



**HOUSE COMMITTEE ON APPROPRIATIONS**  
2009-10 Legislative Session

**FISCAL NOTE**

**HOUSE BILL:** 1859

**PRINTER'S NO:** 2445

**PRIME SPONSOR:** Staback

<b>FISCAL IMPACT SUMMARY</b>	<b>FY 2009/10</b>	<b>FY 2010/11</b>
<b>Expenditure Increase/(Decrease):</b>		
General Fund	See Analysis	See Analysis
Game Fund	See Analysis	See Analysis
Local Funds	See Analysis	See Analysis

**OVERVIEW:**

House Bill 1859 amends Title 34 (Game and Wildlife Code) to increase fines and penalties for violations of the Game Law and establishes new penalties and offenses providing for the fines and length of imprisonment associated with them.

This act shall take effect in 60 days.

**ANALYSIS:**

The addition of imprisonment as an option for penalizing certain violators of Title 34 creates the potential for fiscal impact on local and Commonwealth funds.

It is not possible to determine how many individuals may be charged, convicted, and sentenced under this act. At the sentencing stage, a convicted offender could receive punishment at either the state or local level. An additional fiscal impact on county budgets may be incurred as a result of a provision that allows a person that has not paid his fines to be incarcerated until such fines are paid. Specific costs related to this provision cannot be quantified.

The average cost in 2008 for incarcerating an offender in a state correctional institution was about \$35,000 per year (including health care). According to the Board of Probation and Parole, in 2008 the average cost for state parole supervision was \$3,139 per year. The average cost in 2008 for incarceration in a county jail was approximately \$50 per day or \$18,250 per year. The average cost for supervising a county adult offender in 2007 was \$680 per year.

While this legislation is expected to have minimal fiscal impact, if considered in conjunction with other legislation that increases the grading of penalties or creates new penalties, the impact to state and/or local governments may be substantial.

Revenue generated via the collection of fines for violations of Title 34 are deposited in the Game Fund. According to the 2009/10 Governor's Executive Budget, the Game Commission collected over \$1.1 million in fines and penalties in 2007/08. It is not possible to determine how many fines may be assessed under this Title.

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**DATE:** July 20, 2009

**General Note and Disclaimer:** *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*