

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number HB150

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

2. Patron Albo

3. Committee Courts of Justice

4. Title Jail fees paid by those convicted of crimes

5. Summary/Purpose: The proposed legislation allows the sheriff or jail superintendent to charge an inmate convicted of a criminal offense, for each night spent in the facility, an amount equal to the average annual cost to house an inmate for one day at that facility, or may charge \$70 per day, whichever is less. The bill also limits the sheriff or jail superintendent to charging the inmate for up to five nights, or \$350, whichever is less. The proposal further states that any funds collected shall be retained in the locality and be used for general jail purposes.

6. Fiscal Impact Estimates are: PRELIMINARY; See Item 8 below.

7. Budget amendment necessary: No.

8. Fiscal implications: This proposal would not have a fiscal impact on state funding. However, it is estimated that up to \$4.6 million annually in new revenues could be collected by local and regional jails. It should be stressed that this is an estimate based on available data and may not reflect the actual collections rates of individual jails if this legislation is passed.

Methodology: Applying the proposal to data supplied by the Compensation Board, it is estimated that for calendar year 2002, local and regional jails could have billed inmates for about \$7.8 million. The Board provided data on anyone convicted and sentenced to jail (sentenced to jail for ordinance, misdemeanor, and felony convictions) for calendar year 2002 and the number of days spent in jail (up to 5 days). Using the Board's *Jail Cost Report FY 2002*, the daily operating cost to house an inmate was identified for each jail and applied to the number of days. Additional adjustments were made to ensure the \$70 per day limit and five day maximum were not exceeded.

Given the population being assessed the fee, there was concern over the amount that would be actually collected. Fiscal year 2003 individual circuit court fines and fees collection rates were applied to the jails' potential fee total. The average collection rate for circuit courts fines and fees in fiscal year 2003 was 54.3 percent. It is important to note that some localities collect a significantly higher percentage of the fines and fees assessed (Fairfax collects about 98 percent whereas Portsmouth collects about 11.8 percent). Given this, some localities will

benefit more from this proposal than others. In addition, each jail has different percentages of inmates in their population subject to this legislation. This too, will mean that some localities will benefit more from this proposal than others. Attached is a table identifying potential collection amounts by jail.

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

10. Technical amendment necessary: No.

11. Other comments: As noted on the attached table, the state financially supports an average of 59.7% of jails' operating costs.

Date: 02/26/04 / jgc

Document: G:\2004 session\EFIS -- Bill Impact Statements\Posted\HB150EH1.DOC

cc: Secretary of Administration

ATTACHMENT

HB 150: Estimated Jail Housing Fees Collected by Sheriffs or Jail Superintendents

