

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

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**ORIGINAL**

**Bill Number:** SB757H1

**Patron:** Locke

**Bill Title:** Trespass with an unmanned aircraft system; contracted defense facility, penalty.

**Bill Summary:** Creates a Class 4 felony for any person who knowingly, intentionally, and without authorization causes an unmanned aircraft system to enter the property of and obtains or attempts to obtain any videographic or still image that contains or reveals any controlled technical information located within a contracted defense facility, as those terms are defined in the bill. The bill also provides that the owner or operator of a contracted defense facility and its employees shall be immune from criminal prosecution and civil liability as a result of preventing, stopping, deterring, interrupting, or repelling, or attempting to prevent, stop, deter, interrupt, or repel, an unmanned aircraft system from entering the property of such contracted defense facility or from stopping, interrupting or repelling, or attempting to stop, interrupt, or repel, an unmanned aircraft system that has entered such property, provided that such action does not result in injury to any person.

The substitute bill adds that the Virginia State Crime Commission will (i) analyze existing law to identify statutes to amend to provide additional protection from trespass with an unmanned aircraft system to critical infrastructure and public services or utilities and (ii) recommend amendments to existing law or new legislation it deems necessary to provide such protection to such infrastructure or public services or utilities. The Virginia State Crime Commission shall submit such recommendations to the General Assembly by November 1, 2025.

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

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**Fiscal Analysis:**

Anyone convicted of a Class 4 felony is subject to a term of imprisonment of not less than two years nor more than 10 years and a fine of not more than \$100,000. 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 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.

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:** Similar to HB1726