

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

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ORIGINAL

**Bill Number:** HB102                    **Patron:** Ballard  
**Bill Title:** Voluntary manslaughter; increases penalty.

**Bill Summary:** Increases the penalty for voluntary manslaughter from a Class 5 felony, punishable by between one and ten years' imprisonment in a state correctional facility, to an unclassified felony punishable by imprisonment in a state correctional facility for not less than one year nor more than 20 years or, in the discretion of the jury or court trying the case without a jury, by confinement in jail for a period not exceeding 12 months or a fine of not more than \$2,500, either or both.

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

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
Dept. of Corrections		\$50,000				
<b>TOTAL</b>		\$50,000				

**Fiscal Analysis:**

This bill changes a Class 5 felony to an unclassified felony. For someone convicted of a Class 5 felony, a judge has the option of sentencing the offender to a term of imprisonment of not less than one year nor more than 10 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. Anyone convicted under this proposal's unclassified felony would be subject to term of imprisonment of not less than one year nor more than 20 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 misdemeanor or otherwise local-responsible prisoner held

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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.

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 725, 2025 Acts of Assembly, requires that a minimum impact of \$50,000 be assigned to the bill.

**Other:** None