

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB1007

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Jones, D.C.

3. Committee: Referral Pending

4. Title: **Virginia Fusion Intelligence Center; confidentiality; immunity.**

5. Summary: Provides that papers, evidence, information, etc., and databases or other information in the possession of the State Police are confidential and not subject to the Virginia Freedom of Information Act or the Government Data Collections and Disseminations Practices Act. The bill also provides that employees of the Department are not subject to subpoena in any civil action concerning criminal intelligence information or terrorism investigation. The bill restricts the release or dissemination of information without prior authorization from the Virginia Fusion Intelligence Center and punishes any person who knowingly disseminates information with a Class 1 misdemeanor. If such unauthorized release or dissemination results in death or serious bodily injury, such person is guilty of a Class 4 felony.

6. Fiscal Impact Estimates: PRELIMINARY.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in the jail population. 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 FY2006 Jail Cost Report (November 1, 2007), the estimated total state support for local jails averaged \$28.42 per inmate, per day in FY 2006.

According to the Virginia Criminal Sentencing Commission, the estimated amount of necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities that might result from this legislation and cannot be determined for periods of confinement to the custody of the Department of Juvenile Justice.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, law enforcement agencies statewide, State Compensation Board, Department of Corrections.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/17/2008 dpb/jgc

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cc: Secretary of Administration
Secretary of Public Safety