

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

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ORIGINAL

Bill Number: HB 1938H2 **Patron:** Reid
Bill Title: Elections; general provisions; prohibited area.

Bill Summary: Adds the five feet beyond any area designated for voting outside the polling place to the prohibited area where campaigning and certain other activities are unlawful during elections.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: N/A

Fiscal Summary: There is an indeterminate fiscal impact as a result of the provisions of this bill.

Fiscal Analysis: This bill is expected to have an indeterminate fiscal impact on the state. The provisions of §24.2-604 increase the restricted areas around polling places, certain electoral board meetings, and recount locations. The bill proposes that certain activities within 40 feet from of an entrance and within 5 feet of any designated voting area are prohibited. Individuals who violate §24.2-604 may be charged with a Class 1 misdemeanor, which is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both. There is insufficient information to reliably estimate the potential increase in jail populations or revenue for the Literary Fund as a result of this proposal. However, any increase in jail population would result in higher costs to the state. The Commonwealth currently reimburses localities \$5.00 per day for each misdemeanant or otherwise local-responsible prisoner held in jail. Additionally, the state covers a significant portion of local jails' operating costs, such as correctional officers. The state's contribution to these costs on a per-prisoner, per-day basis varies by locality. According to the Compensation Board's most recent Jail Cost Report (November 2024), the estimated average state support for local jails was \$56.38 per inmate per day in FY 2023.

Other: Similar legislation includes SB 994.