

Department of Planning and Budget 2014 Fiscal Impact Statement

1. Bill Number: SB 146

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: Stuart

3. Committee: Senate Courts of Justice

4. Title: Sentence modification

5. Summary:

Current law allows a court to modify the sentence of a person convicted of a felony offense and sentenced to the Department of Corrections until the offender is transferred from the jail to the custody of the department. After the offender has been transferred, the court may not modify the sentence. The proposed legislation would allow the court to consider modifying a sentence after the offender had been transferred to the Department of Corrections, if the attorney for the Commonwealth for the jurisdiction and the offender agree that there is good cause to hold a sentence modification hearing.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact. See Item 8 below.

8. Fiscal Implications:

The proposed legislation would not require the Department of Corrections to modify its procedures for transferring state-responsible offenders from jails to department facilities. The governmental entity that would be affected the most would be sheriffs' offices, which would have the responsibility of transporting any offender granted a sentence modification hearing from a Department of Corrections facility back to the jail. This could result in additional prisoner transfer trips, tying up deputies and resulting in travel costs. However, because it is not possible to predict how many modification hearings would be granted, any possible fiscal impact cannot be determined.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/13/2014

Document: G:\LEGIS\fis-14\sb146.docx Dick Hall-Sizemore