

## Department of Planning and Budget 2005 Fiscal Impact Statement

**1. Bill Number:** HB 2564

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

**2. Patron:** Watts

**3. Committee:** Passed both houses

**4. Title:** Aggravated sexual battery and taking indecent liberties

**5. Summary/Purpose:**

The enrolled legislation increases the penalties for parents, step-parents, grandparents, and step-grandparents who commit aggravated sexual battery against, or take indecent liberties, with the children in their custody.

The bill expands the definition of aggravated sexual battery to include the sexual abuse of an individual 13 to 17 years old when committed by a parent, step-parent, grandparent, or step-grandparent.

Under current law, it is a Class 6 felony for parents, etc. to take indecent liberties with children in their custody. The enrolled legislation would increase the penalty to a Class 5 felony if the child were 15 years old or older. For a child less than 15 years old, the offense would be a Class 4 felony.

**6. Fiscal impact:** Final. See Item 8.

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$351,875 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in 15 additional inmates being incarcerated in prison.

The budget conferees included an appropriation for \$351,875 in their proposed amendments to the budget bill to cover the fiscal impact of this bill.

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

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** 03/04/05 / rwh

**Document:** G:\LEGIS\Fis-05\HB2564ER.Doc Dick Hall-Sizemore