

## Department of Planning and Budget 2016 Fiscal Impact Statement

**1. Bill Number:** SB644

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Alexander

**3. Committee:** Courts of Justice

**4. Title:** Battery; public transportation operators; penalty.

**5. Summary:** The bill provides that the battery of a person who is operating a public transportation vehicle engaged in the performance of their duties is a Class 1 misdemeanor. The proposal establishes that the sentence includes a term of confinement of 15 days, two days of which will be a mandatory minimum term of confinement.

**6. Budget Amendment Necessary:** None.

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

**8. Fiscal Implications:** Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. 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. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per person basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2015), the estimated total state support for local jails averaged \$32.34 per inmate, per day in FY 2014. Due to the mandatory minimum established by this bill, this would be a minimum cost of \$64.68 per conviction.

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

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/21/2016- SB644.DOC(NCS)