

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB1060 – S1

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

2. Patron: Black

3. Committee: Courts of Justice

4. Title: Female genital mutilation; criminal penalty and civil action.

5. Summary: This bill makes it a felony with a punishment of 20 years to life with a five-year mandatory minimum term for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 4 felony for any parent or guardian charged with the care of a minor to consent to such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation.

6. Budget Amendment Necessary: Yes. Item 394.

7. Fiscal Impact Estimates: Fiscal Impact Estimates Are Preliminary

8. Fiscal Implications: The bill that makes it a felony to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor with a punishment of 20 years to life. This bill also creates a new Class 4 felony offense, punishable with a sentence of 2 to 10 years in prison. The proposed offenses may overlap with existing crimes, including malicious wounding, which is a Class 3 felony punishable by a term of imprisonment of 5 to 20 years and aggravated malicious wounding, a Class 2 felony punishable by life imprisonment or for any term not less than 20 years. The bill 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 780 of the 2016 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Local and Regional Jails, Department of Juvenile Justice

10. Technical Amendment Necessary: No

11. Other Comments: SB1241 was incorporated into the bill.