

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB 131

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: Edwards

3. Committee: Senate Courts of Justice

4. Title: Prostitution

5. Summary:

Prostitution is a Class 1 misdemeanor. The proposed legislation provides that an affirmative defense to prosecution for prostitution would be that the defendant was induced by another through the use of force, threat, intimidation, coercion, or deception to engage in prostitution.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications:

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. By providing for an additional defense for the misdemeanor offense of prostitution, the legislation could result in fewer people being sentenced to jail for the offense.

It is not feasible to project how many fewer persons would be convicted and sentenced; however any decrease in jail populations would reduce costs for 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 the majority of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. According to the Compensation Board's most recent Jail Cost Report (November 2015), the estimated total state support for local jails averaged \$32.24 per inmate, per day in FY 2014.

9. Specific Agency or Political Subdivisions Affected:

Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/1/2016

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