

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB989 **Patron:** Garrett
Bill Title: Sexual abuse of certain children; penalty.

Bill Summary: Increases from a Class 1 misdemeanor to a Class 6 felony the penalty for sexual abuse of a child who is 13 or 14 years of age.

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>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
Dept. of Corrections		\$1,038,276				
TOTAL		\$1,038,276				

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. Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission (VCSC) estimates a fiscal impact of \$1,038,276 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in 18 additional offenders being incarcerated in prison.

The VCSC estimates this proposal will decrease the future need for jail beds. A decrease in jail population will decrease costs to the state. The Commonwealth currently pays the localities \$5.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each state-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 2025), the estimated total state support for local jails averaged \$58.25 per inmate, per day in FY 2024. The impact on jail

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beds is estimated to be a decrease of at least two beds by FY2031. This reduction is estimated to generate at least \$34,915 in state savings and at least \$54,267 in local savings for jail costs.

Other: None