

## Department of Planning and Budget 2024 Session Fiscal Impact Statement

**1. Bill Number:** HB179

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed  
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

**2. Patron:** Gardner

**3. Committee:** Courts of Justice

**4. Title:** Imprisonment; consecutive terms.

**5. Summary:** This bill eliminates the required imposition of certain mandatory consecutive sentences of imprisonment.

**6. Budget Amendment Necessary:** Indeterminate

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

**8. Fiscal Implications:** This bill removes the requirement that certain offenses with mandatory minimum sentences be served consecutively with any other sentences. According to the Virginia Criminal Sentencing Commission, in FY 2023, there were 1,693 felony sentencing events with mandatory minimum penalties and 710 misdemeanor sentencing events with mandatory minimum penalties specified in the bill. The Department of Corrections (DOC) provided FY 2022 new court commitment data for the offenses listed in the bill but did not identify the number of offenders who are serving required consecutive sentences. If additional information from the DOC is provided, the fiscal impact statement will be revised as needed.

The provisions of this bill are not retroactively applied; therefore, it will have no impact on the current inmate population. Although the bill may decrease the amount of time future inmates serve if judges impose concurrent sentences instead of consecutive sentences, the impact will ultimately depend on judges' discretion.

The Office of the Attorney General reports that this bill may require the agency to respond and litigate additional cases filed under the proposed bill and, therefore, may have a fiscal impact on agency operations. However, the fiscal impact cannot be quantified at this time.

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections, local and regional jails, Office of the Attorney General

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None