

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: SB 832

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

2. Patron: Stuart

3. Committee: Senate Courts of Justice

4. Title: Mandatory minimum sentences

5. Summary:

There are numerous criminal offenses in the Code of Virginia for which the statutes impose a mandatory minimum sentence of imprisonment. In many instances, there is statutory language directing that the mandatory minimum sentence be served consecutively with any other sentence; for the remainder of the offenses, the Code is silent, giving the court the discretion to impose sentences that run consecutively or concurrently. The proposed legislation would remove any judicial discretion and require that any mandatory minimum sentence be served consecutively with any other sentence.

6. Budget Amendment Necessary: Yes. Item 389.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013		
2014	\$743,967	General
2015		
2016		
2017		
2018		

8. Fiscal Implications:

Because some mandatory minimum sentences can be served concurrently with other sentences, mandatory minimum or regular, it is currently possible for some offenders to serve less time than if the sentences had been served consecutively. By requiring all mandatory minimum sentences to be served consecutively with any other sentence, the proposed

legislation will result in some offenders serving more time in prison, thereby increasing the need for prison beds.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$743,967 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in 26 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: 1/16/2013

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