

## **Department of Planning and Budget**

### **2019 Fiscal Impact Statement**

**1. Bill Number:** HB1947H1

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

**2. Patron:** Campbell, J.L.

**3. Committee:** Courts of Justice

**4. Title:** Bomb threats to private or public elementary or secondary schools

**5. Summary:** Provides that any person who communicates a bomb threat, knowing the threat to be false, to a private or public elementary or secondary school, shall be sentenced to a term of confinement of at least six months, 5 days of which shall be a mandatory minimum term of confinement. Currently, anyone who communicates a bomb threat, knowing the threat to be false, is guilty of a Class 5 felony if he is 15 years of age or older. He is guilty of a Class 1 misdemeanor if under 15 years of age.

**6. Budget Amendment Necessary:** No.

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

**8. Fiscal Implications:** The proposed legislation requires a mandatory minimum sentence of 5 days for a violation of the section involving a public or private elementary or secondary school. Therefore, it is possible this bill will increase the number of people sentenced to local or regional jails. 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 Corrections. Any potential fiscal impact on the Department of Juvenile Justice is indeterminate at this time.

**9. Specific Agency or Political Subdivisions Affected:** Department of Juvenile Justice, Department of Corrections, Local correctional facilities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.