

# Department of Planning and Budget

## 2007 Fiscal Impact Statement

**1. Bill Number** HB 159

**House of Origin**    ☐ Introduced    ☒ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron** Albo

**3. Committee** Appropriations

**4. Title** Possession of stolen property

**5. Summary/Purpose:**

Under current law, if a person buys or receives stolen items, knowing that they have been stolen, he is guilty of larceny, although he did not actually steal the items. The proposed legislation would provide that a person buying or receiving items used in the course of a police investigation, believing that such items had been stolen, would also be guilty of larceny.

**6. Fiscal Impact:** Preliminary. See Item 8.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:**

The action prohibited by the proposed legislation would be punishable as larceny. Depending on the value of the item stolen, larceny is punishable with a sentence of up to 12 months in jail or 1 to 20 years in prison. Therefore, the proposed legislation could result in additional offenders being confined in jails or state prisons.

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 misdemeanor 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 (November 2007), the estimated total state support for local jails averaged \$28.42 per inmate, per day in FY 2006.

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.

**9. Specific agency or political subdivisions affected:**

Department of Corrections  
Local and regional jails

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

**11. Other comments:** None.

**Date:** {2/5/2008} rwh

**Document:** {G:\LEGIS\fis-08\HB159h1.doc}