

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB1248

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: Miller, P.J.

3. Committee: Courts of Justice

4. Title: What constitutes prostitution.

5. Summary: Expands the crime of prostitution, a Class 1 misdemeanor, to include the following for money or its equivalent: exposure of sexual or genital parts to any person to whom such person is not legally married or propose that any other person expose his sexual or genital parts to such person; propose that any other person feel or fondle the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any other person; or entice, allure, persuade, or invite any other person to enter any vehicle, room, house, or other place, for any of those purposes, or to commit or offer to commit adultery or fornication.

6. Fiscal Impact Estimates: Preliminary; see Item 8 below.

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 presently 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 FY2008 Jail Cost Report (November 1, 2009), the estimated total state support for local and regional jails averaged \$32.66 per state inmate, per day in FY 2008.

9. Specific Agency or Political Subdivisions Affected: Law enforcement agencies statewide, local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/8/2010 dpb/John Crooks

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