Department of Planning and Budget
2007 Fiscal Impact Statement

1. **Bill Number**   HB1739

   House of Origin   ☐ Introduced   ☐ Substitute   ☐ Engrossed

   Second House   ☒ In Committee   ☐ Substitute   ☐ Enrolled

2. **Patron**   Fralin

3. **Committee**   Courts of Justice

4. **Title**   Assault and battery; second offense against family or household member, penalty.

5. **Summary/Purpose:** Provides that the penalty for any person who commits a second offense of assault and battery against a family or household member within five years following a conviction of a prior such offense shall include a 30-day mandatory minimum term of incarceration. Assault and battery against a family or household member is a Class 1 misdemeanor. Also stipulates that two convictions for assault and battery against a family or household member is a Class 6 felony and shall include a mandatory minimum term of incarceration of six months.

6. **Fiscal Impact Estimates are:** *INDETERMINANT*; See Item 8.

7. **Budget amendment necessary:** No.

8. **Fiscal implications:**   There is not enough information available to reliably estimate how many additional inmates in jail, if any, 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 2005), the estimated total state support for local jails averaged $28.35 per inmate, per day in FY 2005.

9. **Specific agency or political subdivisions affected:**   Local and regional jails, state and local law enforcement agencies and the State Compensation Board.

10. **Technical amendment necessary:** No.

11. **Other comments:** None.

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cc: Secretary of Administration