

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

circumstances beyond what is currently allowed by law. Anyone convicted of a Class 5 felony is subject to a term of imprisonment of not less than one year nor more than 10 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. Given these parameters, this proposal may increase the jail and state-responsible (prison) bed space needs of the Commonwealth.

Any increase in jail population that might result from this proposal 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.

The Virginia Criminal Sentencing Commission (VCSC) estimates the impact of this proposal to be at least seven additional prison beds statewide by FY2031. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is at least \$370,619.

Other: None