

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** SB1223

<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:** Barker

**3. Committee:** Transportation

**4. Title:** Riding bicycle, electric personal assistive mobility device while intoxicated; penalty.

**5. Summary:** Provides that any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on a highway while intoxicated is guilty of a Class 2 misdemeanor.

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

**7. Fiscal Impact Estimates:** Indeterminate. See below.

**8. Fiscal Implications:** The proposed legislation would create a new class 2 misdemeanor, which is punishable by confinement in jail for not more than six months and a fine of not more than \$1,000, either or both. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. 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 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 2016), the estimated total state support for local jails averaged \$32.82 per inmate, per day in FY 2015.

**9. Specific Agency or Political Subdivisions Affected:** Courts, local and regional jails, law enforcement agencies.

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

**11. Other Comments:** None.