

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB1673H1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Bell

3. Committee: Courts of Justice

4. Title: Strangulation by blocking or obstructing the airway of another; penalty.

5. Summary: The amended bill provides that any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully blocking or obstructing the airway of such person is guilty of suffocation, a Class 6 felony.

6. Budget Amendment Necessary: Yes. Item 402.

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

8. Fiscal Implications: According to the Virginia Criminal Sentencing Commission (VCSC), the existing data are insufficient to estimate the number of convictions that would result from the expanded provisions of the proposal. Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to § 30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 2, 2022 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

Additionally, although the proposal may increase the local-responsible (jail) bed space needs, the magnitude of the impact cannot be determined.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, local and regional jails, state and local law enforcement agencies, Courts, Commonwealth's Attorneys' Office, Public Defender's Office.

10. Technical Amendment Necessary: No.

11. Other Comments: None.