

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number:** HB1855

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input 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:** Wittman

**3. Committee:** Agriculture, Chesapeake, and Natural Resources

**4. Title:** Aquaculture

**5. Summary/Purpose:** The bill sets guidelines for the placement of temporary shellfish enclosures in state waters to ensure that enclosures may be easily located and removed if (i) a threat to navigation arises, (ii) the enclosure is idle, or (iii) the lease conditions are otherwise violated.

**6. Fiscal Impact Estimates are:** Indeterminate. See item 8.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** A violation of the provisions of this legislation is a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. Therefore, the proposed legislation could result in an increase in the number of persons sentenced to jail.

There is not enough information available to reliably estimate how many additional inmates in jail may 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 prisoner held in jail. It also funds most of the jails' operating costs, such as 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 (FY 2005), the estimated total state support for local jails averaged \$28.35 per inmate, per day in FY 2005.

**9. Specific agency or political subdivisions affected:** Marine Resources Commission, judicial system.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 1/12/07 kbs

**Document:** G:\07 FIS\MRC\HB1855.Doc

**cc:** Secretary of Natural Resources