

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB1392E

Patron: Keys-Gamarra

Bill Title: Powers and duties for operation of local and regional correctional facilities and courthouse security; attorney access to courthouses and communication and visitation with incarcerated clients; penalty.

Bill Summary: The engrossed bill provides that if a sheriff allows courthouse employees to bypass any security screening required to enter a courthouse, such sheriff shall also exempt from the security screening any attorney who displays a valid Virginia State Bar-issued bar card and a government-issued identification. The bill creates a Class 1 misdemeanor for any attorney who has had his license to practice law in the Commonwealth suspended or revoked and who displays a Virginia State Bar-issued bar card in an effort to be exempt from the security screening. The bill also requires the State Board of Local and Regional Jails to develop and establish minimum standards to ensure that attorneys have sufficient opportunities to have confidential visits with their clients. The engrossed bill also requires that sheriffs or jail superintendents who operate a local correctional facility and provides a telephonic, electronic, or web-based communication system for prisoners, such system shall include a confidential means for a prisoner to communicate with his attorney at regular and reasonable times.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: See below.

Fiscal Summary:

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal that creates an additional Class 1 misdemeanor. According to the Department of Corrections (DOC), there is no anticipated fiscal impact from this bill.

Fiscal Analysis:

Anyone convicted of a Class 1 misdemeanor 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 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 localities \$5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large 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 2025), the estimated total state support for local jails averaged \$58.25 per inmate, per day in FY 2024.

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According to DOC, there is no anticipated fiscal impact as a result of the bill. Any unanticipated costs that may arise from the bill are expected to be covered with existing resources.

Other: None