

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB1817 ER

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

2. Patron: Delaney

3. Committee: Passed Both Houses

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 (address confidentiality program), 18.2-513, 19.2-386.16 (forfeiture of motor vehicles used in commission of certain crimes), and 19.2-386.35 (seizure of property used in connection with certain offenses) 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 prostitution or any act defined as sexual violence as set forth in subsection E 1 of § 9.1-902. Violation of this section would constitute a separate and distinct offense, and 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: Final. 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 misdemeanor 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