

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** HB949

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:** Howell, A.T.

**3. Committee:** Privileges and Elections

**4. Title:** Elections; candidate statement of qualification.

**5. Summary:** Makes it explicit that a false statement on a candidate's statement of qualification is unlawful and subject to Class 5 felony penalties under Code § 24.2-1016.

**6. Fiscal Impact Estimates:** Indeterminate fiscal impact.

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** There is no fiscal impact to State Board of Elections (SBE). However, for someone convicted of a Class 5 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 10 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$8.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail, \$8.00 a day for each state responsible inmate held for sixty days or less, and \$14.00 a day for each state responsible inmate held for more than sixty days. It also funds much 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 (November 2009), the estimated total state support for local jails averaged \$32.66 per inmate, per day in FY 2008.

**9. Specific Agency or Political Subdivisions Affected:** State Board of Elections, local government, Department of Corrections, Compensation Board

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** 1/20/2010 dpb

**Document:** <http://dpb.virginia.gov/efis/fistemplate.doc>