

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB 1746

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

2. Patron: Gilbert

3. Committee: Passed both houses

4. Title: Violent offenses

5. Summary:

Under the system of voluntary sentencing guidelines used by Virginia, offenders with prior convictions of specified violent offenses receive "enhancements" on the guidelines that increase the recommended sentences for those offenders. This proposal would expand the list of offenses defined as "violent offenses". The offenses added to the list include those dealing with protective orders, strangulation, gang recruitment, hate crimes, stalking, discharge of firearms in public places, brandishing a firearm or other dangerous weapon, child pornography, escape from a mental health facility, and unauthorized dissemination of information compiled by the Virginia Fusion Center.

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:

By expanding the list of offenses for which a prior conviction could result in a sentence enhancement, the proposed legislation is likely to increase the number of persons housed in prisons. However, 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
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to SB 1214.

Date: 2/27/2013

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