

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2172 H1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Miyares

3. Committee: Courts of Justice

4. Title: Conditional release of geriatric prisoners; exceptions.

5. Summary: Current law permits anyone serving a sentence as a result of any felony offense other than a Class 1 felony to petition the Parole Board for conditional release, if the offender has reached age 65 and has served at least five years of their sentence or if the offender has reached age 60 and has served at least 10 years of their sentence.

In addition to a Class1 felony, the substitute bill makes the following offenses ineligible for conditional release of geriatric offenders: i) murder in the first degree if the offense was committed on or after July 1, 2019; ii) a sexually violent offense as defined in § 37.2-900, if the offense was committed on or after July 1, 2019. The substitute bill provides that the exclusion for sexually violent offenses shall not apply to anyone serving a life sentence for any crime other than homicide who was under the age of 18 when the offense was committed.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: The amended legislation is expected to have minimal fiscal impact on the operations of the Parole Board. The Virginia Criminal Sentencing Commission concludes that this bill is not expected to impact the need for state prison beds within the FY2020 – FY2025 forecast period.

9. Specific Agency or Political Subdivisions Affected: Parole Board, Department of Corrections

10. Technical Amendment Necessary: None

11. Other Comments: None