

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** HB247

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

**2. Patron:**    Ransone

**3. Committee:** Courts of Justice

**4. Title:**    Grand larceny and certain property crimes; decreases threshold amount, penalty.

**5. Summary:** Under current law, petit larceny is defined as taking goods and chattels valued at less than \$1,000 and is punishable as a Class 1 misdemeanor. This bill reduces the threshold for felony larceny and certain property crimes from \$1,000 to \$500.

**6. Budget Amendment Necessary:** Yes, Item 404.

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

**8. Fiscal Implications:** Because the bill increases existing larceny offenses from misdemeanor charges to felony charges, the Virginia Criminal Sentencing Commission's data indicates that the bill is expected to have an impact on the future state-responsible prison bed space needs of the Commonwealth. Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission (VCSC) estimates a fiscal impact of at least \$3,829,684. The amount is based on the projection that the legislation will result in 105 additional offenders being incarcerated in prison by FY 2028.

According to VCSC analysis, future need for local-responsible (jail) beds is also expected to increase as a result of decreasing the larceny threshold. The impact on local-responsible (jail) beds is estimated to be 56 beds by FY 2028. Estimated state costs associated with these beds is at least \$771,642; estimated local costs associated with these beds is at least \$1,214,130. The VCSC calculates these costs based on The Compensation Board's FY2020 Jail Cost Report. The state cost was calculated from the revenue portion and the resulting sum was \$37.58 per day or \$13,726 per year. The local cost was calculated by using the daily expenditure cost of \$100.95 per inmate (not including capital accounts or debt service) as the base, and subtracting revenues accrued from the state and federal governments, which resulted in \$59.13 per day or \$21,597 per year. Where the estimated bed space impact included a portion (or fraction) of a bed, a prorated cost was included in the estimate.

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections, local and regional jails, Public Defenders offices, Commonwealth's Attorneys, courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None