

Department of Planning and Budget
2007 Fiscal Impact Statement

1. **Bill Number** SB1066

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. **Patron** McDougle

3. **Committee** Courts of Justice

4. **Title** Appeal from order denying bail or fixing terms of bond or recognizance.

5. **Summary/Purpose:** Provides that when there exists a rebuttable presumption against bail pursuant to § 19.2-120 and the court issues an order granting bail or conditions of recognizance, then upon motion by the attorney for the Commonwealth, the court shall stay the order, pending appeal by the Commonwealth.

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 the order granting bail will be stayed upon motion by the attorney for the Commonwealth.

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:** None.

Date: 01/28/07 / jgc

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cc: Secretary of Public Safety