

## Department of Planning and Budget 2013 Fiscal Impact Statement

**1. Bill Number: SB 1010**

House of Origin    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
Second House    ☒ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron: Stanley**

**3. Committee: Appropriations**

**4. Title: Identity theft**

**5. Summary:**

Under current law, committing identity theft with the intent to sell or distribute the information of five or more persons is a Class 6 felony. If the number of victims is 50 or more, the offense is a Class 5 felony. The proposed language would increase the offenses to Class 5 and Class 4 felonies, respectively.

In addition, current law designates any identity theft which results in the arrest and detention of the victim as a Class 6 felony. The proposed legislation would increase the offense to a Class 5 felony.

**6. Budget Amendment Necessary:** No. The Governor included funding in the introduced budget for the fiscal impact of this legislation and the House and Senate have included funding for the fiscal impact in their respective budget bills.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013		
2014	\$30,152	General
2015		
2016		
2017		
2018		

## **8. Fiscal Implications:**

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. For a Class 5 felony, the possible sentence is up to one year in jail or 1 to 5 years in prison and for a Class 4 felony, it is 2 to 10 years in prison. Thus, by increasing existing Class 6 and Class 5 felonies, the proposed legislation could result in additional persons housed in prisons.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$30,152 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in one additional inmate being incarcerated in prison.

## **9. Specific Agency or Political Subdivisions Affected:**

Department of Corrections  
Compensation Board  
Local and regional jails

## **10. Technical Amendment Necessary:** None.

## **11. Other Comments:** Identical to HB 1684.

**Date:** 2/10/2013

**Document:** G:\LEGIS\fis-13\sb1010s1.docx Dick Hall-Sizemore