

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB926 **Patron:** Stuart
Bill Title: Assault and battery of law-enforcement officer; definition of law-enforcement officer; penalty.

Bill Summary: Adds officers of the Virginia Marine Police to the definition of law-enforcement officer, which means that the punishment for committing an assault and battery on such an officer who is engaged in the performance of his public duties is elevated from a Class 1 misdemeanor to a Class 6 felony, with a six-month mandatory minimum term of confinement.

Budget Amendment Necessary: Yes **Items Impacted:** Item 390
Explanation: See below

Fiscal Summary:

Proposal requires “Woodrum” impact funding per § 30-19.1:4, Code of Virginia, to account for a possible increase in the need for state prison beds due to this legislation.

General Fund Expenditure Impact:

| <u>Agency</u> | <u>FY2025</u> | <u>FY2026</u> | <u>FY2027</u> | <u>FY2028</u> | <u>FY2029</u> | <u>FY2030</u> |
|----------------------|---------------|-----------------|---------------|---------------|---------------|---------------|
| Dept. of Corrections | | \$53,567 | | | | |
| TOTAL | | \$53,567 | | | | |

Fiscal Analysis:

The proposed legislation increases the penalty for an assault or assault and battery committed against a Virginia Marine Police officer. If Marine Police officers are assaulted, and these assaults result in convictions, at the same rate as other law enforcement officers, the proposal is expected to produce approximately one to two additional felony convictions a year by FY2031. Because a portion of offenders convicted of assaulting a law enforcement officer receive a state-responsible (prison) term, the proposal is expected to increase the future prison bed space needs of the Commonwealth. Additionally, the proposal is expected to increase the future need for local-responsible (jail) beds.

The impact on state-responsible (prison) beds is estimated to be at least one partial bed by FY2031. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is at least \$45,586. The impact on local-responsible (jail) beds is estimated to be at least one partial bed by FY2031 (state costs: at least \$7,981; local costs: at least \$12,995). The total cost of an additional state-responsible and local-responsible bed to the Commonwealth is \$53,567.

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Other: None