

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB337

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: Wilt, T. O.

3. Committee: General Laws

4. Title: Professions and occupations; unlawful procurement of certificate, license, or permit.

5. Summary: This bill clarifies language prohibiting the use, disclosure, or release of questions and answers for examinations for certification or licensure. The current statute limits the definition of illegal action to the passing of information during an exam. This bill strikes the language related to this limitation. Further, this bill adds additional language specifying that the use and/or release of any questions or answers intended to be used by the board or body conducting a licensing examination, in any manner beyond the scope authorized by the board, shall be unlawful.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: It is anticipated that this bill will not have a significant fiscal impact. The penalty for unlawful procurement of a certificate, license, or permit is a Class 2 misdemeanor. As such, this legislation could result in an increase in the jail population since Class 2 misdemeanor outcomes result in sentences of up to 6 months in jail (and a fine up to \$1,000). Any increase in jail population will increase costs to the state, but these costs are indeterminate. 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 FY 2010 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: Department of Professional and Occupational Regulation; Virginia Board of Accountancy; Department of Health Professions; Virginia Board of Law Examiners; state correctional facilities, courts, jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/13/12

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