

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number** HB837

**House of Origin**    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☒ Enrolled

**2. Patron**        Brink

**3. Committee**    Passed Both Houses

**4. Title**            Voting equipment and technology and related election law offenses; penalties

**5. Summary/Purpose:**

Incorporates a number of changes in current law provisions on voting equipment and related offenses to cover new developments in voting technology, software, programming, and related security and operations issues.

**6. Fiscal Impact Estimates are: Undetermined - Final**

**7. Budget amendment necessary: No**

**8. Fiscal implications:** The bill contains provisions that update current law to cover new technology development. The updates include provisions for Class 5 felonies and Class 1 misdemeanors.

For someone convicted of a Class 5 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 10 years in prison or 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 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.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in 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:** State Board of Elections and local electoral boards

**10. Technical amendment necessary:** No

**11. Other comments:** None

**Date:** 3/22/04 mtb

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cc: Secretary of Administration