Department of Planning and Budget
2013 Fiscal Impact Statement

1. **Bill Number: HB 1766**

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

2. **Patron: Bell, Robert**

3. **Committee: Senate Courts of Justice**

4. **Title:** Admission into evidence of prior sex offenses

5. **Summary:**

In cases in which the defendant is accused of a felony offense of sexual abuse involving a child victim, the proposed legislation would provide that evidence of the defendant's conviction of another offense or offenses of sexual abuse is admissible. The legislation would require the prosecutor to give the defendant 14 days' notice prior to the trial of his intent to introduce evidence of such prior convictions.

6. **Budget Amendment Necessary**: None.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8 below.

8. **Fiscal Implications:**

The Virginia Criminal Sentencing Commission, which is responsible under the provisions of § 30-19.1:4 of the Code of Virginia for projecting the fiscal impact of legislation that could result in the need for additional prison beds, has determined that proposed legislation dealing with the rules of evidence is outside the scope of that Code provision. Consequently, the Commission has not projected a fiscal impact for this legislation.

To the extent that the enactment of the proposed legislation would result in the conviction of defendants who otherwise would not have been convicted without the evidence of prior convictions being introduced, the proposed legislation would result in more persons being housed in jail or prisons. However, it is not feasible to project the number of additional beds that might be needed.

9. **Specific Agency or Political Subdivisions Affected:**

Department of Corrections
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: Similar to SB 1114.

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Document: G:\LEGIS\fis-13\hb1766h1.docx Dick Hall-Sizemore