Department of Planning and Budget
2019 Fiscal Impact Statement

1. **Bill Number:** SB1395H1

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

2. **Patron:** Howell

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

4. **Title:** Assault and battery against a health care provider; enhanced penalty.

5. **Summary:** The bill provides that any person who orally makes a threat to kill or to do bodily injury to any health care provider as defined in existing law who is engaged in the performance of his duties in a hospital or in an emergency room on the premises of any clinic or other facility rendering emergency medical care, unless the person is on the premises of the hospital or emergency room of the clinic or other facility rendering emergency medical care as a result of an emergency custody order, involuntary temporary detention order, involuntary hospitalization order or emergency custody order of a conditionally released acquittee is guilty of a Class 1 misdemeanor.

6. **Budget Amendment Necessary**: No

7. **Fiscal Impact Estimates:** Preliminary (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. 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 varies from locality to locality. 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.

9. **Specific Agency or Political Subdivisions Affected:** Local jails; Local law enforcement; Courts.

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None