

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB2453

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Cline

3. Committee Transportation

4. Title Driving without a license; penalty.

5. Summary/Purpose: Provides for enhanced penalties for persons convicted multiple times of driving without a license (as distinct from driving on a suspended or revoked license). The enhanced penalties are patterned after present penalties for persons driving on revoked or suspended licenses. The current violation for driving without a license is a Class 2 misdemeanor (up to \$1000 in fines and/or up to six months in jail). This bill adds that the first violation will remain a Class 2 misdemeanor, except that a second violation within five years shall constitute a Class 1 misdemeanor (fine up to \$2,500 and/or up to twelve months in jail), and that a third or subsequent offense occurring within ten years of the first conviction shall include a mandatory term of ten days in jail.

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: Similar to HB3122.

Date: 01/09/07 / ltc

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cc: Secretary of Public Safety
Secretary of Administration