

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number HB1500

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

2. Patron Purkey

3. Committee Courts of Justice

4. Title Fraudulent procurement of telephone records; penalty.

5. Summary/Purpose: Creates a Class 1 misdemeanor resulting from unauthorized or fraudulent procurement, sale, or receipt of telephone records which involves (i) knowingly procuring, attempting to procure, soliciting, or conspiring with another to procure a telephone record without authorization by fraudulent, deceptive, or false means; (ii) knowingly selling, or attempting to sell, a telephone record without authorization; or (iii) receiving a telephone record knowing that such record has been obtained without authorization by fraudulent, deceptive, or false means.

6. Fiscal Impact Estimates are: PRELIMINARY; See item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: 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'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, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/27/06 jgc

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cc: Secretary of Public Safety

Secretary of Administration