

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

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ORIGINAL

Bill Number: HB863

Patron: Cousins

Bill Title: Elimination of mandatory minimum sentences for certain offenses.

Bill Summary: Eliminates the mandatory minimum term of confinement for certain crimes.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: See below

Fiscal Summary:

This fiscal impact of this bill on the Department of Corrections and the Compensation Board cannot be estimated at this time.

Fiscal Analysis:

This bill provides for the elimination of mandatory minimum sentences for certain offenses. The Virginia Criminal Sentencing Commission (VCSC) reports that this bill may reduce the number of state-responsible (prison) beds and local-responsible (jail) beds required in Commonwealth resulting in cost savings for the Department of Corrections (DOC) and Compensation Board. Any decrease in the jail population will decrease costs to the state under the Compensation Board, as the Commonwealth currently pays localities \$15.00 a day for each state-responsible inmate held in a jail. However, because there is no clear directive to the courts regarding implementation and the anticipated effect on the sentencing guidelines is minimal, a precise fiscal impact cannot be calculated.

According to the Office of the Executive Secretary of the Supreme Court of Virginia, The Virginia Parole Board, and Department of Juvenile Justice, this proposal is not expected to have an impact on agency operations.

The fiscal impact to DOC is unknown at this time. A new Fiscal Impact Statement will be issued when the information is available.

Other: None