

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: SB808

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

2. Patron: Marsden

3. Committee: Senate Committee on Courts of Justice

4. Title: Juvenile sentences

5. Summary: Provides a mechanism for persons who are sentenced to more than 25 years for a non-homicide offense committed while a juvenile to petition the court for a modification of sentence at age 35 or after serving 20 years of the sentence, whichever occurs last.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), this legislation will likely have a relatively small fiscal impact on Criminal Fund expenditures. In addition to the Criminal Fund impact, a new type of hearing would be added in circuit courts; however, the cost of these new hearings can be absorbed with current resources.

The table below shows data from the Virginia Criminal Sentencing Commission which tracks non-homicide offenders less than 18 years of age at the time of the offense and sentenced to more than 25 years. The data shows, that over the last 6 years, there have been 38 offenders who could petition the court for a modified sentence.

Offenders Less than 18 Years of Age at the Time of Offense
Sentenced to More than 25 Years
(Non-Homicide Offenses Only)

FY	Frequency
2007	8
2008	11
2009	3
2010	6
2011	6
2012	4
Total	38

Since the number of offenders eligible for a modified sentence under this legislation is small, the overall fiscal impact appears to be negligible.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: January 15, 2013

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