

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

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**ORIGINAL**

**Bill Number:** HB172

**Patron:** Mehta

**Bill Title:** Criminal cases; request for a jury to ascertain punishment.

**Bill Summary:** Provides that an accused may withdraw a request for a jury to ascertain punishment up until the commencement of the sentencing proceeding. The bill also provides that counsel for either party shall have the right to examine jurors regarding the potential range of punishment regardless of whether the jury will ascertain punishment and that the court or counsel for either party may inform any person or juror during voir dire as to the potential range of punishment to ascertain if the person or juror can sit impartially in the guilt or sentencing phase of the case. Current law provides that the court or counsel for either party may inform any person or juror during voir dire as to the potential range of punishment to ascertain if the person or juror can sit impartially in the sentencing phase of the case.

**Budget Amendment Necessary:** None

**Items Impacted:** N/A

**Explanation:** N/A

**Fiscal Summary:** According to the Office of the Executive Secretary (OES) of the Supreme Court of Virginia, this bill does not have an impact on Courts.

**Fiscal Analysis:** Any unanticipated costs that may arise from the bill are expected to be absorbable with existing resources.

**Other:** None