Department of Planning and Budget
2012 Fiscal Impact Statement

1. **Bill Number:** SB277-E

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

2. **Patron:** Smith

3. **Committee:** Committee assignment pending.

4. **Title:** Forced or coerced abortion prohibited; penalty.

5. **Summary:** Provides that any person who forces or coerces a pregnant female to have an abortion against her will is guilty of a Class 1 misdemeanor. The bill also creates a private right of action against the person who coerced her to have an abortion for the female herself and for the wrongful death of the unborn child.

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 legislation, 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:** None.

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