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

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ORIGINAL

Bill Number:HB2425Patron:GriffinBill Title:Abuse, etc., of child younger than the age of 15 by person in custodial or supervisory
relationship; penalty.

Bill Summary: Creates a Class 6 felony for any person 18 years of age or older who maintains a custodial or supervisory relationship over a child younger than the age of 15 and who knowingly and intentionally on three or more occasions within a 30-day period (i) commits assault or assault and battery in violation of relevant law against such child, (ii) causes such child to be an abused or neglected child as such term is defined in relevant law, or (iii) engages in any conduct that he should know or reasonably know places such child in reasonable fear of death or bodily injury. The bill also provides that a prosecution for such offense may be commenced regardless of whether such violations have been reported to a law-enforcement officer or the alleged offender has been charged with or convicted of such alleged violations.

Budget Amendment Necessary:YesItems Impacted:Item 390Explanation:See below

Fiscal Summary:

Proposal requires minimum "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:

Agency	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
Dept. of Corrections		\$50,000				
TOTAL		\$50,000				

Fiscal Analysis:

Anyone convicted of a Class 6 felony is subject to a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each state-

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responsible prisoner. It also funds a considerable portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.

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, 2024 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

Other: None