

## **Department of Planning and Budget 2023 Fiscal Impact Statement**

**1. Bill Number:** HB2330

**House of Origin**     Introduced     Substitute     Engrossed

**Second House**     In Committee     Substitute     Enrolled

**2. Patron:**    McQuinn

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

**4. Title:**    Assault and battery; public transportation service vehicle operators; penalty.

**5. Summary:** Makes it a Class 1 misdemeanor for a person to commit a battery against another knowing or having reason to know that such individual is an operator of a vehicle operated by a public transportation service who is engaged in the performance of his duties. The bill requires the sentence of such person, upon conviction, to include a term of confinement of 15 days in jail, two days of which is a mandatory minimum.

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

**7. Fiscal Impact Estimates:** Preliminary (see Item 8).

**8. Fiscal Implications:** The proposal makes it a Class 1 misdemeanor for any person to commit a battery against an operator of a public transportation vehicle punishable by a term of confinement of 15 days, with a mandatory minimum two days of confinement. There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently 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. However, according to the Compensation Board's most recent Jail Cost Report (November 2022), the estimated total state support for local jails averaged \$40.39 per inmate, per day in FY 2021.

**9. Specific Agency or Political Subdivisions Affected:** State and local law enforcement, local and regional jails, Courts.

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

**11. Other Comments:** None.