



Impact Analysis on Proposed Legislation

Virginia Criminal Sentencing Commission

Senate Bill No. 923

(Patron – Blevins)

Date Submitted: 01/10/2005

ID #: 05-1430702

Topic: Failure to deliver or mail voter registration application

Proposed Change:

The proposal adds § 24.2-416.6 to require officials from the State Board of Elections, the local electoral board and the local registrar office to provide instructions and a copy of § 24.2-1002.01 (with an explanation of the penalty for destroying or failing to mail or deliver voter registration applications) whenever multiple copies of the voter registration application are furnished to any individual or group. In addition, § 24.2-1002.01 is amended (1) to increase the penalty for the destruction or failure to deliver or mail voter registration applications from a Class 1 misdemeanor (up to 12 months) to a Class 5 felony (imprisonment of 1 to 5 years), and (2) to define a new Class 5 felony to prohibit any person from intentionally soliciting multiple registrations from any one person or intentionally falsifying a registration application.

Data Analysis:

According to fiscal year (FY) 2003 and FY2004 Local Inmate Data System (LIDS) data, which contains information on persons held pre- or post-trial in local jails, no person was convicted of the destruction or failure to mail or deliver voter registration applications.

Impact of Proposed Legislation:

The proposed legislation increases the penalty for an existing offense, defines a new felony, and requires that any individual or group furnished with multiple voter registration applications be made aware of the penalties. No impact on state (prison) and local-responsible (jail) bed space is expected as a result of increasing the current penalty for destroying or failing to mail voter applications, as there have been no misdemeanor convictions for the current offense during a recent two-year period. The new felony defined by the proposal could increase correctional bed space needs. While the number of incidents affected by the proposal and the potential increase in felony prosecutions cannot be estimated with available data, the impact is likely to be small.

The Department of Juvenile Justice (DJJ) reports that the proposal is not expected to increase Juvenile Correctional Center (JCC) bed space needs.

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 \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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The Commission provides analyses of the impact on prison and jail bed space and community corrections placement needs in accordance with § 30-19.1:4. Impact analyses do not comment on the merits of the bill under review.