

Department of Planning and Budget
2021 Special Session I Fiscal Impact Statement

1. Bill Number: HB2311

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Runion

3. Committee: Passed Both Houses

4. Title: Objects of antiquity; removal from battlefield; penalty.

5. Summary: Adds land owned by a battlefield preservation organization and land on which such organization holds an easement to the category of lands on which it is unlawful to intentionally damage, disturb, or remove any object of antiquity. Current law prohibits such acts on any designated state archaeological site or on state-controlled land and provides that a violation of the prohibition is a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item 8.

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Historic Resources.

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. According to the Virginia Criminal Sentencing Commission, not enough information is 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 \$4.00 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 varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2020), the estimated total state support for local jails averaged \$34.59 per inmate, per day in FY 2019.

9. Specific Agency or Political Subdivisions Affected: Department of Historic Resources; local jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.