

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 Passed both houses

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: Final.

<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 budget bill passed by the General Assembly did not include this appropriation, which is required by §30-19.1:4 of the Code of Virginia.

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:

The failure to provide the required appropriation for this bill would not invalidate its provisions if signed into law. Because it has been the policy of the Governor and the General Assembly in the past to follow the statutory requirement regarding an appropriation of the projected cost, it may be appropriate to consider amending the budget bill to include this appropriation.

Date: {3/5/2009} rwh

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