

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB 2066

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

2. Patron: Bell

3. Committee: Passed both houses

4. Title: Off-limits property to sex offenders

5. Summary:

Under current law, it is a Class 6 felony for anyone convicted of a sexually violent offense to enter any school or child day care property during school hours and during school-related and school-sponsored activities. The proposed legislation would expand the prohibition to include school buses and any property, public or private, during hours when the property is solely being used by a public or private elementary or secondary school for a school-related or school-sponsored activity.

6. Budget Amendment Necessary: No. The final budget bill adopted by the General Assembly includes an amendment for \$50,000 for the appropriation required by § 30-19.1:4 of the Code of Virginia.

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2012	\$50,000	General

8. Fiscal Implications:

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, by expanding the applicability of the existing prohibition, this proposal could result in an increase in the number of persons sentenced to jail or prison.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, 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. In such cases, Chapter 874 of the 2010 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: This bill is identical to SB 1185, which has also been enrolled.

Date: 2/24/2011

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