

Department of Planning and Budget

2001 Fiscal Impact Statement

1. Bill Number HB2795

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|------------------------|---------------------------------------|-------------------------------------|--|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Enrolled |

2. Patron McDonnell

3. Committee Passed Both Houses

4. Title Commitment of serious juvenile offenders.

5. Summary/Purpose: This legislation proposes to amend §16.1-285.1 of the Code of Virginia to allow the circuit court to qualify a transferred juvenile as a serious offender and commit him to the Department of Juvenile Justice regardless of whether he meets existing criteria regarding criminal background if, upon the court's review of the juvenile's entire criminal history, such qualification is otherwise justified.

6. Fiscal Impact Estimates are: Final. See item 8.

7. Budget amendment necessary: Yes.

8. Fiscal implications: The fiscal implications of this legislation are uncertain. It is expected that this bill may have a minimal impact on the number of juvenile offenders currently in state juvenile correctional facilities that could be absorbed by the department.

Pursuant to §30-19.1:4 of the Code, the Department of Juvenile Justice estimates an impact of \$328,475 (the highest annual cost over the next ten years). The amount is based on the assumption that there will be 5 additional juvenile offenders in the juvenile correctional centers at any given time during the fiscal year.

Approval of this legislation by the Governor may be contrary to the Code of Virginia. Section 30-19.1:4 of the Code, paragraph H, states that "For each law enacted which results in a net increase in periods of imprisonment in state correctional facilities or a net increase in periods of commitment or the time committed to the custody of the Department of Juvenile Justice, a one-year appropriation shall be made from the general fund equal to the estimated increase in operating costs of such law, in current dollars, of the highest of the next six fiscal years following the effective date of the law. 'Operating costs' means all costs other than capital outlay costs." Pursuant to the above referenced language, a budget amendment is required but was not provided by either the House or the Senate.

9. Specific agency or political subdivisions affected: Department of Juvenile Justice

10. Technical amendment necessary: Change §30-19.1:4 impact amount from \$0 to \$328,475.

11. Other comments: None.

Date: 02/28/01 / mem

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cc: Secretary of Public Safety

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