

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number HB 1923

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Griffith

3. Committee Passed both houses

4. Title Sex offender registry

5. Summary/Purpose:

Under current law, persons convicted of certain sex offenses are required to register with the Sex Offender and Crimes against Minors Registry (SOR). Re-registration is required annually as well as upon any change of address or place of employment. For offenders convicted of a “sexually violent offense,” violation of the registration requirements is a Class 6 felony for the first conviction and a Class 5 felony for any second or subsequent violation. For other offenders required to register, violation is a Class 1 misdemeanor for the first conviction and a Class 6 felony for any second or subsequent conviction.

The proposed legislation would require that every person found not guilty by reason of insanity of an offense for which SOR registration is required also shall register and re-register as required by law.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal, although it is expected to be small. 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, \$8.00 a day for each state responsible inmate held for sixty days or less, and \$14.00 a day for each state responsible inmate held for more than sixty days. 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.

Due to the lack of data, the Virginia Criminal Sentencing Commission has determined, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. However, it is expected that the impact will be small.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 02/26/2007 / rwh

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