

## Department of Planning and Budget 2023 Fiscal Impact Statement

**1. Bill Number:** SB1224

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:**    Obenshain

**3. Committee:** Judiciary

**4. Title:**    Unlawful picketing or parading to obstruct or influence justice; penalty.

**5. Summary:** Provides that any person who pickets or parades in or near a residence occupied by a judge, juror, witness, court officer, or court employee, or their immediate family member with the intent of interfering with, obstructing, or impeding the administration of justice or with the intent of influencing or intimidating in the discharge of such person's duty, or who uses a sound truck, bullhorn, or similar device or resorts to any other demonstration of any kind near such residence, whether or not it is occupied or believed to be occupied at the time, is guilty of a Class 1 misdemeanor. The bill also provides that the provisions regarding the issuance and service of summons in place of a warrant do not apply to such violations.

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

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**8. Fiscal Implications:** The proposed legislation creates a new Class 1 misdemeanor for picketing and parading at the residence of a judge, juror, witness, court officer, court employee, or their family member. 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.

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

**11. Other Comments:** This bill is a companion to HB2015.