

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB 1860

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

2. Patron Shannon

3. Committee Passed both houses

4. Title Unauthorized possession of credit cards

5. Summary/Purpose:

Under current law, the unauthorized possession of two or more credit cards or credit card numbers is prima facie evidence of credit card forgery, which is a Class 5 felony, punishable by a prison sentence of 1-10 years. The proposed legislation would make such unauthorized possession prima facie evidence of credit card theft, instead. Credit card theft is punishable by a sentence of 1-20 years.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

According to data provided by the Virginia Criminal Sentencing Commission, although the maximum possible sentence for credit card theft is double the maximum possible for credit card forgery, the median prison sentences for credit card forgery and credit card theft is virtually the same. Nevertheless, the proposed legislation could result in additional persons in prison because offenders convicted of credit card theft are more likely to receive active prison sentences than those convicted of credit card forgery. However, the Sentencing Commission did not have sufficient data to determine, pursuant to §30-19.1:4 of the Code of Virginia, the impact of the proposed legislation on state-responsible (prison) bed space.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 02/28/05 / rwh

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