

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB200

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

2. Patron: Lewis

3. Committee: Courts of Justice

4. Title: Assault and battery on school grounds; penalty.

5. Summary: Provides that any adult who commits an assault or assault and battery against another while on the premises of any public or private elementary or secondary school is guilty of a Class 1 misdemeanor, punishment for which shall include a mandatory minimum term of confinement of 30 days.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See item 8 below.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to this legislation, the legislation could result in an increase in the jail population since the proposal includes a mandatory minimum term of confinement of 30 days. In addition, longer terms of confinement are possible 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 FY2010 Jail Cost Report (November 1, 2011), the estimated total state support for local and regional jails averaged \$29.98 per state inmate, per day in FY 2010.

9. Specific Agency or Political Subdivisions Affected: State and local law enforcement.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 13, 2012

Document: G:\JGC\2012\EFIS\DSP\HB200.DOC