

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

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ORIGINAL

Bill Number: HB212

Patron: Gardner

Bill Title: Elections; election offenses; intimidation and threats toward election officials; penalty.

Bill Summary: Removes the requirement that a person willfully hinder or prevent an election official from administering elections in order to be found guilty of intimidation and threats toward such official, which is a Class 5 felony under current law.

Budget Amendment Necessary: Yes

Items Impacted: Item 390

Explanation: See Below

Fiscal Summary: There is no anticipated fiscal impact to the Department of Elections. There is an indeterminate fiscal impact due to the Class 5 felony. The 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 the provisions of this legislation.

General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
Department of Corrections		\$50,000	-	-	-	-
TOTAL		\$50,000	-	-	-	-

Fiscal Analysis: As stand-alone legislation this bill can be implemented through the ordinary course of annual post legislative revisions without requiring additional funding.

There is an indeterminate state fiscal impact, to the Department of Corrections, due to the provisions of this bill. Anyone found in violation of this legislation may be charged with a Class 5 felony. Penalties for a Class 5 felony may include imprisonment for a term of no less than one year and no more than 10 years, or, at the discretion of the jury or the court (if the case is tried without a jury), confinement in jail for up to 12 months, along with a fine of up to \$2,500, or both. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000.

Other: N/A

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