

Department of Planning and Budget 2002 Fiscal Impact Statement

1. Bill Number HB565

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 Byron

3. Committee Passed both houses

4. Title Criminal solicitation

5. Summary/Purpose:

Currently, it is a Class 6 felony for an adult to solicit another adult to commit a felony, regardless of the severity of the solicited felony. It is a Class 5 felony for an adult to solicit a juvenile to commit a felony. This bill would treat solicitation to commit murder differently, creating a sentence range of five to forty years for the offense.

6. Fiscal Impact: See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications:

The maximum sentence for a Class 6 felony is five years; for a Class 5 felony, ten years. Although the proposed legislation would increase the penalty for solicitation to commit murder, it is expected to have little or no impact on prison bedspace. According to the Virginia Criminal Sentencing Commission, none of the convictions for criminal solicitation during the most recent two years for which data is available involved physical injury or death of a victim. Because solicitation cases involving death are rare, the Commission concluded that any impact on prison bedspace, while it could not be determined, would be very small.

9. Specific agency or political subdivisions affected: Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/18/02/rwh

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cc: Secretary of Public Safety