

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** HB1968

House of Origin	<u>X</u>	Introduced	<u>  </u>	Substitute	<u>  </u>	Engrossed
Second House	<u>  </u>	In Committee	<u>  </u>	Substitute	<u>  </u>	Enrolled

**2. Patron:** Massie

**3. Committee:** Courts of Justice

**4. Title:** Failure to comply with sentencing order; penalty.

**5. Summary:** Creates a Class 1 misdemeanor for willfully and knowingly violating a sentencing order by failing to surrender to jail at the time ordered by the court.

**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 since a Class 1 misdemeanor can result in a sentence of up to 12 months in jail (and \$2,500 fine). 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 FY2007 Jail Cost Report (November 1, 2008), the estimated total state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

**9. Specific Agency or Political Subdivisions Affected:** Local and regional jails, State Compensation Board, law enforcement agencies statewide, general district courts.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None.

**Date:** 1/19/2009 dpb/jgc

**Document:** G:\2009\EFIS\Posted\HB1968.DOC