

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2313

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

2. Patron: Kilgore

3. Committee: Courts of Justice

4. Title: **Illegal software, ticket sales; penalty.**

5. Summary: Punishes the intentional use of or selling of software to circumvent an equitable ticket-buying process on a ticket seller's website as a Class 1 misdemeanor. The bill also clarifies the definition of "without authority" in the Computer Crimes Act and the definition of "improper means" in the Uniform Trade Secrets Act and makes a violation of the Uniform Trade Secrets Act a prohibited practice under the Consumer Protection Act.

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.

10. Technical Amendment Necessary: No

11. Other Comments: None.

Date: 1/20/2009 dpb/jgc

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cc: State Compensation Board