

## **Department of Planning and Budget**

### **2023 Fiscal Impact Statement**

**1. Bill Number:** SB1156S1

**House of Origin**    ☐ Introduced        ☒ Substitute        ☐ Engrossed

**Second House**        ☐ In Committee    ☐ Substitute        ☐ Enrolled

**2. Patron:**        Boysko

**3. Committee:** Judiciary

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

**5. Summary:** The proposed bill expands Class 6 felony to include suffocation by knowingly, intentionally, and unlawfully blocking or obstructing the airway of another person, which results in the wounding or bodily injury of such person.

**6. Budget Amendment Necessary:** Yes. Item 404.

**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, the VCSC has concluded that the additional bed space needs of local-responsible jails, adult community corrections programs, and Juvenile direct care and detention facilities 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.