

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB 765

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: Edwards

3. Committee: Senate Privileges and Elections

4. Title: Population used for redistricting

5. Summary:

In each decennial United States Census, inmates in a state correctional facility are counted as residents of the locality in which the correctional facility is located. The General Assembly is required by state law to use this data in creating districts for elections to the House of Delegates and the Senate. The governing body of any county, city, or town is authorized to exclude the adult inmate population of any federal, state, or regional adult correctional facility located in the locality from the population figures used for the purposes of reapportionment and redistricting.

The proposed legislation would prohibit the inmate population of any correctional facility operated by the Department of Corrections (DOC) from being counted as part of the population of the locality in which the facility is located for the purposes of drawing districts for elections to the House of Delegates, Virginia Senate, and local government offices. The legislation would require DOC to provide demographic information to the Division of Legislative Services (DLS) for each inmate housed in correctional facilities operated by DOC on the date of the decennial census, including, to the extent possible, the last known residential street address of the inmate prior to incarceration. The bill directs DLS to request similar information from each agency operating a federal correctional facility in the Commonwealth.

The legislation would require DLS to adjust the U.S. Census data to be used in creating districts for elections to the House of Delegates and the Virginia Senate to reflect state inmates being counted at their last residential address prior to incarceration, rather than in the population of the locality in which the correctional facility is located. Those inmates whose last residential addresses cannot be determined would be allocated to a state unit not tied to a specific determined geographic location.

The bill would require that DLS provide each local government with the data reflecting these adjustments for use in their redistricting.

The legislation would prohibit the data prepared by DLS from being used in the distribution of any state or federal aid.

6. Budget Amendment Necessary: None.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2015	\$0	
2016	\$0	
2017	\$0	
2018	\$0	
2019	\$0	
2020	\$0	
2021	\$50,000	General

8. Fiscal Implications:

The proposed legislation would impose requirements on the Department of Corrections (DOC) and the Division of Legislative Services (DLS). There would be no fiscal impact on DOC; the agency currently collects the data required by the legislation in its inmate information system, CORIS. However, DLS would need additional resources to implement the bill's requirements, although those resources would not be needed until FY 2021, when the next redistricting would be required to occur.

DLS would need to purchase additional software to adjust the census data to reflect the counting of inmates differently. The tentatively projected cost of this software is \$50,000.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Division of Legislative Services

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to HB 1465.

Date: 1/19/2015

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