

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2020

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Wachsmann

3. Committee: Courts of Justice

4. Title: Unmanned aircraft systems; trespass over correctional facilities; penalty.

5. Summary: Under current law, knowingly and intentionally causing an unmanned aircraft system to (i) enter the property of another and come within 50 feet of a dwelling house (a) to coerce, intimidate, or harass another person or (b) after having been given actual notice to desist, for any other reason, or; (ii) take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions is punishable as a Class 1 misdemeanor. Under the provisions of this bill, coming within 400 feet of the lateral boundaries of any local or state correctional facility, as defined in § 53.1-1, or juvenile correctional center would also be punishable as a Class 1 misdemeanor.

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.

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: Local and regional jails, Courts, Commonwealth's Attorneys, Public Defenders offices, law enforcement agencies

10. Technical Amendment Necessary: No

11. Other Comments: None