

Department of Planning and Budget

2016 Fiscal Impact Statement

1. Bill Number: HB561

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: Lingamfelter

3. Committee: Courts of Justice

4. Title: Use of unmanned aircraft system for surveillance; penalty.

5. Summary: The bill will make the use of an unmanned aircraft system to capture images of a private property or individuals located on private property, without their consent, a Class 3 misdemeanor. The sale or dissemination of such images is punishable as a Class 2 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: Anyone convicted of a Class 2 misdemeanor is subject to a sentence of up to 6 months in jail, and a fine of not more than \$1,000. 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 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 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.

The penalty for a Class 3 misdemeanor is a fine of not more than \$500 and no jail time. All revenue from fines is required to be deposited in the Literary Fund. It is not feasible to project the amount of additional revenue from fines that may be collected as a result of the proposed legislation.

9. Specific Agency or Political Subdivisions Affected: Courts, local and regional jails, Compensation Board

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/18/2016-HB561.docx (NCS)