

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB1319

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

2. **Patron:** Kent

3. **Committee:** Committee Referral Pending

4. **Title:** Disorderly conduct; penalty.

5. **Summary:** The proposed legislation removes 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, it is not possible to estimate the number of misdemeanor convictions that may result from the removal of this provision.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. Any increase in jail population will increase costs to the state. The Commonwealth currently pays localities \$5.00 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 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:** Law enforcement agencies; local school districts; courts, and local jails.

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

11. **Other Comments:** None.