

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB1932

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

2. Patron: Marshall, D.W.

3. Committee: Courts of Justice

4. Title: Domestic abuser registry established; penalty.

5. Summary: Defines 'domestic abuser' as an adult who has been convicted of a violation of § 16.1-253.2, 18.2-57.2, or 18.2-60.4 or of a substantially similar law of another state or of the United States and requires any domestic abuser physically within the boundaries of the Commonwealth for more than 10 consecutive days to register in person with the sheriff of the county or city in which the domestic abuser resides or is located. The bill also requires the offender to reregister annually. Failure to register or reregister is a Class 6 felony. The bill requires the sheriff to notify every residence and business within a one-half-mile radius of the abuser's residence or location within 10 days of initial registration. The bill requires that registry information be maintained in a central registry by the State Police and posted on the State Police website.

6. Budget Amendment Necessary: Yes. Items 67.20, 67.30, 407 and 380.

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

8. Fiscal Implications: According to the Virginia Criminal Sentencing Commission, the proposed legislation would impact state correctional beds by 114 beds by fiscal year 2017. Consistent with the requirements of §30-19.1:4, Code of Virginia, \$3,085,510 is the calculated amount that should be appropriated to the Department of Corrections in fiscal year 2012 if this bill is passed.

Assuming that these additional offenders would be forced to remain in local and regional jails, the following chart depicts the estimated state per diem costs to house state responsible inmates in jail beds.

State inmates housed in local correctional facilities

	FY12	FY13	FY14	FY15	FY16	FY17
Beds*	1	15	39	66	90	114
Days	366	365	365	365	366	365
Per diem	\$12	\$12	\$12	\$12	\$12	\$12
	\$4,392	\$65,700	\$170,820	\$289,080	\$395,280	\$499,320

* Per the Virginia Criminal Sentencing Commission

The Virginia Criminal Sentencing Commission also stated that the proposal would impact local jail beds (by 116 beds by fiscal year 2017). The following chart depicts the expected fiscal impact to the state by paying per diems to local and regional jails if the proposal passes.

Local adult correctional facilities						
	FY12	FY13	FY14	FY15	FY16	FY17
Beds*	3	31	54	75	96	116
Days	366	365	365	365	366	365
Per diem	\$4	\$4	\$4	\$4	\$4	\$4
	\$4,392	\$45,260	\$78,840	\$109,500	\$140,544	\$169,360

* Per the Virginia Criminal Sentencing Commission

In addition, the Department of State Police estimates that about \$986,000 is needed to design and develop a new registry and website, and an additional \$126,411 is needed each year to support a position.

The cost to local law enforcement is not known at this time.

9. Specific Agency or Political Subdivisions Affected: Departments of State Police and Corrections, local and regional jails, and the Compensation Board.

10. Technical Amendment Necessary: No

11. Other Comments: None.

Date: 1/26/2011

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