

DJJ
2008 Fiscal Impact Statement

1. Bill Number: HB 597

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

2. Patron: McClennan

3. Committee: Courts of Justice

4. Title: Crimes; effect of subsequent marriage to child over 14 years of age.

5. Summary: Repeals the code section that provides a defense to carnal knowledge of a 14-year-old female when there is a subsequent marriage of the victim and the perpetrator

6. Fiscal Impact Estimates: None

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2008			
2009			
2010			
2011			
2012			
2013			
2014			

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2008			
2009			
2010			
2011			
2012			
2013			
2014			

7. Budget Amendment Necessary: No

8. Fiscal Implications: None

9. Specific Agency or Political Subdivisions Affected: Department of Juvenile Justice, locally operated juvenile detention homes

10. Technical Amendment Necessary: No

11. Other Comments: The bill eliminates subsequent marriage to a female 14 years or older after having consensual sexual intercourse as a defense for not being convicted of a violation of § 18.2-371 COV. This could provide for more delinquency adjudications for a Class 1 misdemeanor. Criteria for commitment to DJJ now requires a minimum of four separate and distinct Class 1 misdemeanors, so it is not anticipated many youth will be committed for this offense. Most youths committed for sexual offenses are committed for felonies, with the exception of sexual battery which is a Class 1 misdemeanor.

Date: 2/19/2008 WSP

Document: HB597H1.doc

cc: Secretary of Public Safety