

## **Department of Planning and Budget**

### **2022 Fiscal Impact Statement**

**1. Bill Number:** HB89

<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:** Walker

**3. Committee:** Committee on Education

**4. Title:** Disorderly conduct in public places; removes provision relating to elementary secondary students.

**5. Summary:** The proposed legislation removes an existing language pertaining to disorderly conduct in public places with regard to an elementary or secondary school student.

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

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

**8. Fiscal Implications:** The proposed legislation would allow for an elementary or secondary school student to be subject to existing provisions pertaining to disorderly conduct in public places, which is 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. However, there is not enough information available to reliably estimate the increase in jail population as a result of this proposal. Nevertheless, 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 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:** Law enforcement agencies; local school districts; courts, and local jails.

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

**11. Other Comments:** None.