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

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Bill Number: HB2036 Patron: Bulova

**Bill Title:** Reckless driving; street takeover and exhibition driving; penalties.

**Bill Summary:** Expands reckless driving to include street takeovers and exhibition driving, defined in the bill. The bill prohibits (i) slowing or stopping traffic for a race, street takeover, or exhibition driving; (ii) riding as a passenger on or in an area of a motor vehicle that is not designed or intended for passenger transportation during a race, street takeover, or exhibition driving; or (iii) participating in any such event as a spectator or aiding or abetting a street takeover or exhibition driving. The bill establishes penalties for violations and establishes a process for impounding or immobilizing motor vehicles driven by persons arrested for street takeovers or exhibition driving.

**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>	FY2025	<u>FY2026</u>	FY2027	FY2028	FY2029	<u>FY2030</u>
Dept. of		\$50,000				
Corrections		\$30,000				
TOTAL		\$50,000				

#### **Fiscal Analysis:**

This proposal creates additional Class I misdemeanors associated with street takeovers and exhibition driving and expands the applicability of an existing Class 6 felony. 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 misdemeanant 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.

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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.

Additionally, this proposal creates a new class 3 misdemeanor. A Class 3 misdemeanor is punishable by a fine of up to \$500. These offenses carry no jail time. All revenue collected from such fines is deposited into the Literary Fund. However, it is not possible to estimate either the number of convictions that may result or the amount of each fine that may be assessed under this legislation. Therefore, the revenue impact of this bill cannot be determined

Other: None