

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

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ORIGINAL

Bill Number: SB757

Patron: Locke

Bill Title: Trespass with an unmanned aircraft system; contracted defense facility, penalty.

Bill Summary: Creates a Class 4 felony for any person who knowingly and intentionally causes an unmanned aircraft system to enter the property of a contracted defense facility, defined in the bill, and obtains or attempts to obtain any videographic or still image of any information subject to the export control laws of the United States located within such facility. The bill also provides that no owner or operator of any such facility or its employees shall be liable for any damage to an unmanned aircraft system used in such offense.

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 4 felony is subject to a term of imprisonment of not less than two years nor more than 10 years and a fine of not more than \$100,000. 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 \$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

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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