

Department of Planning and Budget
2003 Fiscal Impact Statement

1. Bill Number HB2649

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Cosgrove

3. Committee Courts of Justice

4. Title Obstructing justice by giving false information to police.

5. Summary/Purpose: Provide that any person who knowingly and willfully makes any materially false statement or representation to a law enforcement officer who is in the course of conducting an investigation of a crime by another is guilty of a Class 1 misdemeanor. Currently it is a Class 2 misdemeanor.

6. Fiscal Impact Estimates: See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: The fiscal impact of the proposed legislation is not known. However, the present penalty of a Class 2 misdemeanor is subject to a jail sentence up to six months and/or fines, whereas anyone convicted of a Class 1 misdemeanor is subject to a jail sentence up to 12 months and/or fines. Therefore, the proposed legislation could increase sentence length by up to six months. Longer sentences will increase the jail population, and any increase in jail population will increase costs to the state.

The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds the majority of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. According to the Compensation Board's most recent Jail Cost Report (FY 2001), the estimated total state support for local jails averaged \$31.83 per inmate, per day in FY 2001.

9. Specific agency or political subdivisions affected: Compensation Board, local and regional jails.

10. Technical amendment necessary: No.

11. Other comments: None.

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cc: Secretary of Administration