

Department of Planning and Budget

2006 Fiscal Impact Statement

1. Bill Number: HB222

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: Jones, D.C.

3. Committee: Commerce and Labor

4. Title: Identity theft; security freezes; penalty.

5. Summary/Purpose: The bill authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer no more than \$20 for each freeze, removal of the freeze, or temporary lift of the freeze. Violations are punishable as a Class 1 misdemeanor. A person violating the requirements is liable to an injured person for the greater of actual damages or \$1,000, and reasonable costs and attorney fees.

6. Fiscal impact: The bill may have an indeterminate fiscal impact to the judicial system. The bill does not have a fiscal impact for the Department of Agriculture and Consumer Services. 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 the proposed bill. 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 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: Department of Agriculture and Consumer Services, judicial system.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 1/18/06 kbs

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cc: Secretary of Agriculture and Forestry