

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2241

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Willett

3. Committee: Courts of Justice

4. Title: Assault and battery of human services workers; penalty.

5. Summary: Current law establishes penalties for various assault and battery convictions. This bill adds a Class 1 misdemeanor penalty for battery against another knowing or having reason to know that such individual is a human services worker, defined as any full-time or part-time employee of a human resources agency, as defined in § 15.2-964, or of a political subdivision or local government responsible for providing the same services. The bill requires that the sentence imposed for a conviction must include 15 days in jail, two days of which must be a mandatory minimum term of confinement.

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