

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB807

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: Senate Committee on the Judiciary

4. Title: Larceny; subsequent offenses; penalty.

5. Summary: The proposed legislation eliminates the enhanced Class 6 felony applicable for a third or subsequent offense of petit larceny.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Currently, a third, or any subsequent offense of misdemeanor larceny is subject to a Class 6 felony charge. The proposed legislation eliminates this provision. According to data provided by the Virginia Sentencing Commission, during FY 2018- FY 2019, there were 1,672 felony sentencing events in which petit larceny third offense (§18.2-104) was the most serious offense at sentencing. Of these 16.7% were sentenced to probation, and 58.0% percent were sentenced to jail with the median sentence in local jail was 3 months. 25.3% were sentenced to prison, with median prison sentence of 1.5 years. The legislation would reduce the number of individuals who would be held in jail or prisons.

9. Specific Agency or Political Subdivisions Affected: Commonwealth's Attorneys; Department of Corrections; Courts; local law enforcement agencies, local correctional facilities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.