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

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Bill Number: HB1894 Patron: Seibold

**Bill Title:** State correctional facilities; cell conditions; temperature monitoring.

**Bill Summary:** Requires the Department of Corrections to require that heat and air conditioning be provided in all state correctional facilities so that a temperature of not less than 65 degrees Fahrenheit or more than 80 degrees Fahrenheit is maintained in each facility. The bill specifies that the Department shall require the temperature inside all state correctional facilities to be monitored and recorded on an ongoing basis by measuring the temperature inside individual cells where inmates are housed. The bill requires that if the temperature falls below 65 degrees Fahrenheit in any cell, the state correctional facility shall provide additional heating measures, such as individual heaters, and if the temperature exceeds 80 degrees Fahrenheit in any cell, the state correctional facility shall supply an electric fan to provide air circulation for every cell where an inmate is housed.

**Budget Amendment Necessary:** No **Items Impacted:** C-32.10

**Explanation:** Capital funding would be required to heat and air condition correctional facilities

### **Fiscal Summary:**

To comply with the requirements of this proposal, the Department of Corrections (DOC) has stated it would have to install HVAC systems, complete electrical upgrades, and replace windows at three major facilities. Additionally, HVAC systems would need to be installed at four smaller facilities.

#### **General Fund Expenditure Impact:**

<u>Agency</u>	FY2025	<u>FY2026</u>	FY2027	<u>FY2028</u>	<u>FY2029</u>	FY2030
Dept. of		At least				
Corrections		\$76,000,000				
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TOTAL						

#### **Fiscal Analysis:**

To ensure heat and air conditioning is provided in all state correctional facilities, DOC reports that the agency would need to perform renovations and upgrades on three major facilities that currently do not have air conditioning. The estimated costs for installing air conditioning at the three facilities are as follows: Nottoway Correctional Center (CC), \$24 million; Buckingham CC, \$20 million; and Bland CC, \$20 million. According to DOC, 50 percent of each cost is for HVAC installation. The other 50 percent would cover other expenses

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including electrical upgrades and window replacements as needed. A more precise estimate of costs would require an analysis of each facility's infrastructure. Costs for the major prison facilities total \$64 million.

Additionally, DOC identified four smaller facilities that currently do not have air conditioning. The four facilities are Harrisonburg Community Corrections Alternative Program (CCAP), Appalachian CCAP, Cold Springs Field Unit, and Deerfield Work Center. Based on the recent HVAC project at Baskerville CC, DOC estimates it will cost \$3 million for each of the smaller facilities, for a total of \$12 million.

DOC currently has a capital project for installing air condition systems at its facilities. These seven facilities are not included in the projects that are funded through this capital project. The seven facilities are also not among those that received American Rescue Plan Act (ARPA) funds through a separate capital project for installing air conditioning systems.

Coupled with the additional infrastructure required to comply with the legislation, the language includes a requirement for DOC to supply individual heaters and electrical fans in every cell where an inmate is housed when the temperature is not within the required range. According to DOC, this requirement would lead to an increase in the electrical load beyond what many facilities are designed to support and would necessitate complete overhauls of electrical systems. DOC does not have cost estimates for tamper-resistant heaters, while tamper-resistant fans are estimated to cost \$23.50 per fan, the total cost is dependent on the number of units required. However, costs to procure enough heaters and fans to comply with the legislation and ensure every facility can maintain a sufficient level of inventory is expected to be significant. The cost of the tamper-resistant heaters and fans are indeterminate and not included in the \$76 million estimate related to infrastructure.

The proposed legislation requires DOC staff to perform frequent temperature checks in individual cells to ensure compliance with the required temperature range. According to DOC, this task would divert time and resources from other responsibilities. Staff would also need to perform regular inspections of the heaters and fans to detect damage or modifications, and additional surveillance would be required to monitor cell activity while the devices are in use. The agency believes these added responsibilities would place further strain on a workforce already facing significant staffing shortages. Moreover, the installation of heaters and fans would introduce considerable safety and security risks to both staff and inmates. DOC further contends that these items could be misused, modified or weaponized, and pose a potential fire risk. Additional discussion will be needed with the Fire Marshal to determine if placing electric heaters in individual cells would be compliant with the fire code.

Other: None