

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

**1. Bill Number:** HB2396-E

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

**2. Patron:**      Bell, Robert B.

**3. Committee:** Courts of Justice

**4. Title:**      Unlawful solicitation of a child by an adult; penalty.

**5. Summary:** Provides that any adult who, by an offer of something of value or by misrepresentation of his identity, lures or entices a minor who is three or more years younger than the adult to enter a motor vehicle is guilty of a Class 1 misdemeanor. There would be rebuttable presumption that the prohibition does not apply to any law-enforcement officer in the performance of his duties, to any family or household member or guardian of the minor, or to any person who has permission, granted by an adult family member of the minor or the guardian of the minor, to transport the minor.

**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 due to this proposal, the proposal 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 a fine up to \$2,500). Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanor 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 total 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, Compensation Board.

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

**11. Other Comments:** None.

**Date:** 2/15/2011

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