

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB1636ER

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

2. Patron: Knight

3. Committee: Passed both houses

4. Title: Trespass by unmanned aircraft system

5. Summary: Currently, it is a Class 1 misdemeanor to knowingly and intentionally cause an unmanned aircraft system to enter another's property and come within fifty feet of a dwelling, or to use such a system to coerce, intimidate, or harass another person. Exceptions are provided if consent is given by an authorized person to fly the aircraft system, or federal regulations permit the operation of the aircraft system. Under the proposed legislation, any person who knowingly and intentionally causes an unmanned aircraft system to take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions is guilty of a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item 8 below.

8. Fiscal Implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. 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 misdemeanant or otherwise local responsible prisoner held in a jail. It also funds a large 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 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017.

There is no anticipated fiscal impact on the Department of Aviation.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, and courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.