



Fiscal Impact Statement for Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill 295 (Patron—Cornett)

LD #: 26103862

Date: 01/15/2026

Topic: Aggravated murder of correctional officers

Fiscal Impact Summary:

- **State Adult Correctional Facilities:**
None (\$0)*
- **Local Adult Correctional Facilities:**
None (\$0)
- **Adult Community Corrections Programs:**
None (\$0)

- **Juvenile Direct Care:**
Cannot be determined **
- **Juvenile Detention Facilities:**
Cannot be determined **

** Provided by the Department of Juvenile Justice

* Pursuant to § 30-19.1:4, fiscal impact statements prepared by the Virginia Criminal Sentencing Commission only include the estimated increase in operating costs associated with additional state-responsible prison beds and do not reflect any other costs or savings that may be associated with the proposed legislation.

Summary of Proposed Legislation:

The proposal amends § 18.2-31 to add to the definition of aggravated murder the willful, deliberate, and premeditated killing of a correctional officer as defined in § 53.1-1. Under current statute, this offense would be charged as an aggravated murder offense, which is a Class 1 felony.¹ Under the proposal, if the offender is at least 18 years old, the aggravated murder of a correctional officer is punishable by a mandatory minimum term of confinement for life.

Analysis:

According to the Circuit Court Case Management System (CMS) for fiscal year (FY) 2024 through FY 2025, three sentencing events involved attempted or conspired aggravated murder by a prisoner under § 18.2-32 as the primary (most serious) offense. Two defendants received sentences of five years' imprisonment, while one received a sentence of twelve years. No completed acts of aggravated murder by a prisoner were identified during this period.

Impact of Proposed Legislation:

State adult correctional facilities. The proposed legislation is not expected to increase the state-responsible (prison) bed space needs of the Commonwealth during the six-year window specified by § 30-

¹ Under current law, aggravated murder offenses under § 18.2-31 are ineligible for the enhanced sentence credits specified in § 53.1-202.3; therefore, individuals convicted of the proposed felony offenses will serve a minimum of 85% of the sentence ordered by the court.

19.1:4 for legislative impact statements. All offenders convicted of completed aggravated murder as their primary offense would receive a life sentence. Therefore, any potential increase in prison sentence length associated with the upgrade to aggravated murder would occur beyond the six-year forecast window required by § 30-19.1:4. The impact of the proposal on state-responsible bed space is thus estimated to be \$0.

Local adult correctional facilities. Because no individuals convicted of aggravated murder under § 18.2-31 received a jail term, the impact of this proposal on post-conviction, locally responsible (jail) bed space is estimated to be \$0.

Adult community corrections programs. The proposal will not affect community corrections programs within the six-year forecasting period at issue here.

Virginia's Sentencing Guidelines. Virginia's Sentencing Guidelines do not cover completed acts of aggravated murder defined in § 18.2-31, nor did they cover capital murder offenses prior to July 1, 2021. No adjustment to the Guidelines would be necessary under the proposal.

Juvenile direct care. According to the Department of Juvenile Justice (DJJ), the impact of the proposal on direct care (juvenile correctional center or alternative commitment placement) bed space needs cannot be determined.

Juvenile detention facilities. The Department of Juvenile Justice reports that the proposal's impact on the bed space needs of juvenile detention facilities cannot be determined.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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