

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB 2332

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Gilbert

3. Committee Passed both houses

4. Title Obstruction of justice

5. Summary/Purpose:

Currently, it is a Class 1 misdemeanor to obstruct an attorney for the Commonwealth in the performance of his duties. The enrolled bill would make it a Class 5 felony to use threats of harm or force to intimidate or impede an attorney for the Commonwealth in the discharge of his duty. The felony provision already is applicable to judges, magistrates, justices, jurors, witnesses, and law-enforcement officers.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 5 felony, the penalty is a sentence of 1 to 10 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to prison.

Due to the lack of data, the Virginia Criminal Sentencing Commission has determined, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. However, it is expected that the impact will be negligible.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/03/2007 / rwh

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