

## Department of Planning and Budget 2014 Fiscal Impact Statement

**1. Bill Number: SB 570**

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

**2. Patron: Stuart**

**3. Committee: Senate Courts of Justice**

**4. Title: Assault and battery of campus police officers**

**5. Summary:**

Under current law, simple assault and assault and battery are Class 1 misdemeanors. Moreover, if the offense is committed school principals, teachers, or guidance counselors, it is punishable by a mandatory minimum sentence of two days in jail. Furthermore, if the offense is committed against any one of specifically designated public safety workers while in the performance of their duties, it is a Class 6 felony.

The proposed legislation would make the following changes to the law:

- Expand the offense with a mandatory minimum sentence of two days in jail to include all school employees and school security officers; and
- Expand the list of public safety workers covered by the Class 6 felony provision to include campus police officers.

**6. Budget Amendment Necessary:** None. The funding for this proposal was included in the Governor's introduced budget, Item 385.

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

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2015	\$277,486	General
2016	\$5,840	General
2017	\$5,840	General
2018	\$5,840	General
2019	\$5,840	General
2020	\$5,840	General

## **8. Fiscal Implications:**

The proposed legislation expands the application of the mandatory minimum jail sentence and expands the application of the Class 6 felony offense. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$271,646 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in nine additional inmates being incarcerated in prison.

The Virginia Criminal Sentencing Commission has determined that the proposed legislation also would result in an increase in the number of local-responsible (jail) inmates—four additional inmates in each fiscal year thereafter through FY 2020. The Compensation Board reimburses localities \$4.00 per day for each local-responsible inmate held in jails. It also provides funding for additional deputies needed in jails due to overcrowding. The amounts shown in Item 7 include the additional costs projected costs for the Compensation Board as a result of this proposed legislation.

## **9. Specific Agency or Political Subdivisions Affected:**

Department of Corrections  
Compensation Board  
Local and regional jails

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

## **11. Other Comments:** Identical to HB 698. Similar to HB 496.

**Date:** 1/20/2014

**Document:** G:\LEGIS\fis-14\sb570.docx Dick Hall-Sizemore