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ORIGINAL

Bill Number:	HB2427	Patron:	Oates		
Bill Title:	Unauthorized use of electronic tracking device; penalties.				

Bill Summary: Creates a Class 6 felony for any person who installs or places an electronic tracking device through intentionally deceptive means and without consent, or causes an electronic tracking device to be installed or placed through intentionally deceptive means and without consent, and uses such device to track the location of any person protected by a protective order issued pursuant to relevant law. The bill also states that any person who consents to the installation or placement of an electronic tracking device may withdraw such consent at any time, and such withdrawal shall allow prosecution.

Budget Amendment Necessary:		Yes	Items Impacted:	ltem 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:

Agency	<u>FY2025</u>	FY2026	FY2027	FY2028	FY2029	<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 \$5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each stateresponsible 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.

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

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