

## Department of Planning and Budget 2006 Fiscal Impact Statement

**1. Bill Number** HB 1230

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron** Jones, D.C.

**3. Committee** Passed both houses

**4. Title** Tattooing

**5. Summary/Purpose:**

Current law prohibits anyone from tattooing or performing body piercing on anyone under the age of 18 years except (i) in the presence of that persons parent or guardian or (ii) under the supervision of a doctor, registered nurse, or other medical services personnel. In addition, anyone tattooing or performing body piercing must comply with certain medical guidelines and provide clients specified disclosures. A violation of the current provisions is a Class 2 misdemeanor. A second or subsequent violation is a Class 1 misdemeanor. The proposed legislation would make any violation a Class 1 misdemeanor.

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

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

Anyone convicted of a Class 2 misdemeanor is subject to a sentence of up to six months in jail. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. Therefore, by increasing a first violation of the provisions regarding tattooing and body piercing from a Class 2 misdemeanor to a Class 1 misdemeanor, the proposed legislation could result in additional persons being held in jail.

However, 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's most recent Jail Cost Report (FY 2004), the estimated total state support for local jails averaged \$26.03 per inmate, per day in FY 2004.

**9. Specific agency or political subdivisions affected:** Local and regional jails.

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** 03/30/06 / rwh

**Document:** G:\LEGIS\Fis-06\HB1230ER.DOC Dick Hall-Sizemore