

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB915

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:** Sickles

**3. Committee:** House Committee for Courts of Justice

**4. Title:** Conditional release of geriatric prisoners.

**5. Summary:** Allows any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, who (i) is 55 years of age or older and has served at least 15 years of the sentence imposed or (ii) is 50 years of age or older and has served at least 20 years of the sentence imposed, to petition the Parole Board for conditional release.

**6. Budget Amendment Necessary:** No. Item 429 of the introduced budget bill (HB30/SB30) includes an appropriation to support this legislation.

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

**8. Fiscal Implications:** According to data provided by the Department of Corrections (DOC), if the proposed legislation goes into effect on the assumed date of July 1, 2020, there will be 787 inmates who would be eligible to petition the VPB for geriatric release, given the parameters delineated in the proposed legislation. Of these, 382 are at least 50 years of age, and have served 20 years of their sentences, and 405 are at least 55 years of age and have served 15 years. Furthermore, it is expected that an additional 235 inmates will become eligible to petition the VPB for geriatric conditional release under the provisions of the proposed legislation in FY 2021, and an additional 172 inmates in FY 2022. However, the number of offenders who may actually petition for release cannot be known, nor can it be known how many offenders may actually be granted conditional release upon review by the VPB.

The DOC may require additional staff in the probation and parole offices to supervise these offenders in the community. However, the number of additional staff needed by district cannot be determined at this time because it is unknown how many individuals may be granted conditional release under the provisions of the proposed legislation. To the extent, a parolee violates the terms of the conditional release, the offender would be housed temporarily at a local correctional facility. The Commonwealth currently pays localities \$4.00 a day for each local-responsible prisoner held in a jail and \$12.00 a day for each state-responsible prisoner.

In order to address the potential increase in workload of cases to review, the introduced budget includes ( HB30/SB30) included funding to support three additional part-time

examiners and one part-time Victim Witness Coordinator in FY 2021, and one additional part-time examiner in FY 2022, for a total of five positions over two years for the VPB. The total cost for the four positions in the first year is \$156,092 annually, and the total cost for all positions in the second year is \$195,115, annually, including fringe benefits. Item 429 of the introduced budget bill (HB30/SB30) includes an appropriation to support these costs.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Parole Board; Department of Corrections, Courts, and local correctional facilities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill is identical to SB624.