

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB434-S1

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Puller

3. Committee: Committee assignment pending.

4. Title: Funeral protests; penalty.

5. Summary: Makes it unlawful for a person to address speech to a person attending a funeral or memorial service that is reasonably likely to provoke an imminent breach of the peace and engage in picketing within 250 feet of a funeral or memorial service targeted at one or more persons attending the service. A violation of this provision is a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary; See item 8 below.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to this proposal, 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 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 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 FY2010 Jail Cost Report (November 1, 2011), the estimated total state support for local and regional jails averaged \$29.98 per state inmate, per day in FY 2010.

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

10. Technical Amendment Necessary: No.

11. Other Comments: Similar to HB 707.

Date: February 10, 2012

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