

Department of Planning and Budget 2018 Fiscal Impact Statement

1. **Bill Number:** HB115

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

2. **Patron:** Webert

3. **Committee:** Committee Referral Pending

4. **Title:** Reckless driving; penalty.

5. **Summary:** Expands the conduct that constitutes reckless driving to include driving a vehicle without giving proper time and attention to driving. Current law penalizes reckless driving as a Class 1 misdemeanor, or, if the person’s license had been suspended or revoked due to a moving violation and the reckless driving was the sole and proximate cause of death of another, a Class 6 felony.

6. **Budget Amendment Necessary:** Yes. Item 394.

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>	
2019	\$50,000	General	
2020	\$0		
2021	\$0		
2022	\$0		
2023	\$0		
2024	\$0		
2025	\$0		

8. **Fiscal Implications:** For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years 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 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 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Local and Regional jails.

10. Technical Amendment Necessary: None.

11. Other Comments: None.