

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number:** HB707

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:** Filler-Corn

**3. Committee:** Courts of Justice

**4. Title:** Funeral protests; penalty.

**5. Summary:** Makes it unlawful for a person to disrupt a funeral or memorial service during the 60 minutes immediately preceding through the time immediately following such service with the intent to disrupt the service. A violation of this provision is a Class 2 misdemeanor for the first offense and a Class 1 misdemeanor for a subsequent offense.

**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 proposal, the 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) and 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:** Local and regional jails.

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

**11. Other Comments:** Identical to SB 434.

**Date:** January 16, 2012

**Document:** G:\JGC\2012\EFIS\CB\HB707.DOC