

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: HB1080

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Leftwich

3. Committee: Committee Referral Pending

4. Title: Sex offenders in emergency shelters; notification registration; penalty.

5. Summary: Provides that registered sex offenders who enter any emergency shelter operated in response to a state or local emergency shall, as soon as practicable, notify a member of the shelter's security staff of his status as a sex offender. A violation is a Class 1 misdemeanor. Upon being notified, shelter staff may access Registry information regarding such person that is publicly available on the Internet, and use such information to ensure the safety of all persons residing in the shelter. The bill also requires the Department of State Police to furnish a summary of these provisions to any person required to register as a sex offender.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The Department of Social Services (DSS) is responsible for operating state emergency shelters. DSS does not anticipate a fiscal impact as a result of this proposed bill. There is no anticipated impact on the Department of State Police as a result of the provisions of this bill.

The proposed legislation creates a new Class 1 misdemeanor for registered sex offenders who fail to notify emergency shelter staff of their status. 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.

According to the Virginia Criminal Sentencing Commission, not enough information is 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 misdemeanor 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 2021), the estimated total state support for local jails averaged \$37.58 per inmate, per day in FY 2020.

9. Specific Agency or Political Subdivisions Affected: Department of State Police,
Department of Social Services, and local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.