

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB 610

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

2. Patron: Bell, Robert B.

3. Committee: House Courts of Justice

4. Title: Violations of protective orders

5. Summary:

Under current law, if any person under a protective order assaults the person protected by the protective order, resulting in serious bodily harm, it is a Class 6 felony.

The proposed legislation would expand the offense to include any assault, regardless of the degree of injury; bodily wounding; and stalking.

6. Budget Amendment Necessary: Yes. Items 70 and 394.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2017	\$3,155,202	General
2018	\$8,760	General
2019	\$8,760	General
2020	\$8,760	General
2021	\$8,760	General
2022	\$8,760	General

8. Fiscal Implications:

The legislation would expand an existing Class 6 felony, for which a court may impose a sentence of up to 12 months in jail or 1 to 5 years in prison.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$3,147,902 (the highest annual cost over the next

six years). The amount is based on the projection that the legislation will result in 100 additional inmates being incarcerated in prison.

The Virginia Criminal Sentencing Commission has also determined that the proposed legislation also would result in an increase in the number of local-responsible (jail) inmates—five additional inmates in FY 2017 and six additional inmates in each fiscal year thereafter through FY 2022. The Compensation Board reimburses localities \$4.00 per day for each local-responsible inmate held in jails. It also provides funding for additional deputies needed in jails due to overcrowding. The amounts shown in Item 7 include the additional projected costs for the Compensation Board as a result of this proposed legislation.

The amount shown for FY 2017 in Item 7 consists of \$7,300 for the Compensation Board per diem costs and \$3,147,902 for the §30-19.1:4 costs. The amounts shown for later years are the additional costs projected per diem costs for the Compensation Board as a result of this proposed legislation.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/28/2016

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