

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB 1282

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Stosch

3. Committee Passed both houses

4. Title Use of identifying information to harass

5. Summary/Purpose:

Under the current law, it is a Class 1 misdemeanor to publish a person's name or photograph, along with identifying information, with the intent to coerce, intimidate, or harass that person.

The enrolled bill would add a person's primary residence address to the list of identifying information that would be protected.

The enrolled bill would also elevate the offense to a Class 6 felony, with a mandatory minimum term of six months, if the victim were a law-enforcement officer and the offender knew that.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 1 misdemeanor, he can be sentenced to a term of up to 12 months in jail. For a Class 6 felony, a judge has the option of sentencing the offender 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. 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 negligible.

9. Specific agency or political subdivisions affected:

Department of Corrections
Local and regional jails.

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/03/2007 / rwh

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