

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB904

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

2. Patron: Bell, Robert B.

3. Committee: Passed both houses.

4. Title: **Animal control officers; obstruction.**

5. Summary: This bill clarifies the role of animal control officers in light of two changes made to criminal procedure statutes during the 2009 Session of the General Assembly. First, the provision in Title 3.2 is conformed with existing Title 18.2 to show that the heightened penalty for obstructing an animal control officer in the performance of their duties was increased from a Class 4 misdemeanor to a Class 1 misdemeanor. Second, Title 19.2 is amended to show that animal control officers may obtain a felony warrant from a magistrate, as stated in § 3.2-6555, although a law-enforcement officer must execute such warrant.

6. Fiscal Impact Estimates: Final. No fiscal impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services.

10. Technical Amendment Necessary: No.

11. Other Comments: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. 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 presently 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 Jail Cost Report (November 2009), the estimated total state support for local jails averaged \$32.66 per inmate, per day in FY 2008.

Date: 3/2/2010 dpbbrb

Document: <http://dpb.virginia.gov/efis/fistemplate.doc>