

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB802

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: Morrissey

3. Committee: Courts of Justice

4. Title: Death penalty executions; moratorium.

5. Summary: Under current law, an offender convicted of a Class 1 felony who was at least 18 years of age at the time of the offense and is determined not to have an intellectual disability may be sentenced to either death or life imprisonment. This bill imposes a moratorium on executions of prisoners sentenced to death. The bill does not affect any other matter of law related to the death penalty, including bringing and trying capital charges, sentencing proceedings, imposition of the death penalty, appeals of the death penalty, and habeas review.

The provisions of this bill will expire upon adjournment sine die of a regular session of the General Assembly that commences after a joint subcommittee of the General Assembly established pursuant to a joint resolution passed during the 2020 Session of the General Assembly has conducted a comprehensive study of the death penalty in the Commonwealth and published its conclusions and recommendations in a report.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: According to the Department of Corrections, there were two Virginia inmates serving death sentences as of December 9, 2019. This bill would prohibit the prisoners from being executed until adjournment of the first regular session of the General Assembly after a joint subcommittee, established pursuant to a joint resolution passed by the 2020 General Assembly, conducts a study of the death penalty in the Commonwealth and issues a report of its conclusions and recommendations.
This bill is not expected to have a fiscal impact on the Attorney General's Office.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Attorney General's Office

10. Technical Amendment Necessary: None

11. Other Comments: None