

# Department of Planning and Budget

## 2009 Fiscal Impact Statement

**1. Bill Number SB 1223**

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

**2. Patron Obenshain**

**3. Committee Passed both houses**

**4. Title Notification of gang membership**

**5. Summary/Purpose:**

The proposed legislation would require the Department of Corrections to give notice to the attorney for the Commonwealth, in cases which he is prosecuting a defendant for an offense that occurred in a state correctional facility, of that defendant's known gang membership, as well as identifying information for each gang member and his criminal record.

**6. Fiscal Impact:** Final. None.

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

The Department of Corrections (DOC) has a gang management unit which compiles information on gang activities in correctional facilities and the gang affiliations of DOC inmates. It regularly shares this information with law enforcement units. Providing the information as required in the bill to Commonwealth's attorneys would not require any additional expense for the department.

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

Department of Corrections  
Commonwealth's Attorneys

**10. Technical amendment necessary:** None.

**11. Other comments:** This bill is identical to HB 2441, which has been passed and signed by the Governor.

**Date:** {3/4/2009} rwh

**Document:** G:\LEGIS\Fis-09\Sb1223er.DOC Dick Hall-Sizemore