

## **Department of Planning and Budget 2018 Fiscal Impact Statement**

**1. Bill Number: SB 339**

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Engrossed
Second House	<input checked="" type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

**2. Patron: Stuart**

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

**4. Title: Persons with autism or intellectual disabilities**

**5. Summary:**

The proposed legislation would authorize courts to defer charges, except for acts of violence and other offenses for which charges can be deferred, for defendants diagnosed with an autism spectrum disorder or an intellectual disability and place the defendants on probation subject to terms and conditions set by the court. After fulfillment of the terms and conditions, the court could dismiss the proceedings without an adjudication of guilt.

**6. Budget Amendment Necessary: None.**

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

**8. Fiscal Implications:**

The proposed legislation could result in individuals, who would have been convicted under current law and sentenced to jail or prison time, not being incarcerated. Because the state reimburses state and regional jails \$4.00 per day for housing local responsible inmates and \$12.00 per day for state responsible inmates, the legislation could result in a savings in the cost of these per diem payments. However, there is insufficient data available to project the extent of any potential savings.

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

Circuit and district courts  
Attorneys for the Commonwealth  
Compensation Board

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

**11. Other Comments: None.**