

## Department of Planning and Budget

### 2022 Fiscal Impact Statement

**1. Bill Number:** SB729S1

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Ruff

**3. Committee:** Judiciary

**4. Title:** Damage to motor vehicles; catalytic converter; penalties.

**5. Summary:** The proposed legislation establishes that any person who conspires, confederates, or combines with another to commit larceny or counsels, assists, aids, or abets another in the performance of a larceny of a catalytic converter from a motor vehicle where the value of such catalytic converter is less than \$1,000 is guilty of a Class 1 misdemeanor. The bill also requires a scrap metal purchaser, when purchasing proprietary articles from a person who is not an authorized scrap seller, to (a) make copies of the documentation received from the seller establishing the seller lawfully possesses the proprietary articles and keep such copies with the permanent ledger maintained at the scrap metal purchaser's place of business and (b) after purchasing a proprietary article from a person, submit a report to the local sheriff's department or the chief of police within five business days describing the proprietary article and including a copy of the seller's identifying information and documentation that the seller lawfully possessed such article. The bill also requires the scrap metal purchaser to hold such proprietary article for not less than 15 days following submission of such report.

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

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

**8. Fiscal Implications:** The proposed legislation amends § 18.2-23 (B) to create 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. However, there is not enough information available to reliably estimate the increase in jail population as a result of this proposal. Nevertheless, 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 varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2021), the estimated total state support for local jails averaged \$37.58 per inmate, per day in FY 2020.

The fiscal impact on local law-enforcement agencies is unknown.

**9. Specific Agency or Political Subdivisions Affected:** Law enforcement agencies;

Commonwealth Attorneys; Courts; local jails.

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

**11. Other Comments:** None.