

## Department of Planning and Budget 2013 Fiscal Impact Statement

**1. Bill Number: SB 729**

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

**2. Patron: Blevins**

**3. Committee: Passed both houses**

**4. Title: Jail construction standards**

**5. Summary:**

By statute, the Board of Corrections is directed to establish minimum standards for the construction of local and regional jails. A provision of the Appropriation Act prohibits any locality from constructing, renovating, or remodeling any local or regional jail without the prior approval of the Board of Corrections. The proposed legislation would authorize the Board of Corrections to grant a waiver from its minimum standards to the city of Chesapeake for the “use of one or more temporary structures for housing community custody inmates”. Such structures would still be subject to the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code for the designated use and occupancy.

Any waiver granted could not exceed five years. If construction of a permanent facility, enlargement of an existing facility, or approval of an alternative housing agreement is not completed by the expiration of the waiver, the board would be authorized to grant a one-year extension twice. If such extensions were granted, the city’s authorized reimbursement for any construction costs for the new permanent facility or enlargement would be reduced 25 percent for each year of extension.

**6. Budget Amendment Necessary: None.**

**7. Fiscal Impact Estimates: None. See Item 8 below.**

**8. Fiscal Implications:**

State law provides for the state to share the costs of construction of local or regional jails. For local jails, the state share is 25 percent; for regional jails, 50 percent. However, the proposed legislation stipulates that Chesapeake would not receive any state funding for the cost of any buildings constructed under the waiver provisions. The reimbursement for the construction of any new facility or enlargement of an existing one, for which the city could be reimbursed, would have to be approved by a future General Assembly.

**9. Specific Agency or Political Subdivisions Affected:**

Board of Corrections  
Department of Corrections  
City of Chesapeake

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** The legislation has an emergency clause.

**Date:** 2/13/2013

**Document:** G:\LEGIS\fis-13\sb729er.docx Dick Hall-Sizemore