

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number HB 718

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 Shannon

3. Committee Passed both houses

4. Title Sexual abuse

5. Summary/Purpose:

Current law defines “sexual abuse” as an act committed with the intent to sexually molest, arouse, or gratify the offender in which the offender touches the victim’s intimate parts or forces the victim to touch the intimate parts of the offender, victim, or another person. The proposed legislation would provide that, if the victim were under the age of 13, assisting or causing the victim to touch the private parts of the offender, victim, or another person would also constitute sexual abuse.

6. Fiscal Impact Estimates are: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

There are misdemeanor and felony statutes involving sexual abuse. By expanding the definition of sexual abuse, the proposed legislation could result in additional persons committed to local jails or state correctional facilities.

The Virginia Criminal Sentencing Commission has concluded that the existing databases are not sufficient to enable it to project how many, if any, additional convictions could result from the legislation. 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, \$8.00 a day for each state responsible inmate held for sixty days or less, and \$14.00 a day for each state responsible inmate held for more than sixty days. 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 \$29.80 per inmate, per day in FY 2002.

9. Specific agency or political subdivisions affected:

Department of Corrections

Local and regional jails

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/28/04 / rwh

Document: G:\LEGIS\Fis-04\HB718ER.Doc Dick Hall-Sizemore

cc: Secretary of Finance