

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB13

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Peace

3. Committee: Courts of Justice

4. Title: **Stalking; enhanced penalty if victim is a minor.**

5. Summary: Provides that if at the time of the offense of stalking, the victim is a minor and the offender is 10 or more years older than the victim, the sentence imposed shall include a mandatory minimum term of confinement of 30 days. The bill also provides that (i) for a second such conviction occurring within five years the penalty shall include a mandatory minimum term of confinement of 60 days and (ii) for a third conviction of stalking occurring within five years the penalty shall include a mandatory minimum term of confinement of 90 days.

6. Fiscal Impact Estimates: PRELIMINARY.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in the jail population.

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 FY2006 Jail Cost Report (November 1, 2007), the estimated total state support for local jails averaged \$28.42 per inmate, per day in FY 2006.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/17/2008 dpb/jgc

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cc: Secretary of Administration
Secretary of Public Safety