

## Department of Planning and Budget

### 2017 Fiscal Impact Statement

**1. Bill Number:** HB2350H1

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

**2. Patron:** Minchew

**3. Committee:** Reported from Courts of Justice

**4. Title:** Use of unmanned aircraft system to trespass; peeping into dwelling or occupied building; penalty.

**5. Summary:** Makes it unlawful for any person to knowingly and intentionally cause an electronic device to enter upon the property of another to secretly or furtively peep or spy or attempt to peep or spy into or through a window, door, or other aperture of any building, structure, or other enclosure occupied or intended for occupancy as a dwelling, whether or not such building, structure or enclosure is permanently situated or transportable. Creates a Class 1 misdemeanor for violation of its provisions.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Indeterminate. See below.

**8. Fiscal Implications:** The proposed legislation creates a new Class 1 misdemeanor, which is punishable by confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both. 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 and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 2016), the estimated total state support for local jails averaged \$32.82 per inmate, per day in FY 2015.

**9. Specific Agency or Political Subdivisions Affected:** Local and regional jails, Courts, Law enforcement agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.