

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB1460

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

2. Patron: Miller, P.J.

3. Committee: Courts of Justice

4. Title: Public officials; any person who threatens to kill or injure is guilty of Class 1 misdemeanor.

5. Summary: Provides that any person who (i) threatens to kill or injure another person or to commit violence or injury against that person or his property, or to unlawfully trespass upon his property and (ii) knows or has reason to know that such other person is a judge, a law-enforcement officer, a correctional officer as defined in § 53.1-1, a person employed by the Department of Corrections directly involved in the care, treatment or supervision of inmates in the custody of the Department, a firefighter as defined in § 65.2-102, or a volunteer firefighter or lifesaving or rescue squad member, engaged in the performance of his public duties, is guilty of a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact resulting from the proposal at this time, the legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and up to a \$2,500 fine). Any increase in the jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 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 FY2009 Jail Cost Report (November 1, 2010), the estimated state support for local and regional jails averaged \$33.01 per state inmate, per day in FY 2009.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/17/2011

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