

## Department of Planning and Budget 2011 Fiscal Impact Statement

**1. Bill Number:** HB1690

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Stolle

**3. Committee:** Courts of Justice

**4. Title:** Assault and battery of emergency health care providers; penalty.

**5. Summary:** Provides that the punishment for assault and battery upon a physician, physician's assistant, nurse, or nurse practitioner who is engaged in the performance of his duties as an emergency health care provider in an emergency room of a hospital or clinic or on the premises of any other facility rendering emergency medical care is a Class 1 misdemeanor. The sentence of such person, upon conviction, shall include a term of confinement of 15 days in jail, two days of which shall be a mandatory minimum term of confinement.

**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 convictions under this proposal would result in a term of confinement of up to 15 days (two days are the mandatory minimum term). 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:** 1/19/2011

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