

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB1480

House of Origin	<input checked="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: Committee for Courts of Justice

4. Title: Digital impersonation; penalty.

5. Summary: The bill makes knowingly impersonating a living person with malice a Class 1 misdemeanor when the impersonation occurs without that person's authorization through the use of a computer and with the intent to defraud or injure that person in his reputation, trade, business, or profession. The bill provides that an impersonation is credible if a reasonable person would believe the defendant was in fact the person who was impersonated.

6. Budget Amendment Necessary: Indeterminate, See Item 8

7. Fiscal Impact Estimates: Fiscal Impact Estimates Are Preliminary

8. Fiscal Implications: The bill may increase the number of inmates in jail but there is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. 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 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: The Compensation Board, Local and regional jails and Law Enforcement

10. Technical Amendment Necessary: No

11. Other Comments: None