

## Department of Planning and Budget 2015 Fiscal Impact Statement

**1. Bill Number:** HB1861

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

**2. Patron:** Pillion

**3. Committee:** Courts of Justice

**4. Title:** Battery; certain local social services workers; penalty.

**5. Summary:** Provides that battery of a child protective services worker or foster care worker employed by a local department of social services and engaged in his public duties is a Class 1 misdemeanor with a resulting sentence that shall include a term of confinement of 15 days in jail, two days of which is a mandatory minimum term of confinement.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** The proposal stipulates that battery of a child protective services worker or foster care worker is a Class 1 misdemeanor resulting in a sentence of confinement of 15 days in jail, two of which is a mandatory minimum term of confinement. Although insufficient data exists to determine the fiscal impact due to this proposal, the proposed legislation could result in an increase in the jail population. 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 a significant 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 FY2013 Jail Cost Report (November 1, 2014), the estimated total state support for local and regional jails averaged \$30.54 per state inmate, per day in FY 2013.

**9. Specific Agency or Political Subdivisions Affected:** Compensation Board, local and regional jails.

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

**11. Other Comments:** None.