

Department of Planning and Budget
2007 Fiscal Impact Statement

1. Bill Number HB2772

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|------------------------|------------------------------------------------|-------------------------------------|------------------------------------|
| 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 Hurt

3. Committee Courts of Justice

4. Title False statements to obtain property or credit, fraudulent credit card application; penalty

5. Summary/Purpose: Raises penalty for making a false statement to obtain credit from a Class 2 (up to six months in jail and/or up to \$1000 in fines) to a Class 1 misdemeanor (up to 12 months in jail and/or up to \$2,500 in fines). Characterizes the crime of fraudulently obtaining less than \$200 worth of goods, services, etc. as petit larceny rather than a Class 1 misdemeanor. (Obtaining \$200 or more is already described as grand larceny.) Defines a written false statement to include information transmitted, other than by voice transmission, by computer, facsimile, e-mail, Internet, or any other electronic or optical medium.

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

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cc: Secretary of Public Safety
Secretary of Administration