

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB 1964

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

2. Patron: Hugo

3. Committee: House Courts of Justice

4. Title: Human sex trafficking

5. Summary:

The proposed legislation would make it a Class 2 felony to recruit, provide, obtain, solicit, etc. another person to engage in commercial sexual activity knowing that coercion or fraud will be used to cause such person to engage in the activity. If the victim were a minor, the offense would be a Class 2 felony with the following mandatory minimum sentences:

- 20 years—if victim were under 13 years old;
- 15 years—if victim were 13, but under 15, years old;
- 10 years—if victim were 15 years old or older.

The legislation also would make receiving money or its equivalent knowing that it was derived from sex trafficking a Class 3 felony.

6. Budget Amendment Necessary: Yes. See Item 385.

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:

A person convicted of a Class 2 felony is subject to a sentence of 20 years to life in prison. The potential sentence for a Class 3 felony is 5 years to 20 years in prison. Accordingly, the proposed legislation could result in additional 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 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: 2/4/2015

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