JAIL	Inmates	Average Days	Daily Fee Up To \$70	Average Inmate Fee	Estimated Collection Rate	Projected Fees Collected	Pct. State Funded
PEUMANSEND CREEK REG. JAIL	3	5.00	\$65.38	\$326.90	66.5%	\$652	54.2%
PAGE COUNTY JAIL	12	4.17	\$39.20	\$163.33	56.7%	\$1,111	72.7%
CHARLOTTE COUNTY JAIL	64	3.91	\$41.51	\$162.15	18.5%	\$1,920	78.4%
LEE COUNTY JAIL	81	3.67	\$36.39	\$133.43	18.2%	\$1,967	59.3%
DANVILLE CITY JAIL	265	4.00	\$39.89	\$159.56	9.1%	\$3,848	78.5%
BUCHANAN COUNTY JAIL	57	3.96	\$46.13	\$182.90	38.5%	\$4,014	62.2%
PATRICK COUNTY JAIL	70	3.74	\$51.86	\$194.10	36.9%	\$5,014	66.0%
RAPPAHANNOCK COUNTY JAIL	27	3.81	\$70.00	\$267.04	79.9%	\$5,761	81.1%
DANVILLE CITY JAIL FARM	351	4.51	\$40.88	\$184.25	9.1%	\$5,885	58.5%
LANCASTER CORRECTIONAL CENTER	57	4.21	\$70.00	\$294.74	37.0%	\$6,216	62.6%
SOUTHAMPTON COUNTY JAIL	77	3.36	\$49.95	\$168.01	53.5%	\$6,921	76.2%
WARREN COUNTY JAIL	57	4.32	\$43.62	\$188.25	64.8%	\$6,953	58.8%
DICKENSON COUNTY JAIL	56	4.48	\$56.36	\$252.61	54.1%	\$7,653	74.6%
SCOTT COUNTY JAIL	68	4.07	\$57.57	\$234.51	51.1%	\$8,149	80.8%
APPOMATTOX COUNTY JAIL	66	4.24	\$70.00	\$296.97	48.8%	\$9,565	70.8%
BRUNSWICK COUNTY JAIL	76	3.53	\$49.41	\$174.24	79.5%	\$10,527	70.4%
NORTHAMPTON COUNTY JAIL	83	4.53	\$60.78	\$275.34	46.3%	\$10,581	60.7%
TAZEWELL COUNTY JAIL	249	3.75	\$41.73	\$156.36	28.6%	\$11,135	80.5%
AMHERST COUNTY JAIL	150	4.29	\$45.64	\$195.64	46.3%	\$13,587	74.6%
RUSSELL COUNTY JAIL	145	4.10	\$53.69	\$219.94	42.9%	\$13,682	61.6%
BRISTOL CITY JAIL	121	4.47	\$51.87	\$231.91	49.1%	\$13,778	67.1%
MARTINSVILLE CITY JAIL	201	4.38	\$42.70	\$186.95	37.3%	\$14,016	71.6%
DINWIDDIE COUNTY JAIL	164	4.24	\$43.34	\$183.93	47.3%	\$14,268	63.3%
HENRY COUNTY JAIL	258	4.30	\$29.60	\$127.23	47.5%	\$15,593	55.2%
WISE COUNTY JAIL	130	3.22	\$45.03	\$144.79	83.6%	\$15,736	66.7%
PITTSYLVANIA COUNTY JAIL	238	3.91	\$50.76	\$198.35	33.6%	\$15,861	71.0%
PORTSMOUTH CITY JAIL	882	4.14	\$37.94	\$157.05	11.8%	\$16,345	65.1%
ACCOMACK COUNTY JAIL	212	4.06	\$35.18	\$142.88	55.1%	\$16,690	73.6%
WASHINGTON COUNTY JAIL	192	4.11	\$41.35	\$170.14	52.1%	\$17,019	68.9%
BOTETOURT COUNTY JAIL	111	3.14	\$70.00	\$220.09	72.9%	\$17,809	65.2%
ALLEGHANY COUNTY REG. JAIL	125	4.06	\$70.00	\$283.92	51.0%	\$18,100	65.8%
SOUTHSIDE REGIONAL JAIL	93	4.22	\$53.43	\$225.21	87.0%	\$18,213	70.6%
SUSSEX COUNTY JAIL	86	4.42	\$70.00	\$309.30	68.5%	\$18,221	61.4%
ROCKBRIDGE REGIONAL JAIL	150	4.21	\$54.85	\$230.74	54.2%	\$18,747	74.9%
GLOUCESTER COUNTY JAIL	139	4.46	\$57.62	\$257.01	52.5%	\$18,755	54.3%
SHENANDOAH COUNTY JAIL	142	4.25	\$47.24	\$200.60	70.1%	\$19,968	72.9%
NORTHERN NECK REGIONAL JAIL	205	4.23	\$41.64	\$176.11	56.7%	\$20,458	34.2%
HAMPTON ROADS REGIONAL JAIL	306	4.03	\$56.14	\$226.39	30.1%	\$20,823	64.5%
SMYTH COUNTY JAIL	258	4.25	\$44.50	\$189.21	43.1%	\$21,040	67.6%
FRANKLIN COUNTY JAIL	243	3.85	\$43.43	\$167.11	53.7%	\$21,806	71.2%
NEWPORT NEWS CITY PRISON FARM	187	4.05	\$70.00	\$283.74	47.9%	\$25,416	32.6%
CENTRAL VIRGINIA REGIONAL JAIL	357	3.71	\$38.01	\$140.97	61.9%	\$31,154	46.9%
MONTGOMERY COUNTY JAIL	328	4.27	\$40.16	\$171.41	59.7%	\$33,566	73.6%
PETERSBURG CITY JAIL	457	4.16	\$44.77	\$186.43	45.1%	\$38,424	68.4%

