

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB 1380

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

2. Patron: Yost

3. Committee: House Courts of Justice

4. Title: Assault of campus police officers

5. Summary:

Under current law, simple assault and assault and battery are Class 1 misdemeanors. However, if the offense is committed against any one of specifically designated public safety workers, it is a Class 6 felony. The proposed legislation would add campus police officers to the list of workers for which the felony would be applicable.

6. Budget Amendment Necessary: Yes. Item 389.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013		
2014	\$197,354	General
2015		
2016		
2017		
2018		

8. Fiscal Implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. 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 and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 most recent Jail Cost Report (November 2012), the estimated total state support for local jails averaged \$26.54 per inmate, per day in FY 2011.

Pursuant to § 30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$197,354 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in seven additional inmates being incarcerated in prison.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/2/2013

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