



## Impact Analysis on Proposed Legislation

*Virginia Criminal Sentencing Commission*

### **Senate Bill No. 1150** **Amendment in the Nature of a Substitute** **(Patron Prior to Substitute – Stolle)**

**Date Submitted:** 2/7/2005

**LD #:** 05-3856820

**Topic:** Reporting hunting accidents and rendering assistance to victims

#### **Proposed Change:**

The proposal adds § 29.1-530.3 to require any hunter who severely injures himself or another and causes significant physical impairment or death, to render assistance to the victim or victims as may be practicable and necessary to minimize any danger caused by the accident. A knowing and willful violation is a Class 1 misdemeanor; the penalty is elevated to a Class 6 felony if the hunting accident resulted in serious bodily injury or death. The proposal specifies that any person who renders assistance in good faith at the scene of a hunting accident shall not be held liable for any civil damages when he has acted as an ordinary, reasonably prudent person would have acted under similar circumstances.

The proposal also requires any hunter involved in a hunting accident in which another person dies, requires medical attention beyond first aid or disappears to report the incident to the Department of Game and Inland Fisheries or any law enforcement officer within five working days. Failure to report the incident is a Class 4 misdemeanor.

#### **Impact of Proposed Legislation:**

As the proposed legislation creates new crimes not currently defined by the *Code of Virginia*, the proposal may increase the correctional bed space needs of the Commonwealth; however, the number of incidents affected by the proposal and the potential increase in criminal prosecutions cannot be estimated with available data.

The Department of Juvenile Justice (DJJ) reports that the potential impact of the proposal on Juvenile Correctional Center (JCC) bed space needs cannot be quantified.

**Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**

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