

**Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement**

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ORIGINAL

Bill Number: HB1715

Patron: Watts

Bill Title: Mail theft; penalty.

Bill Summary: Creates the offense of mail theft, punishable as a Class 6 felony, for any person who (i) knowingly, willfully, and with the intent to deprive, injure, damage, or defraud another (a) takes, destroys, hides, or embezzles mail or (b) obtains any mail by fraud or deception; (ii) buys, receives, conceals, or possesses (a) mail and knows or reasonably should know that the mail was unlawfully taken or obtained, (b) any key suited to any lock adopted by the United States Postal Service that provides access to any mail receptacle in any neighborhood or apartment panel used for the purpose of centralized mail, or (c) a counterfeit device or key designed to provide access to any lock described in clause (b); or (iii) knowingly, willfully, and with the intent to steal any mail inside damages, opens, tears down, takes, or destroys any mail receptacle. Additionally, the bill provides that any person convicted of such offense shall be ordered to pay restitution.

Budget Amendment Necessary: Yes

Items Impacted: Item 390

Explanation: See Below

Fiscal Summary:

Proposal requires minimum "Woodrum" impact funding per § 30-19.1:4, Code of Virginia, to account for a possible increase in the need for state prison beds due to this legislation.

General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
Dept. of Corrections		\$50,000				
TOTAL		\$50,000				

Fiscal Analysis:

Anyone convicted of a Class 6 felony is subject to a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

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 the localities

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\$5.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each state-responsible prisoner. It also funds a considerable 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 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 2, 2024 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

Other: None