HAMPTON CORRECTIONAL FACILITY	375	4.11	\$51.31	\$210.85	48.6%	\$38,427	72.4%
MECKLENBURG COUNTY JAIL	238	4.27	\$57.31	\$244.89	67.1%	\$39,109	66.2%
PIEDMONT REGIONAL JAIL	629	4.04	\$31.39	\$126.81	49.2%	\$39,267	53.2%
AUGUSTA COUNTY JAIL	370	3.74	\$47.41	\$177.47	60.1%	\$39,463	64.9%
NEW RIVER REGIONAL JAIL	472	3.71	\$34.78	\$128.88	66.3%	\$40,351	83.6%
NORFOLK CITY JAIL	1,198	4.45	\$37.11	\$165.23	21.3%	\$42,162	74.7%
CULPEPER COUNTY JAIL	250	3.88	\$70.00	\$271.32	68.6%	\$46,531	52.2%
WESTERN TIDEWATER REG. JAIL	695	4.09	\$36.97	\$151.23	50.0%	\$52,553	71.8%
CFFW REGIONAL ADULT DET CTR.	381	4.44	\$51.37	\$228.00	62.5%	\$54,292	60.2%
FAUQUIER COUNTY JAIL	250	3.78	\$70.00	\$264.60	82.1%	\$54,309	47.6%
ROCKINGHAM-HARRISONBG R.J.	481	4.00	\$43.57	\$174.28	67.6%	\$56,668	63.6%
MIDDLE PENINSULA REGIONAL	234	4.19	\$70.00	\$293.16	84.1%	\$57,686	52.6%
NEWPORT NEWS CITY JAIL	829	4.15	\$40.48	\$168.17	47.9%	\$66,779	75.2%
PAMUNKEY REGIONAL JAIL	508	4.00	\$47.94	\$191.67	70.8%	\$68,968	51.0%
VIRGINIA PENINSULA REGIONAL JAIL	568	4.18	\$49.48	\$206.81	59.2%	\$69,540	66.2%
LOUDOUN COUNTY JAIL	392	3.36	\$70.00	\$235.54	84.4%	\$77,927	34.1%
BLUE RIDGE REGIONAL JAIL	774	4.36	\$45.14	\$196.60	55.6%	\$84,537	74.8%
ALBEMARLE-CHARLOTTESV'E R.J.	669	4.03	\$50.62	\$203.92	64.2%	\$87,573	58.3%
RIVERSIDE REGIONAL JAIL	938	4.09	\$44.90	\$183.76	54.2%	\$93,466	65.2%
ALEXANDRIA DETENTION CENTER	662	4.25	\$70.00	\$297.24	58.7%	\$115,504	25.0%
ARLINGTON COUNTY DET. FAC.	875	3.94	\$70.00	\$275.52	48.7%	\$117,406	38.8%
ROANOKE CITY JAIL	1,220	3.93	\$44.47	\$174.82	62.2%	\$132,659	66.5%
ROANOKE COUNTY/SALEM JAIL	711	4.16	\$61.03	\$253.73	79.5%	\$143,422	55.4%
RICHMOND CITY JAIL	3,073	3.92	\$42.41	\$166.30	28.2%	\$144,113	70.0%
RAPPAHANNOCK REGIONAL JAIL	1,212	4.03	\$53.42	\$215.31	56.0%	\$146,136	53.7%
CHESAPEAKE CITY JAIL	944	4.11	\$68.26	\$280.49	64.0%	\$169,460	40.3%
HENRICO COUNTY JAIL	1,391	4.11	\$57.10	\$234.48	58.5%	\$190,801	51.4%
VIRGINIA BEACH CORRECTION. CTR	2,607	3.62	\$43.56	\$157.60	65.9%	\$270,755	62.4%
CHESTERFIELD COUNTY JAIL	1,947	4.20	\$69.02	\$290.08	51.3%	\$289,738	44.0%
PR. WILLIAM/MANASSAS REG. JAIL	1,628	3.37	\$70.00	\$236.01	77.4%	\$297,235	42.6%
FAIRFAX ADULT DETENTION CENTER	3,562	3.65	\$70.00	\$255.16	98.3%	\$893,429	23.7%
STATEWIDE	37,682	3.97	\$51.71	\$205.45	54.3%	\$4,637,212	59.7%

Notes:

- 1) "Inmates" is the number of inmates in calendar year 2002 that were convicted of a crime and sentenced to jail.
- 2) "Average Days" is the number of days the inmates were housed in jail (up to 5 days).
- 3) "Daily Fee Up To \$70" is based on the Jail Cost Report FY 2002 data and reflects average daily costs up to \$70 per day.
- 4) "Average Inmate Fee" is determined by multiplying the "Average Days" and the "Fee Up To \$70" amount.
- 5) "Estimated Collection Rate" is the collection rate of fines and fees assessed by each circuit court in fiscal year 2003 as per the Compensation Board's Fines and Fees Report FY03.
- 6) "Projected Fees Collected" is determined by multiplying "Inmates", "Average Inmate Fee" and "Estimated Collection Rate."
- 7) "Pct. State Funded" is the amount of jail operating expenditures paid with state revenue as per Jail Cost Report FY 2002.