

REVISED

**Department of Planning and Budget  
2011 Fiscal Impact Statement**

**1. Bill Number:** HB1576

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

**2. Patron:**        Ebbin

**3. Committee:** Courts of Justice

**4. Title:**         Bullying; definition, punishment for actions.

**5. Summary:** Defines “bullying” to mean recklessly or intentionally endangering the health or safety of a student by exposing the student repeatedly and over time to physical aggression or intimidation, whether through direct physical contact or through the use of information or communication technology, resulting in bodily injury or other harm to person or property. This definition does not supersede or limit any definition of bullying developed by the Board of Education or the actual codes of student conduct adopted by school boards pursuant to § 22.1-279.6. Bullying is punishable as a Class 1 misdemeanor.

**6. Budget Amendment Necessary:** Yes. Item 398

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** According to the Department of Juvenile Justice, the annual fiscal impact of the proposed legislation is estimated at \$74,976. Per the agency, the Department of Education reports the number of incidents of bullying in schools across the Commonwealth at 5,493 for 2009-2010 and 6,694 for 2008-2009. With the proposed change in the law, such behaviors could now result in the victim’s school filing a complaint and requesting a petition initiating court action in the juvenile and domestic relations court.

The agency used a workload analysis by the National Council on Crime and Delinquency to estimate the fiscal impact. The agency estimates that at a maximum an additional 5.7 juvenile intake officers and \$299,904 are needed due to the anticipated workload to process 5,493 complaints as petitions. However, given that it is impossible to know how many of these cases would result in the filing a petition, the department believes the 25 percent fiscal impact level is most realistic.

- If 75% of the incidents resulted in the filings, then the cost would be \$224,928.
- If 50% of the incidents resulted in the filings, then the cost would be \$149,952.
- *If 25% of the incidents resulted in the filings, then the cost would be \$74,976.*

- If 10% of the incidents resulted in the filings, then the cost would be \$29,990.
- If 5% of the incidents resulted in the filings, then the cost would be \$14,995.

**9. Specific Agency or Political Subdivisions Affected:** Department of Juvenile Justice

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

**11. Other Comments:** This is a revised impact statement based on the Department of Juvenile Justice's updated assessment of the fiscal impact on the agency.

**Date:** 1/19/2011

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