

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** SB47

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

**2. Patron:** Black

**3. Committee:** Courts of Justice

**4. Title:** Female genital mutilation; increases criminal penalty to Class 2 felony.

**5. Summary:** Current law prohibits (i) any person from knowingly circumcising, excising, or infibulating the labia major, labia minora, or clitoris of a minor, (ii) any parent or guardian charged with the care of a minor from consenting to such circumcision, excision, or infibulation, or (iii) any parent or guardian charged with the care of a minor from knowingly removing or causing or permitting the removal of such minor from the Commonwealth for the purposes of performing such circumcision, excision, or infibulation. The bill increases the penalty for these offenses from a Class 1 misdemeanor to a Class 2 felony. The Engrossed version of this bill stipulates that the provisions of the bill shall not become effective unless a corresponding appropriation is provided in the budget bill passed by the 2018 General Assembly.

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

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

**Expenditure Impact:**

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

**8. Fiscal Implications:** For someone convicted of a Class 2 felony, a judge has the option of sentencing him from 20 years to life in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to 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 836 of the 2017 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