



Fiscal Impact Statement for Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill No. 1540

Amendment in the Nature of a Substitute

(Patron Prior to Substitute – Dudley)

LD#: 06-1426298

Date: 2/22/2006

Topic: Tampering with waterworks

Fiscal Impact Summary:

- **State Adult Correctional Facilities:**
Cannot be determined
- **Local Adult Correctional Facilities:**
Cannot be determined
- **Adult Community Corrections Programs:**
Cannot be determined

- **Juvenile Correctional Centers:**
Cannot be determined
- **Juvenile Detention Facilities:**
Cannot be determined

Summary of Proposed Legislation:

The proposal amends § 18.2-54.1 relating to tampering with waterworks. Any person who poisons any waterworks, as defined by § 32.1-167, with intent to kill or injure another person is guilty of a Class 3 felony. Currently, the crime applies to any person who administers or attempts to administer any poison or destructive substance in food, drink, or medication, or poisons any spring, well, or reservoir of water with intent to kill or injure another person.

Analysis:

Based on fiscal year (FY) 2003 and 2004 Local Inmate Data System (LIDS) data, no offenders held pre- or post-trial in jail were convicted of crimes involving violations of § 18.2-54.1.

Impact of Proposed Legislation:

State adult correctional facilities. The proposed legislation expands the applicability of an existing felony offense involving poisoning waterworks. The proposal may increase the state-responsible (prison) bed space needs of the Commonwealth; however, the magnitude of the potential impact cannot be determined.

Local adult correctional facilities. The proposal may have an impact on local-responsible (jail) bed space; however, the magnitude of the potential impact cannot be determined.

Adult community corrections programs. The impact on adult community corrections programs cannot be determined.

Virginia's sentencing guidelines. Convictions under § 18.2-54.1 are covered under the Assault guidelines. No adjustment to the sentencing guidelines would be necessary under the proposal.

Juvenile correctional centers. According to the Department of Juvenile Justice (DJJ), the proposal is not expected to increase juvenile correctional center (JCC) bed space needs.

Juvenile detention facilities. The Department of Juvenile Justice (DJJ) reports that the proposal is not expected to increase the bed space needs of juvenile detention facilities.

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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