

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: SB 790

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

2. Patron: Cosgrove

3. Committee: Senate Finance

4. Title: Crimes against law-enforcement officers

5. Summary:

Current law defines several offenses concerning the harming of law-enforcement and other public safety personnel while they were engaged in the performance of their public duties. These offenses range from capital murder, with the possibility of a death penalty, to simple assault, which is a Class 6 felony.

The proposed legislation would remove the requirement that the victim be engaged in his or official duties for the penalty to be applicable.

6. Budget Amendment Necessary: Yes. Item 394.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2017	\$50,000	General
2018	\$0	
2019	\$0	
2020	\$0	
2021	\$0	
2022	\$0	

8. Fiscal Implications:

By expanding the applicability of statutes ranging from capital murder to assault of a law-enforcement officer, which is a Class 6 felony, punishable by a sentence of up to 12 months in jail or 1 to 5 years in prison, this proposal could result in an increase in the number of persons sentenced to jail or 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 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.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/30/2017