

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB419-S1

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

2. Patron: Vogel

3. Committee: Rehabilitation and Social Services

4. Title: Operation of a child welfare agency without a license; negligence resulting in death or injury.

5. Summary: Operation of a child welfare agency without a license; negligence resulting in death of or injury to a child; penalty. Provides that in any case in which a person operates or engages in the conduct of a child welfare agency without first obtaining a license, and a child under the care or supervision of such child welfare agency suffers death or serious bodily injury as a result of the child care provider's negligent operation of such child welfare agency, such person is guilty of a Class 4 felony.

6. Budget Amendment Necessary: No. The Governor's introduced budget bill includes an appropriation for the fiscal impact of the proposed legislation

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	\$50,000	-	general
2017	-	-	-
2018	-	-	-
2019	-	-	-
2020	-	-	-
2021	-	-	-
2022	-	-	-

8. Fiscal Implications: The proposed legislation creates a new Class 4 felony offense, which is punishable with a sentence of 2 to 10 years in prison. Therefore, it could result in the need for additional prison beds. The substitute bill adds language specifying the nature by which the child would have come to harm in order to fall under the purview of this bill.

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 665 of the 2015 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill.

This bill has no fiscal impact on the Department of Social Services. There will be no material impact on the Courts.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections,
Department of Social Services, Courts

10. Technical Amendment Necessary: No

11. Other Comments: