

Department of Planning and Budget

2010 Fiscal Impact Statement

1. Bill Number: SB 183

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Wampler

3. Committee: Passed both houses

4. Title: Malicious body injury

5. Summary:

Under current law, maliciously causing bodily injury to search and rescue personnel, with the intent to maim, disfigure, disable, or kill, as well as other public safety personnel, engaged in their public duties is punishable by a sentence of up to 30 years in prison. Unlawfully, but not maliciously, causing such injury is a Class 6 felony, with a mandatory minimum sentence of one year.

The statute defines “search and rescue personnel” as any employee or member of a search and rescue organization that is authorized by the governing body of any county, city, or town. The proposed legislation would expand the definition to include any member of a search and rescue organization operating under a memorandum of understanding (MOU) with the Virginia Department of Emergency Management (VDEM).

6. Fiscal Impact Estimates: Final. See Item 8.

7. Budget Amendment Necessary: None.

8. Fiscal Implications:

The proposed legislation is unlikely to increase the future state prison bed needs of the Commonwealth. According to VDEM, no members of a search and rescue organization operating under a MOU have been intentionally injured while engaged in the performance of their duties in the past 25 years. Therefore, it is unlikely that the legislation will generate new felony convictions resulting in additional commitments to prison.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Department Emergency Management

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 3/21/2010 dpb

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