

## Department of Planning and Budget

### 2007 Fiscal Impact Statement

**1. Bill Number** HB2352

<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** Cosgrove

**3. Committee** Commerce and Labor

**4. Title** Sale of secondhand articles; penalty.

**5. Summary/Purpose:** Repeals the requirement that dealers in secondhand building fixtures obtain a permit from the local chief of police or sheriff. The measure also authorizes dealers to keep records and file reports in an electronic format, and requires dealers to make the records available to law-enforcement officials. Law enforcement officers may search for and take possession of missing or stolen items. Violations under the current law call for first offenders to pay a fine of not less than \$50 nor more than \$100, and for any second or subsequent offense, a fine of not less than \$100 nor more than \$500 and confinement in jail for no more than twelve months. Violations for this bill are made a Class 4 misdemeanor (fine up to \$250) for a first offense and a Class 1 misdemeanor (fine up to \$2,500 and/or up to twelve months in jail) for a second and subsequent offense. The length of time that buyers of certain used equipment are required to keep bills of sale is increased from 6 months to one year.

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

**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. Therefore, this proposal 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 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 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, Compensation Board, state and local law enforcement agencies.

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

**11. Other comments:** None.

**Date:** 01/15/07 / ltc

**Document:** DPB C:\2007FIS\posted\hb2352.doc

cc: Secretary of Public Safety  
Secretary of Administration