

**Department of Planning and Budget**  
**2019 Special Session I Fiscal Impact Statement**

**1. Bill Number:** HB4028

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

**2. Patron:** Gilbert

**3. Committee:** House Committee for Courts of Justice

**4. Title:** Punishment for select capital murder offenses

**5. Summary:** The proposed bill amends §18.2-31(B) (capital murder) to specify the punishment for capital murder by a person who was 18 years of age or older at the time of the offense shall be no less than a mandatory minimum term of life in prison in cases where the willful, deliberate, and premeditated killing of more than one person as part of the same act or transaction; or, the willful, deliberate, and premeditated killing of more than one person within a three-year period [§ 18.2-31(A,8)].

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Preliminary (see Item 8)

**8. Fiscal Implications:** According data collected and compiled by the Virginia Criminal Sentencing Commission (VCSC), there have been 334 convictions for a completed act of capital murder under § 18.2-31 during the period of FY 2000 to FY 2018. Since all offenders convicted of capital murder receive sentences in excess of six years, the proposed bill is not expected to have a material fiscal impact on state prison bed space over the next six year horizon specified by §30-19.1:4 for legislative impact statements .

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections, Commonwealth's Attorneys, and Courts.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None