

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: SB1455-E

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

2. Patron: Black

3. Committee: Privileges and Elections

4. Title: Payments for registering to vote; penalties.

5. Summary: Provides that any person who gives, offers, or promises any monetary payment to another in exchange for that person registering to vote is guilty of a Class 6 felony. A person who solicits or accepts any monetary payment from another in exchange for his registering to vote is guilty of a Class 1 misdemeanor.

6. Budget Amendment Necessary: Yes – Item 394.

7. Fiscal Impact Estimates: Preliminary – see Item 8.

Expenditure Impact:

| <i>Fiscal Year</i> | <i>Dollars</i> | <i>Positions</i> | <i>Fund</i> |
|--------------------|----------------|------------------|-------------|
| 2017 | \$0 | 0.00 | - |
| 2018 | \$50,000 | 0.00 | GF |
| 2019 | \$0 | 0.00 | - |
| 2020 | \$0 | 0.00 | - |
| 2021 | \$0 | 0.00 | - |
| 2022 | \$0 | 0.00 | - |
| 2023 | \$0 | 0.00 | - |

8. Fiscal Implications: For someone convicted of a Class 6 felony, a judge has the option of sentencing the person up to one year in jail, or 1 to 5 years in prison. Anyone convicted of a Class 1 misdemeanor could serve a sentence of up to 12 months in jail (and a fine up to \$2,500). The proposed legislation 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 proposed legislation. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in the jail population will increase costs to the state. The Commonwealth presently pays 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.

The proposed legislation is not expected to have a fiscal impact for the Virginia Department of Elections.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, State Board of Elections, Department of Corrections, and localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.