

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number: HB 623**

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

**2. Patron: Bell, Robert B.**

**3. Committee: House Courts of Justice**

**4. Title: False reports to police**

**5. Summary:**

Currently, it is a Class 1 misdemeanor to knowingly give a false report of a crime to law-enforcement agencies with the intent to mislead them or to summon law-enforcement officials without just cause.

The proposed legislation would provide that knowingly making a false report to law-enforcement officials of an act of violence or making a false report that results in an immediate response by law-enforcement would constitute a Class 6 felony. If the emergency response to the false report resulted in serious bodily injury or death of any person, the action would be a Class 5 felony.

**6. Budget Amendment Necessary: Yes. Item 391.**

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

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2019	\$50,000	General
2020	\$0	
2021	\$0	
2022	\$0	
2023	\$0	
2024	\$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. For a Class 5 felony, there could be a

sentence of up to one year in jail, or 1 to 10 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.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 836 of the 2017 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill.

**9. Specific Agency or Political Subdivisions Affected:**

Department of Corrections  
Local and regional jails

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.