

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB 2674

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 Ebbin

3. Committee Passed both houses

4. Title Payment of wages with bad checks

5. Summary/Purpose:

Currently, it is a Class 1 misdemeanor to use a bad check to pay wages. The enrolled legislation would make paying wages with a bad check a Class 6 felony, if the check were for \$200 or more.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. However, a judge currently has the authority to sentence anyone covered by the new provision to jail for up to one year (the possible sentence for a Class 1 misdemeanor). Therefore, any impact caused by the legislation will be the result of persons sentenced to prison.

According to the Virginia Criminal Sentencing Commission, it is expected that the legislation will result in an increase in the number of offenders in prison. However, not enough information is available to project how many additional offenders would be committed to state prisons. Consequently, the Commission was unable to determine, pursuant to §30-19.1:4 of the Code of Virginia, the impact on state prisons resulting from this legislation and the necessary appropriation.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/04/05 / rwh

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