

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB1698-H2

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

2. Patron: Lohr

3. Committee: Commerce and Labor

4. Title: Scrap metal processors.

5. Summary: Adds catalytic converter to the definition of proprietary article. It also authorizes law-enforcement officers to inspect during the regular business hours of a scrap metal processor without a warrant or subpoena, any scrap metal in the possession of a scrap metal processor, any records required to be maintained by a scrap metal processor, or both. The penalty for any violation of the chapter is a civil penalty not to exceed \$7,500 while knowing violations are a Class 1 misdemeanor.

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 since a Class 1 misdemeanor can result in a sentence of up to 12 months in jail (and \$2,500 fine). 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 FY2007 Jail Cost Report (November 1, 2008), the estimated total state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

Any civil penalty revenues collected would be deposited to the literary fund.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, State Compensation Board, law enforcement agencies statewide, general district courts.

10. Technical Amendment Necessary: No

11. Other Comments: None.

Date: 2/12/2009 dpb/jgc

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cc: State Compensation Board