

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB 1427

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

2. Patron: Lingamfelter

3. Committee: Senate Courts of Justice

4. Title: Felony homicide

5. Summary:

Under current law, killing someone accidentally, contrary to the intention of the parties, during the commission of some felony other than capital or first-degree murder, is classified as second degree murder, punishable with a prison sentence of 5 to 40 years.

The proposed legislation would provide would provide that a person who manufactures, sells, gives, or distributes a Schedule I or II controlled substance would be guilty of violating this provision if the controlled substance were the proximate cause of the death of another person, regardless of the time and place death occurred in relation to the commission of the manufacturing, selling, giving, or distributing the controlled substance.

6. Budget Amendment Necessary: Yes. Item 385. The House did not include funding for the fiscal impact of this legislation in its amendments to the budget bill.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2016	\$50,000	General
2017	\$0	
2018	\$0	
2019	\$0	
2020	\$0	
2021	\$0	

8. Fiscal Implications:

The proposed legislation expands the applicability of a statute that carries a sentence of 5 to 40 years in prison. Therefore, it could result in the need for additional prison beds.

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 2014 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: None.

Date: 2/12/2015

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