

Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** HB1010

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Herring

3. **Committee:** Courts of Justice

4. **Title:** Criminal fiscal impact statements.

5. **Summary:** Provides that no bill resulting in an increase in net periods of imprisonment or commitment shall be (i) reported from a standing committee of the House of Delegates or the Senate or (ii) passed by the House of Delegates or the Senate unless a fiscal impact statement for the current version of the bill has been prepared and is printed on the face of the bill or reported or passed as an amendment to such bill. Current law requires such fiscal impact statements to be prepared and the amount of the estimated appropriation reflected in the fiscal impact statement to be printed on the face of each bill. The bill clarifies the ability of the Division of Legislative Services to forward an advance copy of such bills to the Virginia Criminal Sentencing Commission for the preparation of such fiscal impact statements.

6. **Budget Amendment Necessary:** No

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

8. **Fiscal Implications:** Current law requires the VCSC to prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations for any bill that would result in a net increase in periods of imprisonment in state adult correctional facilities. The amount of the estimated appropriation reflected in the fiscal impact statement is required to be printed on the face of each bill. The Department of Planning and Budget (DPB) is required to provide the VCSC with the operating cost per inmate annually. DPB also is required, in conjunction with the Department of Juvenile Justice (DJJ), to prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations for any bill that would result in a net increase in periods of commitment to the custody of the DJJ.

Under the proposed legislation, no bill that increases periods of imprisonment in state adult correctional facilities or periods of commitment to the custody of the DJJ could be (i) reported from a standing committee of the House of Delegates or the Senate or (ii) passed by the House of Delegates or the Senate unless a fiscal impact statement for the current version of the bill has been prepared, and the amount of the estimated appropriation is reflected in the fiscal impact statement is printed on the face of the bill or reported or passed as an amendment to such bill.

According to VCSC, this bill is not expected to have a fiscal impact on agency operations. Likewise, this bill does not change the current requirements on DPB and, therefore, is not expected to have any impact.

9. Specific Agency or Political Subdivisions Affected: The Virginia Criminal Sentencing Commission, the Department of Planning and Budget, and the Department of Juvenile Justice

10. Technical Amendment Necessary: None

11. Other Comments: None