

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB 49

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

2. Patron: Albo

3. Committee: House Courts of Justice

4. Title: DUI manslaughter

5. Summary:

Under current law, unintentionally causing the death of another person as a result of DUI is considered involuntary manslaughter, a Class 5 felony. A person convicted of a Class 5 felony is subject to a sentence of up to twelve months in jail or one to ten years in prison. The proposed legislation would impose a one year mandatory minimum sentence for this offense.

If the action of the offender were so gross, wanton, and culpable as to show a reckless disregard of human life, the current law provides that the action shall be regarded as aggravated involuntary manslaughter, punishable by a sentence of one to 20 years in prison, one year of which shall be a mandatory minimum sentence. The proposed legislation would increase this mandatory minimum sentence to five years.

6. Budget Amendment Necessary: No. The Governor's introduced budget bill includes an appropriation for the anticipated fiscal impact of this legislation. See Item 389.

7. Fiscal Impact Estimates:

Expenditure Impact: Preliminary

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013	\$201,394	General
2014	\$0	
2015	\$0	
2016	\$0	
2017	\$0	
2018	\$0	

8. Fiscal Implications:

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$201,394 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in seven additional inmates being incarcerated in prison.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/3/2012

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