

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB1817 S1

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

2. Patron: Delaney

3. Committee: Courts of Justice

4. Title: Prostitution; promoting travel, penalty.

5. Summary: The substitute bill adds §18.2-348 (promoting travel for prostitution) to the Code of Virginia and amends §§ 2.2-515.2, 8.01-42.4, 18.2-513, 19.2-10.2, 19.2-386.16 and 19.2-386.35 to reference the proposed statute. It provides that it shall be unlawful for any travel agent to knowingly promote travel services for the purposes of unlawful prostitution, unlawful sexual intercourse with a person under the age of 18, or committing any act of sexual abuse, as defined by § 18.2-67.10. Violation of this section would constitute a separate and distinct offense, and is punishable as a Class 1 misdemeanor. Punishment for a violation of this section shall be separate and apart from any punishment received from any other offense. Under the proposal a travel agent means any person who for a consideration consults with or advises persons concerning travel services in the course of his business.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. Current data does not provide sufficient detail to identify the number of individuals who would be convicted of a Class 1 misdemeanor under § 18.2-348.1.

The Commonwealth presently pays the localities \$4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail and \$12.00 a day for each state responsible inmate. 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 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, local and regional jails, Commonwealth's Attorneys, and Courts.

10. Technical Amendment Necessary: None

11. Other Comments: None