Sentencing Commission, pursuant to the provisions of § 30-19.1:4 of the Code of Virginia, has concluded that there is insufficient data available to determine how many cases, if any, would be affected. However, based on recent arrest and sentencing history of the current law, it is expected that the impact on prison bed space of this legislation would be negligible.

**9. Specific agency or political subdivisions affected:** Department of Corrections

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** 03/29/02rwh

**Document:** G:\LEGIS\Fis-02\SB221ER.DOC Dick Hall - Sizemore  
cc: Secretary of Public Safety