

Department of Planning and Budget 2003 Fiscal Impact Statement

1. Bill Number HB2689

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

2. Patron Howell

3. Committee Passed both houses

4. Title Dogfighting

5. Summary/Purpose:

Under current law, it is a Class 6 felony to promote, bet on, or sponsor dog fights. It is a Class 3 misdemeanor to attend dog fights, at which an admission fee is charged. The proposed legislation would expand those provisions to also make it a Class 6 felony to possess, own, train, transport, or sell a dog with the intent that the dog engage in dog fighting. In addition, it would increase the penalty for attendance at a dog fight to a Class 1 misdemeanor.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him or her to one year in jail, or 1 to 5 years in prison. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates 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 misdemeanorant or otherwise local responsible prisoner held in a 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 estimated total state support for local jails averaged \$31.86 per inmate, per day in FY 2001.

The Virginia Criminal Sentencing Commission has determined, pursuant to §30-19.1:4 of the Code of Virginia, that, based on the recent history of sentences for offenses related to dog fighting, the proposed legislation is not likely to have an impact on state -responsible (prison) bedspace.

9. Specific agency or political subdivisions affected: Department of Corrections, local jails

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/11/03/rwh

Document: G:\LEGIS\Fis-03\Template-Abridge.DOC Dick Hall - Sizemore
cc: Secretary of Public Safety