

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB854

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Favola

3. Committee: Privileges and Elections

4. Title: Campaign advertisements; independent expenditures; disclaimer requirements.

5. Summary: Broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, see item 8.

8. Fiscal Implications: The proposed legislation is not expected to have a state fiscal impact.

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.

Any potential revenue impact from the assessment of civil penalties is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections and State Board of Elections.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to HB1551.

January 18, 2023