

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB478

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

**2. Patron:** Reid

**3. Committee:** Courts of Justice

**4. Title:** Enhanced penalty for violation of protective order, assault and battery against family or household member, and stalking.

**5. Summary:** The proposed legislation increases the penalty for a second offense of violation of a protective order, assault and battery against a family or household member, or stalking to a Class 6 felony if the person charged has been previously convicted of any of these offenses, or of an offense under Article 4 of Chapter 4 of Title 18.2 (relating to assaults), in the preceding 20 years against the same victim as the current offense.

**6. Budget Amendment Necessary:** Yes. Item 391.

**7. Fiscal Impact Estimates:** Preliminary. See Items 7a and 8 below.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	\$50,000	0	General Fund
2020			
2021			
2022			
2023			
2024			
2025			

**8. Fiscal Implications:** Because the penalty for these crimes increases to a Class 6 felony when the offender has already been convicted once for a crime against the same victim, the proposed bill could increase the future state responsible (prison) bed space needs of the Commonwealth. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. The impact of the bill on state-responsible (prison) bed space cannot be determined due to insufficient data. In such cases, Chapter 836 of the 2017 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to the bill. Because the number of cases cannot be quantified, the impact on community corrections programs and local corrections cannot be determined. There is no expected fiscal impact on the Department of Juvenile Justice (DJJ).

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections, Local correctional facilities, Community corrections, and Department of Juvenile Justice.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.