

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB838

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

2. Patron Devolites Davis

3. Committee Local Government

4. Title Disclosures in land use proceedings.

5. Summary/Purpose: Requires each individual member of the governing body, the planning commission, and the board of zoning appeals in any proceeding before each such body involving an application for a special exception or variance or involving an application for amendment of a zoning ordinance, which does not constitute the adoption of a comprehensive zoning plan or ordinance applicable throughout the locality, to make a full public disclosure of certain business or financial relationships that such member has or has had within the 12-month period prior to such hearing. Also, each individual member of the governing body in any proceeding involving a proposed amendment to the comprehensive plan shall, at or before any such proceeding, make a full public disclosure of certain business or financial relationships that such member has or has had since the local planning commission commenced preparation of such proposed amendment to the comprehensive plan. Any person knowingly and willfully violating the provisions of this section shall be guilty of a Class 1 misdemeanor.

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

7. Budget amendment necessary: No.

8. Fiscal implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. Therefore, this proposal could result in an increase in the number of persons sentenced to jail.

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, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/09/07 / ltc

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cc: Secretary of Public Safety
Secretary of Administration