

# Department of Planning and Budget

## 2009 Fiscal Impact Statement

**1. Bill Number SB 951**

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed  
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

**2. Patron Howell**

**3. Committee House Courts of Justice**

**4. Title Assault of police officers of the Metropolitan Washington Airports Authority**

**5. Summary/Purpose:**

Under current law, simple assault or assault and battery is a Class 1 misdemeanor. If the assault is against a law-enforcement officer, the offense is a Class 6 felony, with a mandatory minimum sentence of six months in jail.

The proposed legislation would add police officers of the Metropolitan Washington Airports Authority to the definition of "law-enforcement officer", with the result that any assault against these officials would qualify as a Class 6 felony.

**6. Fiscal Impact: Preliminary.**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2009	\$13,810	General
2010	\$0	General
2011	\$0	General
2012	\$0	General
2013	\$0	General
2014	\$0	General

**7. Budget amendment necessary:** Yes. Item 391. The Senate has included an amendment for this amount in its budget bill recommendations.

**8. Fiscal implications:**

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to prison.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$13,810 (the highest annual cost over the next six years).

**9. Specific agency or political subdivisions affected:**

Department of Corrections

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

**11. Other comments:** None.

**Date:** {2/16/2009} rwh

**Document:** G:\LEGIS\Fis-09\Sb951.DOC Dick Hall-Sizemore