

# 1996 RECONVENED SESSION

ENROLLED

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act to amend and reenact § 30-19.1:4 of the Code of Virginia, relating to impact statements; juvenile facilities.*

[H 499]

Approved

**Be it enacted by the General Assembly of Virginia:**

**1. That § 30-19.1:4 of the Code of Virginia is amended and reenacted as follows:**

§ 30-19.1:4. Increase in terms of imprisonment or commitment; appropriations for operating costs.

A. The Department of Planning and Budget, in conjunction with the Department of Corrections, the Senate Finance Committee and the House Appropriations Committee the Department of Youth and Family Services, and the Virginia Criminal Sentencing Commission, shall prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations for any bill which would result in a net increase in periods of imprisonment in state adult correctional facilities or periods of commitment to the custody of the Department of Youth and Family Services, including but not limited to those bills which add new crimes for which imprisonment or commitment is authorized, increase the periods of imprisonment or commitment authorized for existing crimes, impose minimum or mandatory terms of imprisonment or commitment, or modify the law governing release of prisoners or juveniles in such a way that the time served in prison, or the time committed to the custody of the Department of Youth and Family Services will increase. The amount of the estimated appropriation reflected in the fiscal impact statement shall be printed on the face of each such bill, but shall not be codified.

B. For any law becoming effective on or after July 1, 1994, which results in a net increase in periods of imprisonment in state correctional facilities or for any law becoming effective on or after July 1, 1997, which results in a net increase in periods of commitment or the time committed to the custody of the Department of Youth and Family Services, a one-year appropriation shall be made from the general fund equal to the estimated increase in operating costs of such law, in current dollars, of the highest of the next ten fiscal years following the effective date of the law. "Operating costs" means all costs other than capital outlay costs.

C. Prior to submission of the budget for fiscal years beginning after 1995-96, estimates of appropriations made under this section may be adjusted to determine the amount of appropriations from the general fund to be repeated for the ensuing fiscal year. If no adjustment is made, then the amount of appropriations previously made shall be repeated.

The Corrections Special Reserve Fund (the "Fund") is hereby established as a nonreverting special fund on the books of the Comptroller. The Fund shall consist of all moneys appropriated by the General Assembly under the provisions of this section and all interest thereon. Any moneys deposited in the Fund shall remain in the Fund at the end of the biennium. Moneys in the Fund shall be expended solely for the purpose of providing for the operations of those facilities where offenders are maintained, including community programs which provide supervision or treatment of offenders. Moneys in the Fund shall not be appropriated for expenditure prior to the first year in which the fiscal impact of any such bill is expected to occur. Such expenditures shall be consistent with the annual inmate population increases projected as a result of the bill.

D. Appropriations made under the provisions of this section shall be placed in a special fund.

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