

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB307

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: Watts

3. Committee: Courts of Justice

4. Title: Prohibited solicitation; penalty.

5. Summary: Provides that no seller or person acting for him shall remain upon the land, buildings, or premises of another in order to make or attempt to make a home solicitation sale to any person that he knows or reasonably should know resides in a dwelling unit located upon such land, buildings, or premises that has been posted with a no soliciting sign. A violation of this provision is punishable as a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: The bill establishes a new provision that, if violated, is punishable by a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, 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. 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.

Any revenue from such fines is deposited to the state Literary Fund. The anticipated revenue is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Court system, jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.