

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1245 H1

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☒ Substitute ☐ Enrolled

2. Patron: Obenshain

3. Committee: Courts of Justice

4. Title: Arrest and return of parolee or felon serving a period of post-release supervision.

5. Summary: Under current law, post-release supervision programs are operated through the probation and parole districts established pursuant to § 53.1-141 and the conditions of post-release supervision are established by the Virginia Parole Board. The substitute bill provides that any failure to successfully complete a period of probation imposed by a court is subject to revocation pursuant to §§ 19.2-306 and 19.2-306.1 (govern revocation of suspended sentences and technical probation violations).

Current law places certain conditions on people who are released on parole or post-release supervision when such people have been committed to the Department of Behavioral Health and Developmental Services. Current law also allows for the revocation and reincarceration of parolees or felons serving a period of post-release supervision. The substitute bill removes references in these sections to those on post-release supervision.

The provisions of the bill have a delayed effective date of July 1, 2024.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: According to the Virginia Parole Board, this bill may reduce its workload as a result of not having to review approximately 60 affected cases per year; however, the fiscal impact associated with this change is likely to be small. According to the Department of Behavioral Health and Developmental Services, this bill is not expected to have a fiscal impact on agency operations. This bill is not expected to have a material fiscal impact on courts. Any impact on state-responsible bed space would depend on how courts sentence supervisees who violate post-release obligations.

9. Specific Agency or Political Subdivisions Affected: Virginia Parole Board, Department of Corrections, courts, Department of Behavioral Health and Developmental Services

10. Technical Amendment Necessary: No

11. Other Comments: None