

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB2772

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

2. Patron Hurt

3. Committee Senate Courts of Justice

4. Title False statements to obtain property or credit, fraudulent credit card application; penalty

5. Summary/Purpose: Raises penalty for making a false statement to obtain credit from a Class 2 (up to six months in jail and/or up to \$1,000 in fines) to a Class 1 misdemeanor (up to 12 months in jail and/or up to \$2,500 in fines). Characterizes the crime of fraudulently obtaining less than \$200 worth of goods, services, etc. as petit larceny rather than a Class 1 misdemeanor. (Obtaining \$200 or more is already described as grand larceny.) Defines a written false statement to include information transmitted, other than by voice transmission, by computer, facsimile, e-mail, Internet, or any other electronic medium.

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

7. Budget amendment necessary: No.

8. Fiscal implications: Since the proposal increases the penalty from a Class 2 misdemeanor to a Class 1 misdemeanor, anyone convicted is now subject to a sentence of up to 12 months in jail and up to \$2,500 in fines instead of the maximum Class 2 misdemeanor punishment of up to 6 months in jail and up to \$1,000 in fines. Therefore, this proposal could result in an increase in the length of time those persons convicted under these provisions spend in jail.

There is not enough information available to reliably estimate how much in additional jail time could result from this proposal. Any increase in jail time 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, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: Yes. Line 33, delete "or optical" to be consistent with line 51.

11. Other comments: None.

Date: 02/17/07 / ltc

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cc: Secretary of Public Safety
Secretary of Administration