

Department of Planning and Budget
2005 Fiscal Impact Statement

1. Bill Number HB1741

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 Cosgrove

3. Committee Passed Both Houses

4. Title Photographs of undergarments, etc., without consent; penalty.

5. Summary/Purpose: Provides that the creation of a videotape, photograph, film or videographic or still image record created by placing the lens or image-gathering component of a recording device in a position to capture an image of the person's undergarments, genitals, pubic area or buttocks when the undergarments, genitals, pubic area or buttocks would not otherwise be visible is punishable as a Class 1 misdemeanor.

6. Fiscal Impact Estimates are: FINAL; See Item 8 below.

7. Budget amendment necessary: No.

8. Fiscal implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. According to the Virginia Criminal Sentencing Commission, there is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible inmate held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per inmate, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (FY 2003), the estimated total state support for local jails averaged \$27.42 per inmate, per day in FY 2003.

9. Specific agency or political subdivisions affected: Local and regional jails, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 03/07/05 / jgc

Document: G:\2005\EFIS\Posted\HB1741ER.DOC

cc: Secretary of Administration
Secretary of Public Safety