

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB 376

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

2. Patron: Pogge

3. Committee: House Courts of Justice

4. Title: Municipal park rangers

5. Summary:

The proposed legislation would make several changes in Virginia law regarding sworn municipal park rangers. First, it would clarify that they must complete the training required of law enforcement officers. Second, it would expand the references to law-enforcement officers in several criminal offense statutes to include sworn municipal park rangers.

6. Budget Amendment Necessary: Yes. Item 394.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2017	\$50,000	General
2018	\$0	
2019	\$0	
2020	\$0	
2021	\$0	
2022	\$0	

8. Fiscal Implications:

The statutes which expanded to include sworn municipal park rangers involve Class 1 and Class 2 misdemeanors, as well as Class 4,5, and 6 felonies. The potential sentences for violations of these various statutes range from up to 6 months in jail to 10 year 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. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanor 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 most recent Jail Cost Report (November 2015), the estimated total state support for local jails averaged \$32.24 per inmate, per day in FY 2014.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 665 of the 2015 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails.
Cities and towns with sworn municipal park rangers

10. Technical Amendment Necessary: None.

11. Other Comments:

The intent of the legislation's amendments to § 15.2-1706 is ambiguous. The amendments add "sworn municipal park rangers appointed pursuant to § 19.2-12" to the list of personnel who must be certified through the successful training at an approved criminal justice training academy in order to remain eligible for employment. However, § 19.2-12 already defines as conservators of the peace any sworn municipal park rangers who have "completed all requirements under § 15.2-1706."

If the intent is to clarify or emphasize an existing requirement that sworn municipal park rangers are those that have completed training at a criminal justice training academy and only those municipal park rangers are those that are covered by the other sections of the legislation, this provision of the legislation would have no programmatic impact.

On the other hand, if the intent is to add completion of criminal justice training as a condition of employment to any other requirement of being a sworn municipal park ranger, the legislation could have a significant impact on the Department of Criminal Justice Services (DCJS), which is responsible for administering the regulations for training law enforcement officers. Currently, the curricula at criminal justice training academies do not include training and certification of sworn municipal park rangers. Nor does (DCJS) maintain training records for sworn municipal park rangers as it does for law enforcement officers. Before developing a training curriculum for certification of municipal park rangers,

DCJS would first have to conduct a job task analysis to identify the duties and responsibilities of that position. Then the curriculum would have to be devised and trainers identified. In addition, DCJS would have to add municipal park rangers to its database of certified trained officers and its field staff would need to monitor the training records of municipal park rangers on the job. The Governor's introduced budget bill includes funding for a position to conduct job task analyses and for another field position. The proposed legislation, depending on its intent, could add to the workload of these positions.

Date: 2/9/2016

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