

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB53

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: Rasoul

3. Committee: Courts of Justice

4. Title: Sentence modification procedure for juvenile offenders

5. Summary: Provides a mechanism for a person convicted of a non-homicide offense committed on or after January 1, 1995, while the person was a juvenile, and who is sentenced to life or a term of confinement that would be completed after his 60th birthday, to petition for a modification of sentence at age 35 or after serving 20 years of the sentence, whichever occurs later.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: According to the Department of Corrections (DOC), this legislation would apply to offenders who are currently incarcerated in addition to any future offenders.

As of December 31, 2015, there were 15 state responsible offenders that met the offense, age at offense, and sentence length criteria as specified in the proposed legislation. Of the noted 15 state responsible offenders, 6 had convictions for non-homicide offenses committed when they were 18 years old or older.

It is possible the proposed legislation could reduce future state responsible bed space needs. However, the potential impact cannot be determined. The proposed legislation requires Probation and Parole officers (P&P) to submit a written evaluation of the petitioner to the court. Offenders being released earlier than scheduled may need community supervision. Additionally, this proposal would likely place increased demands on the courts (hearing petitions) and Commonwealth's Attorneys (responding to petitions), however, the impact is expected to be negligible.

9. Specific Agency or Political Subdivisions Affected: Courts, Commonwealth's Attorneys

10. Technical Amendment Necessary: No

11. Other Comments: None