



## Fiscal Impact Statement for Proposed Legislation

### *Virginia Criminal Sentencing Commission*

**House Bill No. 1013**  
***Amendment in the Nature of a Substitute***  
***(Patron Prior to Substitute – Hurt)***

**LD#:** 06-4668820

**Date:** 3/6/2006

**Topic:** False identification cards

**Fiscal Impact Summary:**

- **State Adult Correctional Facilities:**  
Cannot be determined
- **Local Adult Correctional Facilities:**  
Cannot be determined
- **Adult Community Corrections Programs:**  
Cannot be determined

- **Juvenile Correctional Centers:**  
None (\$0)
- **Juvenile Detention Facilities:**  
None (\$0)

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**Summary of Proposed Legislation:**

The proposal amends § 18.2-204.2 to increase certain penalties relating to false identification cards. Currently, it is a Class 2 misdemeanor to possess a false identification card and a Class 1 misdemeanor to manufacture, advertise for sale, sell or reproduce such a card. The proposal will make it a Class 6 felony to manufacture for sale any false license or identification.

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**Analysis:**

Based on fiscal years (FY) 2003 and 2004 Local Inmate Data System (LIDS) data, there were 101 persons held pre- or post-trial and convicted under § 18.2-204.2. About a third (36%) were convicted of manufacture, advertise for sale, sell or reproduce false identification with a median local-responsible (jail) sentence of one month. The remaining 64% were convicted of possessing false identification with a median jail sentence of 10 days.

Available data does not provide information on offenders who manufactured false identification cards for sale.

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**Impact of Proposed Legislation:**

**State adult correctional facilities.** Because the proposal increases the penalty for manufacturing for sale any false identification in violation of § 18.2-204.2 to a Class 6 felony, there may be an increased need for state-responsible (prison) bed space; however, the magnitude cannot be determined.

**Local adult correctional facilities.** The proposal may also have an impact on local-responsible (jail) bed space needs; however, database limitations are such that neither the size nor the direction of the change can be quantified.

**Adult community corrections programs.** The proposal may affect adult community corrections programs, but the impact cannot be quantified.

**Virginia's sentencing guidelines.** Convictions under § 18.2-204.2 are not covered by Virginia's sentencing guidelines but may augment the recommendation if the most serious offense at conviction is a covered offense. No adjustment to the sentencing guidelines would be necessary under the proposal.

**Juvenile correctional centers.** According to the Department of Juvenile Justice (DJJ) the proposal will not have an impact on juvenile correctional centers (JCC) bed space needs.

**Juvenile detention facilities.** The Department of Juvenile Justice reports that the proposal will not have an impact on juvenile detention facilities bed space needs.

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**Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**

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