

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** HB280

House of Origin	<u>  X  </u>	Introduced	<u>      </u>	Substitute	<u>      </u>	Engrossed
Second House	<u>      </u>	In Committee	<u>      </u>	Substitute	<u>      </u>	Enrolled

**2. Patron:** Albo

**3. Committee:** Courts of Justice

**4. Title:** **Fraud to accomplish vote on union organization; person guilty of misdemeanor.**

**5. Summary:** Any person who (i) knowingly and intentionally fails to provide full and complete information regarding the consequences of a signature or a vote or an affirmation by another, or (ii) by fraud, material artifice, trickery, or deception, causes or assists in causing a vote to be taken by non-union employees on whether to organize a union, is guilty of a Class 1 misdemeanor.

**6. Fiscal Impact Estimates:** Preliminary; see Item 8 below.

**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 FY2008 Jail Cost Report (November 1, 2009), the estimated total state support for local and regional jails averaged \$32.66 per state inmate, per day in FY 2008.

**9. Specific Agency or Political Subdivisions Affected:** State and local law enforcement agencies, local and regional jails.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 1/18/2010 dpb/John Crooks

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