

## Department of Planning and Budget 2011 Fiscal Impact Statement

**1. Bill Number:** HB2417

<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:** Landes

**3. Committee:** Commerce and Labor

**4. Title:** Electric cooperatives; attachments to utility poles by cable television systems; penalty.

**5. Summary:** Provides that placing an unauthorized attachment to utility poles owned by an electric cooperative is a Class 1 misdemeanor. The measure also requires cable television systems to adhere to conditions and standards when attaching to an electric cooperative's poles. These conditions and standards include payment for unauthorized attachments, standards for overlappings, evidence of authority to occupy the right-of-way, and nondiscriminatory access to broadband services. In addition, a cable television system that violates safety and response provisions is subject to fines of up to \$10,000.

**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 due to this proposal, the proposal 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 a fine up to \$2,500). Any increase in 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 total 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, Compensation Board.

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

**11. Other Comments:** None.

**Date:** 1/24/2011

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