

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB454ER

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Stanley

3. Committee: Passed Both Houses

4. Title: Juvenile court; retained jurisdiction; procedures; penalties

5. Summary: Specifies procedures to be used for adults who are subject to the retained jurisdiction of the juvenile court for criminal offenses committed as juveniles. The bill requires that a proceeding against such person be commenced by petition and that parents not be notified or involved. The bill specifies dispositional alternatives and a maximum jail sentence. The bill increases the maximum jail sentence to 12 months for each offense, not to exceed a total of 36 months. Under current law, the maximum jail sentence is 12 months for a single offense or multiple offenses. The bill also states that such persons are entitled to good conduct credit. This bill is a recommendation of the Virginia Criminal Justice Conference.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item #8)

8. Fiscal Implications: Currently, when a juvenile court sentences an adult who has committed an offense before the age of 18 that would be a crime if committed by an adult, the court can impose a punishment not to exceed the punishment for a Class 1 misdemeanor. The punishment for a Class 1 misdemeanor is confinement in jail for not more than twelve months and fine of not more than \$2,500, either or both. In cases where an offender has multiple offenses, the provisions of this bill cap the total jail sentence imposed to a maximum of 36 continuous months.

According to the Department of Juvenile Justice (DJJ) and the Office of the Executive Secretary of the Supreme Court of Virginia (OES), the provisions of this bill are not expected to have a material fiscal impact on agency operations. Depending on judge sentencing patterns, the bill could increase the length of time young adult offenders are incarcerated. While it is possible there could be an impact on local jails the fiscal impact is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Juvenile Justice, Department of Corrections, courts and local jails

10. Technical Amendment Necessary: No

11. Other Comments: None

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