

**Department of Planning and Budget**  
**2004 Fiscal Impact Statement**

**1. Bill Number** HB801

**House of Origin**    ☐ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☒ Enrolled

**2. Patron**        Petersen

**3. Committee**    Passed Both Houses

**4. Title**            Hazing of youth gang members.

**5. Summary/Purpose:**

Extends criminal and civil liability to those who haze gang members. Currently, the law is limited to student victims.

**6. Fiscal Impact Estimates are:** (Final) See Item 8.

**7. Budget amendment necessary:** No

**8. Fiscal implications:**

Presently, the penalty for hazing a student is a Class I misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to twelve months in jail and a \$2,500 fine. Because this legislation adds gang members to those subject to these provisions, this bill could result in an increase in the number of persons sentenced to jail.

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 misdemeanant 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 \$29.80 per inmate, per day in FY 2002.

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

**10. Technical amendment necessary:** No

**11. Other comments:** None

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cc: Secretary of Administration