# Department of Planning and Budget
## 2020 Fiscal Impact Statement

1. **Bill Number:** SB1003S1

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   |---|---|---|---|---|---|---|
   | **House of Origin** | ☐ | Introduced | ☐ | Substitute | ☒ | Engrossed |
   | **Second House** | ☐ | In Committee | ☐ | Substitute | ☐ | Enrolled |

2. **Patron:**   Chafin, A. B.

3. **Committee:** House

4. **Title:**    Computer crimes; penalty.

5. **Summary:**  The proposed legislation provides that any person who maliciously uses a computer that is internet capable as part of a scheme involving false representations that causes another person or business to expend monetary funds that would not have been expended if not for such scheme, when the person using such computer knew or should have known the monetary funds would be expended, is guilty of a Class 1 misdemeanor.  The bill also establishes that it is not a defense to a violation of this section that the defendant did not receive any direct or indirect benefit from the defendant's malicious act.

6. **Budget Amendment Necessary**:  No

7. **Fiscal Impact Estimates:**  Preliminary (see Item 8 below).

8. **Fiscal Implications:**  The authorized punishment for Class 1 misdemeanors is confinement in jail for not more than twelve months and a fine of not more than $2,500, either or both. However, there is not enough information available to reliably estimate the increase in jail population or the amount of fines that would be collected as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently 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. According to the Compensation Board's most recent Jail Cost Report (November 2019), the estimated total state support for local jails averaged $34.07 per inmate, per day in FY 2018.

9. **Specific Agency or Political Subdivisions Affected:**  None

10. **Technical Amendment Necessary:**  No

11. **Other Comments:**  None