

## Department of Planning and Budget 2014 Fiscal Impact Statement

**1. Bill Number: HB 942**

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: Surovell**

**3. Committee: Militia, Police, and Public Safety**

**4. Title: Method of execution**

**5. Summary:**

Current Virginia law provides for either electrocution or lethal injection to be used to carry out the execution of offenders convicted of a capital offense and sentenced to death. The offender may choose the method to be used. If the offender refuses to choose, the default method is lethal injection. The proposed legislation would eliminate electrocution as an authorized method of execution.

**6. Budget Amendment Necessary: No.**

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

**8. Fiscal Implications:**

To carry out an execution by lethal injection, the Department of Corrections (DOC) uses a combination of three drugs. One of those drugs, pentobarbital, has become inaccessible to state departments of corrections, including the Virginia DOC, because of the manufacturer's opposition to capital punishment. DOC's supply of the drug expired on November 13, 2013. No acceptable replacement for the drug has been identified.

If electrocution is not an authorized method of execution, which would be the effect of the proposed legislation, executions would have to be delayed until the Department of Corrections could devise another combination of drugs for lethal injection that would be legally admissible. The administrative and legal costs of accomplishing this cannot be projected at this time.

**9. Specific Agency or Political Subdivisions Affected: Department of Corrections**

**10. Technical Amendment Necessary: None.**

**11. Other Comments: None.**

**Date:** 1/13/2014

**Document:** G:\LEGIS\fis-14\HB942.docx Dick Hall-Sizemore