

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB112

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: Carroll Foy

3. Committee: Courts of Justice

4. Title: Penalty change for signing summons with a false name.

5. Summary: Provides that a person who signs a summons with a false name is guilty of giving a false identity to a law-enforcement officer, a Class 1 misdemeanor. Currently, such conduct is punished as forging a public record, a Class 4 felony.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate. See Item 8.

8. Fiscal Implications: Currently, a person who forges a public record is guilty of Class 4 felony, which is punishable by two to ten years' imprisonment and a fine of not more than \$100,000. Under the proposal, it is a Class 1 misdemeanor for a person to sign a summons with a false name. A Class 1 misdemeanor, punishable by up to 12 months' imprisonment in jail and/or a fine of not more than \$2,500.

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, or the savings associated with the reduction of beds at the Department of Corrections. 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 large 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 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections; Local corrections; Community corrections.

10. Technical Amendment Necessary: No.

11. Other Comments: None.