

## **Department of Planning and Budget**

### **2015 Fiscal Impact Statement**

**1. Bill Number:** SB1388

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

**2. Patron:** Edwards

**3. Committee:** Committee Referral Pending

**4. Title:** Trespassing on railroad trains; penalty.

**5. Summary:** Raises the penalty for trespassing on a railroad car or train from a Class 4 to a Class 2 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 2 misdemeanor outcomes may result in sentences of up to 6 months in jail (and a fine up to \$1,000). Ultimately, the presiding judge will decide if there is to be any time served in jail; however, 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: February 4, 2015  
DPB Analyst: jgc