

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number** HB2322

<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** Gilbert

**3. Committee** Courts of Justice

**4. Title** Criminal procedure; admission to bail.

**5. Summary/Purpose:** Adds a presumption, subject to rebuttal, against admitting to bail any alien who is present in the United States illegally, as verified by the Law Enforcement Support Center of the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security or as verified by any other credible information.

**6. Fiscal Impact Estimates are:** PRELIMINARY; See Item 8.

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

**8. Fiscal implications:** Although insufficient data exists to determine the fiscal impact due to the proposal at this time, the proposal is expected to result in more jail time since bail restrictions are imposed.

Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor or otherwise local responsible prisoner 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 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:** Local and regional jails statewide.

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

**11. Other comments:** Similar to SB1421 and HB3206.

**Date:** 02/02/07 / jgc

**Document:** G:\2007\EFIS\Posted\HB2322.DOC

cc: Secretary of Public Safety