

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB1572

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Walker

3. Committee: Committee for Courts of Justice

4. Title: Emergency response; false information by device; penalty.

5. Summary: Makes it a Class 1 misdemeanor to maliciously advise or inform another over or other device by any means, or cause another to do the same, in the Commonwealth of the death of, accident to, injury to, illness of, disappearance of, or imminent threat to the safety of some third person that results in an emergency response, knowing the information to be false. The bill defines emergency response as a response by law-enforcement officers, firefighters, or emergency medical personnel to a situation where human life or property is in jeopardy and the prompt summoning of aid is essential. Current law only prohibits such false information to another by telephone.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: 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. Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund.

There is not enough information available to reliably estimate the increase in jail population 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 varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2022), the estimated total state support for local jails averaged \$40.39 per inmate, per day in FY 2021.

9. Specific Agency or Political Subdivisions Affected: Courts, Commonwealth's Attorney's Office, Public Defender's Office, local and regional jails, and local and state law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.