

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number** HB1970

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

**2. Patron** Albo

**3. Committee** Senate Courts of Justice

**4. Title** Immigrants; it is unlawful to be in Virginia if in United States illegally.

**5. Summary/Purpose:** Provides that any alien who is present in the United States illegally, as previously verified by the Bureau of Immigration and Customs Enforcement, is guilty of a Class 1 misdemeanor (a fine up to \$2,500 and/or up to 12 months in jail). Proposal stipulates that no arrest or charge for a violation of this section shall be made unless the officer has cause to detain or arrest the person for some other criminal violation.

**6. Fiscal Impact Estimates are:** PRELIMINARY; 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 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, law enforcement agencies statewide, State Compensation Board.

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

**11. Other comments:** Similar to HB1918.

**Date:** 02/09/07 / jgc

**Document:** G:\2007\EFIS\Posted\HB1970H2.doc

cc: Secretary of Administration  
Secretary of Public Safety