

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 17.1-805.1, relating to*
3 *discretionary sentencing guidelines; midpoint for violent felony offenses.*

4
5 Approved

[S 423]

6
7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding a section numbered 17.1-805.1 as follows:**

9 ***§ 17.1-805.1. Discretionary sentencing guideline midpoints for certain defendants.***

10 *The Commission shall adopt discretionary felony sentencing guidelines that may increase the*
11 *midpoint of the recommended sentencing range based on the defendant's record of convictions for*
12 *violent felony offenses, as defined in subsection C of § 17.1-805.*

13 *For guidelines that become effective on or after July 1, 2022, the Commission may increase the*
14 *midpoint of the recommended sentencing range for such defendants as set forth in subsection A of*
15 *§ 17.1-805 or the Commission may recommend increases in the midpoint to the degree indicated by*
16 *historical data for felony offenses sentenced in the Commonwealth. Any recommendations adopted by the*
17 *Commission to modify the sentencing guidelines midpoints shall be contained in the annual report*
18 *required under § 17.1-803 and shall become effective in accordance with § 17.1-806.*

19 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
20 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the**
21 **necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and**
22 **cannot be determined for periods of commitment to the custody of the Department of Juvenile**
23 **Justice.**

ENROLLED

SB423ER