

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB 2294

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

2. Patron: Wilt

3. Committee: Passed both houses

4. Title: Carnal knowledge of pretrial defendants

5. Summary:

The proposed legislation would make it a Class 1 misdemeanor for a person, who is (i) an owner or employee of a bail bond company that posted bail for a defendant or post-trial offender and (ii) has the authority to revoke the defendant's or post-trial offender's bond, to have carnal knowledge of a pretrial defendant or a post-trial offender.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item 8 below.

8. Fiscal Implications:

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. 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 most recent Jail Cost Report (November 2012), the estimated total state support for local jails averaged \$26.54 per inmate, per day in FY 2011.

9. Specific Agency or Political Subdivisions Affected:

Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/22/2013

Document: G:\LEGIS\fis-13\hb2294er.docx Dick Hall-Sizemore