

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB 1606

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

2. Patron: Hugo

3. Committee: Passed both houses

4. Title: Solicitation of minor for prostitution

5. Summary:

Under current law, it is a Class 1 misdemeanor to offer money or its equivalent for the purpose of engaging in sexual acts. The proposed legislation would increase the penalty for such solicitation of a minor. If the minor were 16 years of age or older, the offense would be a Class 6 felony; if younger than 16, the offense would be a Class 5 felony.

6. Budget Amendment Necessary: No. The General Assembly included funding for the fiscal impact of this legislation in the budget bill it passed.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013		
2014	\$50,000	General
2015		
2016		
2017		
2018		

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; for a Class 5 felony, the sentencing option is up to one year in jail or 1 to 10 years in prison. Therefore, by increasing the penalty for an existing offense from a Class 1 misdemeanor to a felony, the proposed legislation could result in an increase in the number of persons sentenced to 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 3 of the 2012 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

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

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to SB 1015.

Date: 2/27/2013

Document: G:\LEGIS\fis-13\hb1606er.docx Dick Hall-Sizemore