

## Department of Planning and Budget 2024 Session Fiscal Impact Statement

**1. Bill Number:** HB1443

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Davis

**3. Committee:** Courts of Justice

**4. Title:** Trial by jury; contact with jurors after trial prohibited; penalty.

**5. Summary:** Creates a Class 1 misdemeanor for any party, other than counsel for any party to the litigation or the press, who knowingly and intentionally contacts a juror after a jury trial unless such party has received an order from the court that oversaw such trial permitting such contact. The bill provides that a pro se defendant must obtain such order, and that the court shall prescribe the manner of contact that any such party is allowed to have with a juror. The bill also provides that a violation of such court order is a Class 1 misdemeanor.

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

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

**8. Fiscal Implications:** The proposed legislation creates a Class 1 misdemeanor. 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 localities \$5.00 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 on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2023), the estimated total state support for local jails averaged \$45.76 per inmate, per day in FY 2022.

**9. Specific Agency or Political Subdivisions Affected:** Local and regional jails, Courts.

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

**11. Other Comments:** None.