

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB 546

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: Freitas

3. Committee: House Courts of Justice

4. Title: Larceny

5. Summary:

Current larceny and fraud statutes base the sentence or classification of the offense on the value of the property or money stolen or involved in the fraud. If the value is less than \$200 (petit larceny), the offense is a Class 1 misdemeanor, for which an offender is subject to a sentence of up to 12 months in jail. The sentence for offenses in which the value is \$200 or more (grand larceny), the sentence can be up to 12 months in jail or 1 to 20 years in prison.

For offenders charged with first-time larceny of property with a value of at least \$200 and less than \$1,000, the proposed legislation would authorize courts to defer proceedings against the defendant for 60 days on the condition that the defendant pay restitution equal to twice the amount of the property involved. Upon the payment of the restitution, the court would find the defendant guilty of a Class 1 misdemeanor, rather than a felony.

6. Budget Amendment Necessary: None.

7. Fiscal Impact Estimates: Preliminary. Indeterminate See Item 8.

8. Fiscal Implications:

The state reimburses local and regional jails \$12 per day for housing offenders convicted of felony offenses. By enabling the suspension of proceedings against some felony offenders and, potentially, the reduction of the offense to a misdemeanor, the proposed legislation could result in a reduction in the per diem payments to jails. However, there is insufficient data available to estimate the fiscal impact.

9. Specific Agency or Political Subdivisions Affected:

Circuit courts
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None

11. Other Comments: None.