

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB2223

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: Morris

3. Committee: Courts of Justice

4. Title: Virginia Freedom of Information Act; willful and knowing violations a misdemeanor; penalty.

5. Summary: Provides that in addition to the civil enforcement provisions of FOIA, any officer, employee, or member of a public body convicted of a willful and knowing violation of certain FOIA provisions is guilty of a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: 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 since Class 1 misdemeanor outcomes may 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 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.

Date: January 20, 2015
DPB Analyst: jgc