

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

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**ORIGINAL**

**Bill Number:** HB2299

**Patron:** Earley

**Bill Title:** Computer trespass; elementary and secondary schools; school board; penalty.

**Bill Summary:** Makes it a Class 6 felony for the offense of computer trespass when such offense is committed against any public, private, or religious elementary or secondary school or any school board.

**Budget Amendment Necessary:** No.

**Items Impacted:** N/A

**Explanation:** See Below.

**Fiscal Summary:** There is an indeterminate amount of possible civil penalty revenue to the Literary Fund. Also, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities, and the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

**Fiscal Analysis:** For Class 6 felonies, 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. In past six fiscal years, however, no offender convicted of a Class 6 felony under the existing provision has received an active state-responsible (prison) term. The Virginia Criminal Sentencing Commission has concluded that no impact is expected of the proposed legislation on state-responsible (prison) bed space.

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.

Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund. Since it is not known how many fines and penalties will be collected due to this bill, there is an indeterminate amount of possible civil penalty revenue to the Literary Fund.

**Other:** None.