

Department of Planning and Budget

2014 Fiscal Impact Statement

1. Bill Number: HB1029

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

2. Patron: Orrock

3. Committee: Courts of Justice

4. Title: Libel and slander; candidates for office.

5. Summary: Creates a Class 1 misdemeanor for any person to use campaign funds for the purpose of knowingly and falsely asserting criminal behavior on the part of a candidate.

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, House Bill 1029 could result in an increase in the jail population since Class 1 misdemeanor outcomes can 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 FY 2012 Jail Cost Report (November 1, 2013), the estimated total state support for local and regional jails averaged \$30.06 per state inmate, per day in FY 2012.

9. Specific Agency or Political Subdivisions Affected: State Board of Elections, local, and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: No.

Date: 1/28/2014

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c: Secretary of Administration