

**Department of Planning and Budget  
2014 Fiscal Impact Statement**

**1. Bill Number: SB 570**

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

**2. Patron: Stuart**

**3. Committee: Passed both houses**

**4. Title: Assault and battery of school personnel**

**5. Summary:**

Under current law, simple assault and assault and battery are Class 1 misdemeanors. Moreover, if battery is committed against full-time or part-time school principals, teachers, or guidance counselors while they are engaged in the performance of their duties as such, it is punishable by a mandatory minimum term of confinement of two days in jail. If the offense is committed by use of a firearm or other weapon, it is punishable by a mandatory minimum term of confinement in jail of six months. The proposed legislation would broaden the offense to include all full-time or part-time school employees.

**6. Budget Amendment Necessary: None.**

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

**8. Fiscal Implications:**

The proposed legislation expands the application of the mandatory minimum jail sentences. Therefore, this proposal could result in an increase in the number of persons sentenced to 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 misdemeanor or otherwise local responsible prisoner held in a jail and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 2013), the estimated total state support for local jails averaged \$30.06 per inmate, per day in FY 2012.

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

Compensation Board  
Local and regional jails

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

**11. Other Comments:** None.

**Date:** 3/11/2014

**Document:** G:\LEGIS\fis-14\sb570er.docx Dick Hall-Sizemore