

## Department of Planning and Budget

### 2011 Fiscal Impact Statement

1. **Bill Number:** HB1496

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

2. **Patron:**    Herring

3. **Committee:** Courts of Justice

4. **Title:**    Providing alcohol to an underage person; person who purchases is guilty of a Class 1 misdemeanor.

5. **Summary:** Provides that any person who purchases alcoholic beverages for or otherwise gives, provides, or willfully assists by act of commission or omission in the provision of alcoholic beverages to or consumption of alcoholic beverages by another person, knowing or having reason to believe that such person was less than 21 years of age is guilty of a Class 1 misdemeanor. Current law does not address “acts” of omission, consumption by an underage person, or a violation committed when the violator has reason to believe a person is underage.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8.

8. **Fiscal Implications:** Although insufficient data exists to determine the fiscal impact resulting from the proposal at this time, the legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and \$2,500 fine). Any increase in the jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 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 FY2009 Jail Cost Report (November 1, 2010), the estimated state support for local and regional jails averaged \$33.01 per state inmate, per day in FY 2009.

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

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.

**Date:** 1/17/2011

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